Subcommittee on Antiquities and Monuments (Declaration of Proposed Monument)(Ho Tung Gardens) Notice

Response to Members' request for information made at the meeting held on 23 February 2011

1. To provide information on the principles, criteria, factors of consideration, procedures and mechanism for determining the grading of historic buildings, and for declaring a place, a building site, or a structure as a proposed monument.

Determining grading of historic buildings

The grading of historic buildings is an administrative mechanism to provide an objective basis for determining the heritage value and preservation need of individual historic buildings. Historic buildings meeting the following thresholds are given either a Grade 1, Grade 2 or Grade 3 status by the Antiquities Advisory Board (AAB):

- (a) Grade 1 status refers to buildings of outstanding merit, which every effort should be made to preserve if possible.
- (b) Grade 2 status refers to buildings of special merit; efforts should be made to selectively preserve.
- (c) Grade 3 status refers to buildings of some merit; preservation in some form would be desirable and alternative means could be considered if preservation is not practicable.
- 2. In 2002-2004, the Antiquities and Monuments Office (AMO) carried out an in-depth survey of 1 444 buildings² with higher heritage value. As recommended by the AAB in December 2004, an expert panel comprising historians as well as members of the Hong Kong Institute of Architects, the Hong Kong Institute of Planners and the Hong Kong Institution of Engineers was formed to assess the heritage value of these buildings based on the findings of the in-depth survey and the assessment approach endorsed by the AAB.

¹ The AAB is an independent statutory body established under section 17 of the Antiquities and Monuments Ordinance (Cap. 53) to advise the Antiquities Authority any matters relating to antiquities, proposed monuments or monuments or referred to it for consultation under section 2A(1), section 3(1) or section 6(4) of the Ordinance.

² These 1 444 buildings were selected from some 8 800 buildings in Hong Kong built mainly before 1950, which were covered in a territory-wide survey conducted by the AMO in 1996 to 2000.

- 3. Under the endorsed assessment approach, each building was first assessed individually against six criteria, namely historical interest, architectural merit, group value, social value and local interest, authenticity and rarity. This assessment was then refined based on a comparison with other buildings having regard to the following three parameters
 - (a) historical illustrating a particular historical development with a specific theme;
 - (b) typological being the key exemplars of particular building types and architectural styles; and
 - (c) contextual building group able to reflect the development of a settlement/cluster, and its social, cultural and economic lives.
- 4. The expert panel completed the assessment of the 1 444 historic buildings in February 2009, with a proposed grading (Grade 1, Grade 2, Grade 3 or nil grade) being assigned to each building. consideration by the AAB in March 2009, the AMO conducted a public consultation exercise from March to September 2009 on the proposed gradings. The AMO also wrote to the owners of these buildings to invite their views on the proposed gradings. The expert panel subsequently reviewed the proposed gradings, taking account of the views and additional information received from members of the public and the owners, and made adjustments as necessary. The expert panel's recommended gradings were then submitted to the AAB for consideration and confirmation. Apart from the 1 444 buildings, there were also suggestions for additional buildings to be graded. These suggestions are considered by the expert panel and the AAB in accordance with the same approach outlined in paragraph 3 above. As at the end of January 2011, the AAB has confirmed the gradings of more than 1 100 historic buildings.
- 5. The prevailing selection principles in identifying historic buildings in Hong Kong and the methodology for evaluating their heritage value are derived having regard to well-recognised principles and practices adopted in other places (such as Canada, UK, Australia and China), international documents on heritage conservation (including the International Charter for the Conservation and Restoration of Monuments and Sites (commonly referred to as the Venice Charter), the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (commonly referred to as the Burra Charter) and the Principles for the

Conservation of Heritage Sites in China (China ICOMOS)) as well as our local circumstances.

Declaration of monuments and proposed monuments

- 6. Under Section 3 of the Antiquities and Monuments Ordinance (Cap. 53)(the Ordinance), the Antiquities Authority (i.e. the Secretary for Development) may, after consultation with the AAB and with the approval of the Chief Executive, declare a place, building, site or structure, which the Authority considers to be of public interest by reason of its historical significance, to be a monument by notice in the Gazette. Prior consultation with the owner will be made.
- 7. In November 2008, the AAB endorsed the establishment of a formal relationship between the statutory monument declaration system and the administrative grading system for historic buildings of the AAB.
- 8. Under the endorsed arrangements, the list of Grade 1 buildings, defined as "buildings of outstanding merit, which every effort should be made to preserve if possible", will be regarded as a pool of highly valuable heritage buildings for consideration by the Antiquities Authority as to whether some of these may have reached the "high threshold" of monuments to be put under statutory protection. However, such a linkage would not oblige the Antiquities Authority to declare all Grade 1 buildings as monuments.
- 9. The Antiquities Authority is committed to actively considering each and every of the Grade 1 buildings for possible monument declaration. Given the resources required, the Authority will naturally have to prioritise the list of Grade 1 buildings for consideration, based on such factors as the buildings' heritage significance, demolition risks, the owners' and the public's aspirations, etc.
- 10. The Antiquities Authority may take action to declare a building as a proposed monument under section 2A(1) of the Ordinance if the building needs immediate statutory protection (e.g. if the building is under threat of demolition or alteration/renovation works are proposed to be carried out which may affect the heritage value of the building).
- 11. Under section 2A(1) of the Ordinance, the Antiquities Authority may, after consultation with the AAB and by notice in the Gazette, declare a place, building, site or structure to be a proposed monument. The declaration has effect for 12 months from the date of gazettal and it cannot be extended beyond the 12-month period for privately-owned

properties.

- 12. Under section 6(1) of the Ordinance, except in accordance with a permit granted by the Antiquities Authority, no person shall
 - (a) excavate, carry on building or other works, plant or fell trees or deposit earth or refuse on or in a proposed monument; or
 - (b) demolish, remove, obstruct, deface or interfere with a proposed monument.
- 13. Hence, the declaration of a historic site or building as a proposed monument will effectively protect the site or building from damage within the specified period, during which the Antiquities Authority could consider in a more comprehensive manner whether the site or building should be declared as a monument and the Administration and the owner could continue discussion on feasible preservation options.
- 2. To provide information on the principles, criteria and the mechanism for determining the form and amount of compensation and the economic incentives to be provided to the owners of proposed monuments and graded historic buildings.

Compensation to owners of proposed monuments

- 14. Section 8 of the Ordinance stipulates a mechanism for the Antiquities Authority to pay compensation to the owner of a proposed monument in respect of financial loss suffered or likely to be suffered by him by reason of
 - (a) the exercise by the Antiquities Authority, or by a designated person authorized by him, of the powers specified in section 5(1) of the Ordinance³; and
 - (b) refusal by the Antiquities Authority to grant a permit for carrying out building, demolition or other works or actions at

"Subject to this section, the Authority, and any designated person authorized by him in writing, may, for the purposes of this Ordinance, at all reasonable times-

³ Section 5(1) of the Ordinance provides –

⁽a) enter and inspect any proposed monument or monument;

⁽b) with the prior approval of the Chief Executive-

⁽i) fence, repair, maintain, preserve or restore any proposed monument or monument;

⁽ii) excavate or search for relics in any proposed monument or monument and remove any relics hitherto undiscovered."

the proposed monument as provided in section 6(1) of the Ordinance.

15. The amount of compensation may be agreed between the owner and the Antiquities Authority on a case-by-case basis having regard to the specific circumstances of each case. In default of such an agreement, the owner may apply to the District Court to assess the amount of compensation payable under section 8 of the Ordinance. The District Court may award to the applicant such compensation as it thinks reasonable in the circumstances.

Economic incentives for owners to preserve privately-owned historic buildings

- 16. Under the new heritage conservation policy announced by the Chief Executive in October 2007, the Administration acknowledges the need to provide suitable economic incentives to encourage private owners to preserve historic buildings in their ownership. We have informed the owners of the 1444 historic buildings of all forms of assistance available to encourage preservation, including discussing with them appropriate forms of economic incentives if the case so requires. The Commissioner of Heritage Office's (CHO) of the Development Bureau and the AMO have also proactively approached owners when redevelopment proposals are brought to their attention.
- 17. The type and extent of economic incentives are determined on a case-by-case basis. The form of economic incentive should be commensurate with the heritage value of the historic building in question. It also takes account of other relevant factors, including planning parameters, land status and condition, the financial implications to Government if applicable as well as the special circumstances of each case. For example -
 - (a) the preservation of Jessville in Pokfulam involved the partial uplifting of the Pokfulam Moratorium;
 - (b) the preservation of the historic portion of a Chinese shophouse at 179 Prince Edward Road West involved a minor relaxation of the plot ratio of the site;
 - (c) the preservation of King Yin Lei in Wan Chai was achieved through a non-in situ land exchange with the previous owner; and
 - (d) the preservation of all 4 historic buildings in the Central

compound of the Hong Kong Sheng Kung Hui (HKSKH) involved a transfer of part of the development to another site owned by HKSKH.

3. To provide details and the time sequence of events leading to the declaration of the Ho Tung Gardens as a proposed monument.

- As mentioned in paragraph 16 above, we proactively approach 18. owners of privately-owned historic buildings to inform them of our economic incentive policy and other forms of assistance to encourage preservation of these buildings. In addition, we have put in place an internal monitoring mechanism, whereby the Buildings Department (BD), Lands Department and Planning Department will alert the CHO and the AMO regarding any identified possible threat which may affect privately-owned sites of archaeological interests, monuments and historic buildings that have been brought to departments' attention through applications and enquiries received and in the normal course of duty such The District Offices also assist in informing the as regular inspections. CHO and the AMO if their staff notices any demolition of/alterations to monuments/proposed monuments or graded buildings/buildings proposed to be graded in their normal course of duty.
- 19. On receipt of alerts from relevant departments under the internal monitoring mechanism that any privately-owned proposed monument, monument, graded building or building proposed to be graded is under a damage or redevelopment threat, we will approach the private owners to explore preservation options. The above approach was followed in the case of the Ho Tung Gardens as illustrated by the chronology of events at **Annex A**.
- 4. To provide information on the deliberations of the Antiquities Advisory Board, including but not limited to minutes of meeting, discussion papers, reference materials and expert opinion that had been taken into consideration in the declaration of the Ho Tung Gardens as a proposed monument.
- 20. The AAB deliberated the proposed grading of the Ho Tung Gardens and the proposal to declare the Ho Tung Gardens as a proposed monument under the Ordinance at its special meeting held on 25 January A copy of the relevant AAB paper is at **Annex B**. It has been 2011. uploaded website to the of the **AMO** at http://www.amo.gov.hk/en/special_meetings.php.

21. The Secretary for Development and the Chairman of the AAB met the media immediately after the AAB meeting to explain the decision to declare the Ho Tung Gardens as a proposed monument and the outcome of the AAB meeting. A press release on the Secretary for Development's remarks at the media briefing is at **Annex C** (Chinese version only).

Development Bureau February 2011

Annex A

The chronology of events leading to the declaration of Ho Tung Gardens as a proposed monument

| Time | Action | Notes |
|---------------------------------------|--|--|
| March – September 2009 | Public consultation on the proposed gradings of the 1 444 historic buildings. | The public and the owners of the 1 444 historic buildings, including Ho Tung Gardens (proposed Grade 1), were informed and consulted on the proposed gradings. |
| July 2009 – July 2010 | Exchange of views between the owner, the CHO and AMO on the proposed grading and the importance of preservation of Ho Tung Gardens. | |
| Latter half of 2010 - January 2011 | The CHO and the AMO received a series of alerts from the Buildings Department (BD) under the internal monitoring system on the demolition and redevelopment applications submitted by the owner of the Ho Tung Gardens. The CHO made repeated attempts to approach the owner for discussion on possible preservation | of the applicant, the Administration is not authorized to release the dates of submission of |

| Time | Action | Notes |
|---------------------------------|--|--|
| | options. Internal deliberations on the next steps to protect the Ho Tung Gardens (including the option to declare it as a proposed monument) proceeded in parallel. | |
| 7 October – 31 December 2010 | The BD approved the demolition plan, hoarding plan and building plan for the redevelopment of the Ho Tung Gardens in accordance with the Building Ordinance. | Approval was granted by the BD because these applications comply with the requirements under the Buildings Ordinance, which regulates building safety. CHO and AMO were kept informed of such approvals. |
| 25 January 2011 | The Administration invited the AAB to consider the following — (a) to confirm the proposed Grade 1 status for the Ho Tung Gardens in the light of the information received by the AMO during the public consultation; and (b)The Antiquities Authority proposal to declare the Ho Tung Gardens as a proposed monument. | |

| Time | Action | Notes |
|-----------------|--|-------|
| | AAB confirmed Grade 1 status for the Ho Tung Gardens and supported unanimously the Antiquities Authority's proposal to declare the Ho Tung Gardens as a proposed monument. The Secretary for Development and the AAB Chairman met the media immediately after the AAB meeting to brief them on the decision to declare the Ho Tung Gardens as a proposed monument and the outcome of the AAB meeting. | |
| 28 January 2011 | Gazettal of the legal notice for declaring the Ho Tung Gardens as a proposed monument with immediate effect for a period of 12 months. | |

For discussion on 25 January 2011

BOARD PAPER <u>AAB/2/2011-12</u>

MEMORANDUM FOR MEMBERS OF THE ANTIQUITIES ADVISORY BOARD

GRADING OF HO TUNG GARDENS AT 75 PEAK ROAD AND THE PROPOSAL TO DECLARE IT AS A PROPOSED MONUMENT UNDER THE ANTIQUITIES AND MONUMENTS ORDINANCE

PURPOSE

This paper seeks Members' confirmation of the grading of Ho Tung Gardens at 75 Peak Road in the light of the additional information received during the public consultation period and further assessment by the expert panel. It also seeks Members' advice on the proposed declaration of Ho Tung Gardens (as delineated at <u>Annex A</u>) as a proposed monument under section 2A(1) of the Antiquities and Monuments Ordinance (Cap. 53).

GRADING OF HO TUNG GARDENS

Heritage and architectural values

proposed to be given a Grade 1 status¹ by the Antiquities and Monuments Office (AMO) based on the assessment of the expert panel. The grading has

Ho Tung Gardens is on the list of 1,444 historic buildings and was

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¹ By definition, a Grade 1 historic building is a "building of outstanding merit, which every effort should be made to preserve if possible."

yet to be confirmed by the Antiquities Advisory Board (AAB). An appraisal on the heritage value of Ho Tung Gardens is at **Annex B**.

- 3. Ho Tung Gardens, also known in Chinese as 曉覺園, comprises three buildings (including a basically two-storey main building in Chinese Renaissance style, a servants' quarter and a garage) and structures including Chinese pavilions, a Chinese pagoda, etc.. The name 曉覺 is derived from the names of the couple 何曉生 (alias Sir Robert Ho Tung 何東爵士) (1862-1956) and 張蓮覺 (alias Lady Clara Ho Tung Cheung Lin-kok) (1875-1938). The main building was built around 1927 and the ornamental gateway (牌樓) at the entrance was completed in 1938. The main house of Ho Tung Gardens was designed by Palmer and Turner, a well-known local architectural practice. Before the Japanese occupation of Hong Kong, the Hong Kong Government had used the premises to house one of its military During the Japanese invasion in December 1941, the site received The house underwent renovation after the war. several direct hits. Photographs of Ho Tung Gardens are at **Annex C**.
- 4. Sir Robert Ho Tung, affectionately referred to in his old age by the local community as "The Grand Old Man of Hong Kong" (香港大老), is almost the most prominent and distinguished business and community leader in early 20th-century Hong Kong. As one of the first very successful Eurasian businessmen in colonial Hong Kong, he made distinguished successes in his global businesses, as a testimony to the unique role of Hong Kong as a bridge between the East and the West. Well-networked in both the local and overseas communities, he participated actively in local affairs. He served on the boards of influential charitable organisations, including Tung Wah Hospital. He also contributed to the establishment of The Chinese Club, a counterpart to The Hong Kong Club for Chinese community leaders at the time, and was its first Chairman. He was knighted twice by the British monarchy, first as Knight

Bachelor by King George V in 1915 and then as Knight Commander of the Order of the British Empire (K.B.E.) by Queen Elizabeth II in 1955. He also received honours and decorations from the Governments of China, Portugal, France, Germany, Italy, Belgium and Annam, from His Holiness Pope Pius XII and from the Order of St. John of Jerusalem.

- 5. Sir Robert Ho Tung's family is one of the most prominent families in Hong Kong and was the first non-Europeans to receive permission from the Hong Kong Government to reside in the Peak area. Many family members have participated actively in the local affairs and charitable work in Hong Kong. They include-
 - (a) Lady Clara Ho Tung (何張蓮覺) wife of Sir Robert Ho Tung; the founder of the first Buddhist school for girls in Hong Kong (寶覺第一義學); and the founder of the Buddhist temple Tung Lin Kok Yuen² (東蓮覺苑);
 - (b) Mr. Ho Fook (何福) brother of Sir Robert Ho Tung; Unofficial Member of the Legislative Council;
 - (c) General Robert Ho Shai-lai (何世禮) son of Sir Robert Ho Tung;
 - (d) Sir Lo Man-kam (羅文錦) son-in-law of Sir Robert Ho Tung; Unofficial Member of the Executive Council and Unofficial Member of the Legislative Council;
 - (e) Mr. Lo Tak-shing (羅德丞) grandson of Sir Robert Ho Tung; Unofficial Member of both the Executive Council and the Legislative Council;

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² Tung Lin Kok Yuen is a Grade 1 historic building.

- (f) Mr. Robert H.N. Ho (何鴻毅) grandson of Sir Robert Ho Tung; founder of the Robert H.N. Ho Family Foundation; and
- (g) Sir Eric Edward Hotung (何鴻章) grandson of Sir Robert Ho Tung; Ambassador at Large of the Democratic Republic of Timor-Leste.
- 6. Their community leadership and close involvement in the development of social services in Hong Kong are still evident in many places in Hong Kong, for example:
 - (a) Ho Tung Road in Kowloon Tong;
 - (b) the Ho Tung Technical School for Girls (now Ho Tung Secondary School), one of the first government technical schools for girls in Hong Kong under the initiative of Sir Robert Ho Tung and Lady Clara Ho Tung;
 - (c) the Lady Ho Tung Hall of the University of Hong Kong established with the donation of Sir Robert Ho Tung;
 - (d) the Buddhist temple Tung Lin Kok Yuen in Happy Valley;
 - (e) Po Kok School (寶覺女子中學暨附屬小學, formerly known in Chinese as 寶覺第一義學), the first Buddhist school for girls in Hong Kong;
 - (f) Kam Tsin Village Ho Tung School (金錢村何東學校) in Sheung Shui;

- (g) Tung Wah Group of Hospitals Ho Tung Home for the Elderly in Tsz Wan Shan; and
- (h) Lady Ho Tung Welfare Centre³ in Sheung Shui.
- 7. Ho Tung Gardens is the only remaining residence directly related to Sir Robert Ho Tung in Hong Kong and is much valued for its high heritage value. The main building is built in the Chinese Renaissance style, with painted walls and rectangular windows of various sizes. A square tower with a Chinese tiled roof but resembling an Italianate *campanile* with arched windows and doorway is a striking feature of the main house. There are a few buildings in Hong Kong in the Chinese Renaissance style, of which Ho Tung Gardens and King Yin Lei at Stubbs Road are masterpieces.
- 8. The social value of Ho Tung Gardens lies in its association with Sir Robert Ho Tung, one of the first very successful Eurasian businessmen and philanthropists in Hong Kong with significant contributions to the local community. It is also valued for its associations with Lady Clara Ho Tung, and their son Robert Ho Shai-lai (何世禮) who lived there from 1960s to 1990s.
- 9. In response to the proposal to accord Grade 1 status to Ho Tung Gardens, the owner wrote to AMO in July 2010⁴ to express her disagreement with the proposed Grade 1 status and provide additional information on Ho Tung Gardens. The owner did not agree with the proposed Grade 1 status mainly because, as she indicated, Sir Robert Ho Tung did not live in Ho Tung Gardens, no important family events had been held there and the interior of the buildings there had undergone considerable alterations, etc. Having considered the owner's views, the expert panel maintains the view that Ho

⁴ A copy of the owner's letter has been provided to Members separately.

³ Lady Ho Tung Welfare Centre is a Grade 2 historic building.

Tung Gardens has high heritage value warranting a Grade 1 status, since it is the only remaining residence directly related to Sir Robert Ho Tung locally and in view of the rarity of historic buildings in Chinese Renaissance architectural style in Hong Kong. Accordingly, we **recommend** the Board to confirm according Grade 1 status to Ho Tung Gardens.

PROPOSED DECLARATION AS A PROPOSED MONUMENT

- 10. Under our monitoring system established to monitor any submission to relevant Government departments on proposed works that may affect monuments and historic buildings, it has been brought to our attention that the owner has submitted to the Buildings Department (BD) a building plan and a demolition plan with regard to Ho Tung Gardens for developing 11 houses. Both plans have recently been approved by BD as they comply with all the relevant requirements under the Buildings Ordinance, which regulates building safety.
- 11. The administrative grading of Ho Tung Gardens does not afford it statutory protection under the Antiquities and Monuments Ordinance. However, the Antiquities Authority will actively consider whether a building in the pool of Grade 1 buildings has reached the high threshold of heritage value for the declaration of monument under the Ordinance⁵, and may take action to declare it as a proposed monument under the Ordinance if the building needs immediate statutory protection (e.g. if the building is under threat of demolition or alteration/ renovation works are proposed to be carried out which may affect the heritage value of the building).

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⁵ As advised by AAB in December 2009, all Grade 1 buildings and sites would be accepted as providing a pool of highly valuable heritage buildings for consideration by the Antiquities Authority as to whether some of them may have reached the high threshold of monuments to be put under statutory protection.

- 12. In view of the heritage and architectural value of Ho Tung Gardens as well as the proposed demolition and building works thereat, we consider that the declaration of Ho Tung Gardens as a proposed monument under the Antiquities and Monuments Ordinance would be most desirable and appropriate to better protect Ho Tung Gardens from damage. By bestowing statutory protection of the site for up to 12 months, the proposed declaration would allow the Antiquities Authority to fully consider whether or not Ho Tung Gardens should be declared as a monument under the Ordinance and allow more time for further discussion with the owner to reach a consensus on the preservation option. The Antiquities Authority therefore intends to exercise her power under section 2A of the Ordinance to declare Ho Tung Gardens as a proposed monument and accordingly seeks AAB's views on the intended declaration.
- 13. It should be noted that declaration of a historic site as a proposed monument does not necessarily lead to its declaration as a monument. It would be up to the Antiquities Authority, after consultation with AAB, and having considered various related factors, including the views of the community, the view of the owner and the cost of preservation, to decide whether Ho Tung Gardens should be declared as a monument for permanent preservation and if so, to seek the required approval of the Chief Executive for monument declaration.
- 14. Since the coming into force of the Antiquities and Monuments Ordinance in 1976, there have been four cases in which historic buildings in private ownership were declared as proposed monuments without the owner's prior consent: Ohel Leah Synagogue at Robinson Road in 1987, Morrison Building in Tuen Mun in 2003, 128 Pok Fu Lam Road (known as "Jessville") in 2006 and King Yin Lei at Stubbs Road in 2007. In the end, Ohel Leah Synagogue was subsequently saved based on a preservation arrangement agreed between Government and the owner without payment of any

compensation to the owner. Morrison Building was subsequently declared as a monument by the Antiquities Authority in April 2004 for permanent protection. In respect of Jessville, it has been saved following the decision by the Chief Executive in Council in September 2009 to partially uplift the Pokfulam Moratorium to facilitate a mutually-agreed preservation-cum-redevelopment proposal. King Yin Lei was declared as a monument in July 2008 and has been saved with a non in-situ land exchange with the owner.

FINANCIAL IMPLICATION

15. Should Ho Tung Gardens be declared as a proposed monument, any works within the boundary of the proposed monument, including demolition works for redevelopment, will require a permit granted by the Antiquities Authority in accordance with section 6 of the Antiquities and Monuments Ordinance. If the Antiquities Authority refuses to grant the permit, the owner or the lawful occupier of the proposed monument may make a claim under section 8 of the Ordinance for compensation in respect of any financial loss he suffered or would suffer as a result of the refusal to grant the permit. With prior approval of the Chief Executive, the Antiquities Authority may pay compensation to the owner or the lawful occupier. The amount of compensation may be agreed between the owner and the Antiquities Authority, and in default of an agreement, may be assessed and awarded by the District Court as it thinks reasonable in the circumstances.

ADVICE SOUGHT

16. In the light of the foregoing, Members' advice is sought on -

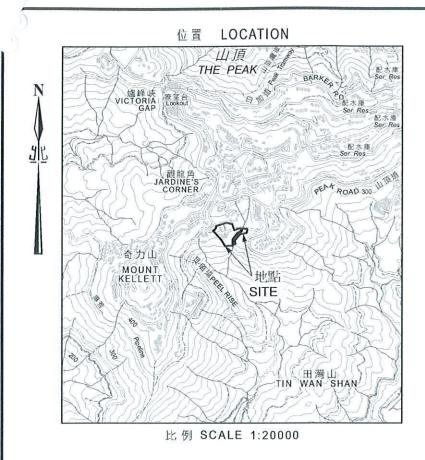
- (a) the proposal to confirm the Grade 1 status for Ho Tung Gardens in the light of the information received by AMO during the public consultation and the expert panel's further assessment; and
- (b) the proposed declaration of Ho Tung Gardens at 75 Peak Road as a proposed monument.

Antiquities and Monuments Office

Leisure and Cultural Services Department

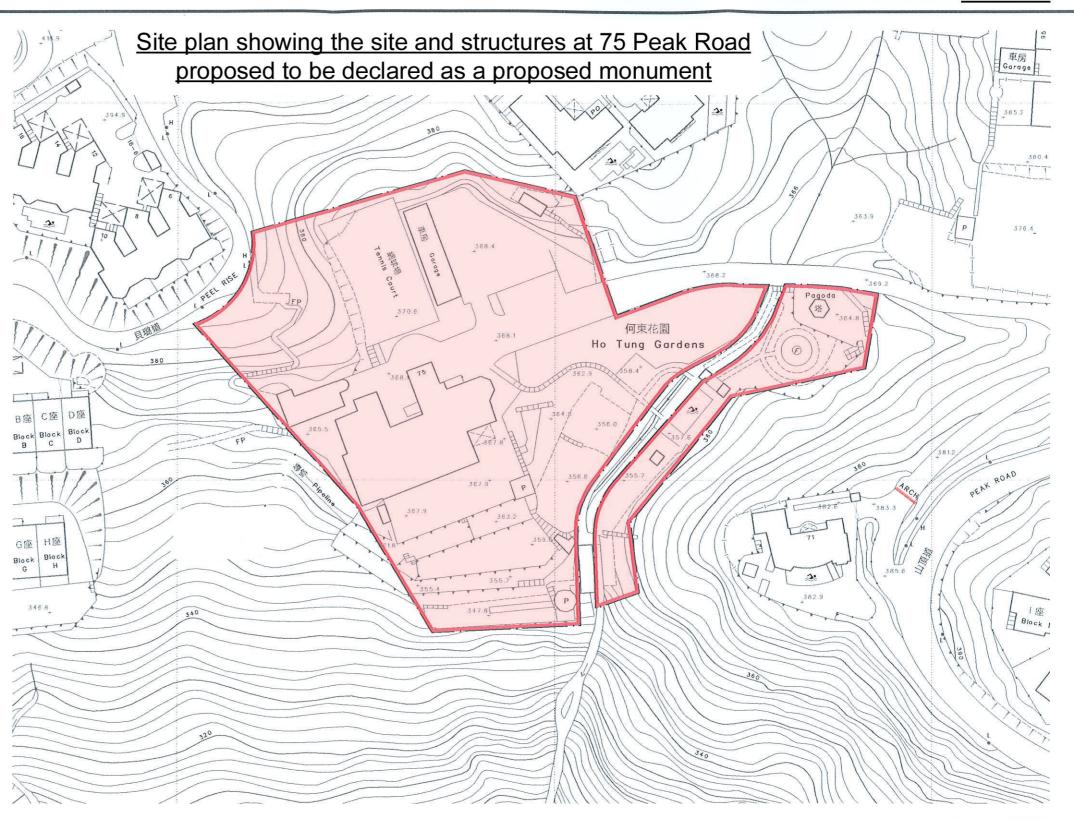
January 2011

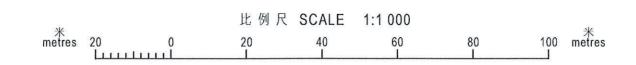
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Legend:

Site and structures proposed to be declared as a proposed monument are shaded pink





Historic Building Appraisal Ho Tung Gardens 75 Peak Road, the Peak, Hong Kong

Interest

Ho Tung Gardens was closely associated with Sir Robert Ho Tung (何東) Historical (1862-1956). Affectionately referred to in his old age by the local community as "The Grand Old Man of Hong Kong" (香港大老), Sir Robert Ho Tung is almost the most prominent and distinguished business and community leader in early 20th-century Hong Kong. As one of the first very successful Eurasian businessmen in colonial Hong Kong, he made distinguished successes in his global businesses, as a testimony to the unique role of Hong Kong as a bridge between the East and the West. Well-networked in both the local and overseas communities, he participated actively in local affairs. He served on the boards of influential charitable organisations, including Tung Wah Hospital. He also contributed to the establishment of The Chinese Club, a counterpart to The Hong Kong Club for Chinese community leaders at the time, and was its first Chairman. He was knighted twice by the British monarchy, first in 1915 and then in 1955. He also received honours and decorations from the Governments of China, Portugal, France, Germany, Italy, Belgium, and Annam, from His Holiness Pope Pius XII and from the Order of St. John of Jerusalem.

Sir Robert Ho Tung's family is one of the most prominent families in Hong Kong and was the first non-Europeans to receive permission from the Hong Kong Government to reside in the Peak area. Many family members have participated actively in the local affairs and charitable work in Hong Kong. They include:

- (a) Lady Clara Ho Tung (何張蓮覺) wife of Sir Robert Ho Tung; the founder of the first Buddhist school for girls in Hong Kong, 寶覺第一 義學; and the founder of the Buddhist temple Tung Lin Kok Yuen 東蓮 覺苑¹;
- (b) Mr. Ho Fook (何福) brother of Sir Robert Ho Tung, an Unofficial Member of the Legislative Council;
- (c) General Robert Ho Shai-lai (何世禮) son of Sir Robert Ho Tung;
- (d) Sir Lo Man-kam (羅文錦) son-in-law of Sir Robert Ho Tung, an

¹ Tung Lin Kok Yuen is a Grade 1 historic building.

² Lady Ho Tung Welfare Centre is a Grade 2 historic building.

Unofficial Member of both the Executive Council and the Legislative Council;

- (e) Mr. Lo Tak-shing (羅德丞) grandson of Sir Robert Ho Tung, an Unofficial Member of both the Executive Council and the Legislative Council;
- (f) Mr. Robert H.N. Ho (何鴻毅) grandson of Sir Robert Ho Tung, founder of Robert H.N. Ho Family Foundation; and
- (g) Sir Eric Edward Hotung (何鴻章) grandson of Sir Robert Ho Tung, Ambassador at Large of the Democratic Republic of Timor-Leste.

Their community leadership and close involvement in the development of social services in Hong Kong are still evident in many places in Hong Kong, for example –

- (a) Ho Tung Road in Kowloon Tong;
- (b) the Ho Tung Technical School for Girls (now Ho Tung Secondary School) which is one of the first government technical schools for girls in Hong Kong under the initiative of Sir Robert Ho Tung and Lady Clara Ho Tung;
- (c) the Lady Ho Tung Hall of the University of Hong Kong established with the donation of Sir Robert Ho Tung;
- (d) the Buddhist temple Tung Lin Kok Yuen in Happy Valley;
- (e) Po Kok School (寶覺女子中學暨附屬小學, formerly known in Chinese as 寶覺第一義學), the first Buddhist school for girls in Hong Kong;
- (f) Kam Tsin Village Ho Tung School (金錢村何東學校) in Sheung Shui;
- (g) Tung Wah Group of Hospitals Ho Tung Home for the Elderly in Tsz Wan Shan; and
- (h) Lady Ho Tung Welfare Centre² in Sheung Shui.

Ho Tung Gardens, also known in Chinese as 曉覺園, is a residential

house with an extensive garden. The name 曉覺 is derived from the names of the couple 何曉生 (alias Sir Robert Ho Tung) and 何張蓮覺 (Lady Clara Ho Tung) (née Cheung) (1875-1938). The site was also known in English as 'The Falls' because of the presence of a mountain stream nearby. Palmer & Turner, a well-known local architecture firm, drew up the plans for the main house. The main house was built around 1927 while the ornamental gateway (pai lou, 牌 樓) at the entrance was completed in 1938. Lady Clara Ho Tung passed away in January 1938, so the gateway might have been built to commemorate her.

Calligraphies of high-ranking Chinese officials of the Qing government such as Zeng Guofan (曾國藩) and Zuo Zongtang (左宗棠) could be found in the garden. As Sir Robert's family was the first non-Europeans to receive permission from the Hong Kong Government to reside in the Peak area, Ho Tung Gardens (Sir Robert's house on the Peak) has obvious historical value.

Lady Clara's daughter Dr Irene Cheng (née Ho) (鄭何艾齡) (1904-2007), recalled that dozens of relatives and friends including those from Tung Lin Kok Yuen at 15 Shan Kwong Road came up to 'The Falls' to see her mother or to pray at her bedside during her last days. The house at 'The Falls' had a room earmarked for Sir Robert Ho Tung, who spent a few nights there during the period between Lady Clara's last illness and her funeral when he wanted to be near her and their children. When Lady Clara passed away on 5 January 1938, Sir Robert Ho Tung was there along with the rest of the family.

Before the Japanese occupation of Hong Kong, the Hong Kong government had used the premises at 'The Falls' to house one of its military units. During the Japanese invasion in December 1941, the site received several direct hits. One of the bombs landed right on Lady Clara's family shrine at the top of the house, another on her bedroom and several elsewhere in the house and on the grounds. After the war, the house underwent several renovations.

The main residence, in Chinese Renaissance style is situated in a large Architectural garden, which has pavilions, a pagoda, a tennis court, a swimming pool and a Merit garage. The residence is basically two-storied with painted walls and rectangular windows of various sizes. A square tower with a Chinese tiled roof but resembling an Italianate campanile with arched windows and doorway is a striking feature of the main house. Except for the Chinese tiled roofs to the towers, the roof of the main house is flat. The pavilions and the pagoda in the site are reinforced concrete structures with Chinese tiled roofs. The granite gateway was built in 1938, the year in which Lady Clara Ho Tung passed away.

Ho Tung Gardens is the only remaining residence directly related to Sir Rarity & Robert Ho Tung in Hong Kong. Sir Robert had several residences: 'Idlewild' at Authenticity No. 8 Seymour Road in Mid-Levels, which he bought in 1899; 'The Chalêt' and 'Dunford', which were situated below Mount Kellet Road and 'The Neuk', which was close by on Aberdeen Road, purchased in 1906. Later on, 'The Chal êt' and 'Dunford' were sold and replaced with 'The Falls', and 'The Neuk' was retained as Sir Robert's residence on the Peak until World War II.

There are only a few buildings in Hong Kong in the Chinese Renaissance style, of which Ho Tung Gardens and King Yin Lei at Stubbs Road are masterpieces.

The social value of Ho Tung Gardens lies in the role it played as a family Social Value & house of the rich Eurasian businessman and philanthropist Sir Robert Ho Tung. Local Interest It has strong associations with historic events, phases and activities in Hong Kong as well as connections with famous and historic figures including but not limited to Sir Robert Ho Tung, Lady Clara, and their son Robert Ho Shai-lai (何 世禮, 1906-1998) who lived there from 1960s to 1990s.

Ho Tung Gardens is situated in a quiet surrounding on the Peak with Immediate residential buildings of a similarly low height and low density. Furthermore, *Environs* the hill setting, lush greenery and broad views complement this heritage site.

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Photographs of Ho Tung Gardens



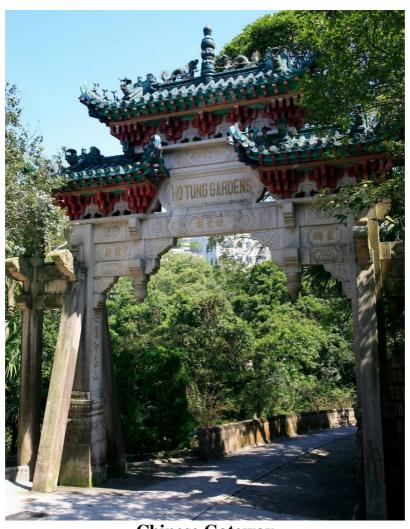
Location



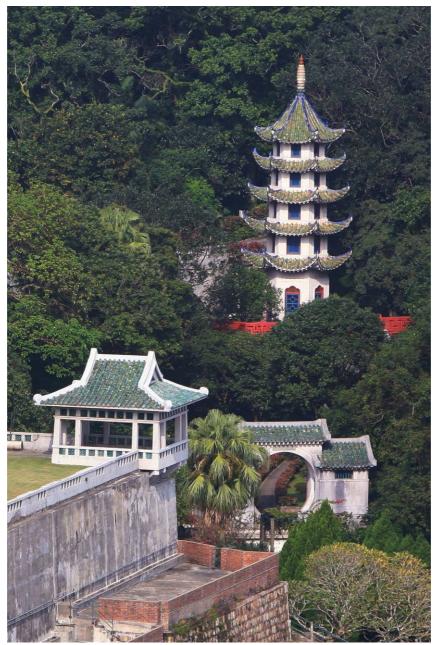
Overview



Main Building



Chinese Gateway



Chinese Pagoda

發展局局長談何東花園列爲暫定古蹟(只有中文)

以下爲發展局局長林鄭月娥今日(一月二十五日)在何東花園列爲暫定古蹟新聞發布會上的開場發言:

各位傳媒朋友早晨。今早古物諮詢委員會召開特別會議,討論山頂道75號何東花園,該處是早前古物諮詢委員會及古物古蹟辦事處討論一千四百四十多幢歷史建築評級中被建議評爲一級的,其後我們公布接受公眾及業主提出的意見。所以今早就何東花園的特別會議有兩個目的,第一是請古物諮詢委員會根據收到的意見及早前專家的評估,及專家再就收到意見的看法,確定它是否能成爲一級歷史建築物;第二,在我們成立的監察機制下,我們察覺到何東花園可能會受到拆卸重建的影響,所以今天我來到古物諮詢委員會特別會議的第二個目的,是諮詢古物諮詢委員會是否同意我引用《古物及古蹟條例》第2A條款,將何東花園定爲暫定古蹟(proposed monument),令它有十二個月的保護,讓我們能詳細做跟進工作。

我很高興古物諮詢委員會在這兩個課題上給予我們全面的支持,換句話說,是確定它在評級方面是屬於一級歷史建

築,亦支持我作爲古物事務監督,行使我的法定權力,將何東花園列 爲暫定古蹟。我們會在本星期五,即一月二十八日刊憲,把何東花園 定爲暫定古蹟,有效期十二個月,即日生效。

稍後陳智思主席會講古物諮詢委員會的看法。我想與大家回顧一下, 上次我動用《古物及古蹟條例》宣布暫定古蹟,是二〇〇七年九月的 景賢里,大家應該記憶猶新。今次再動用這權力,與上次的經驗有幾 方面的分別,這些分別亦彰顯了我們過去幾年在文物保育工作上的一 些做法及成效。

第一,當日景賢里成爲暫定古蹟前,它是未進行任何評級,所以對公 眾及業主來說,是沒有客觀基礎,究竟景賢里有甚麼歷史及社會價 值。但今次的何東花園,在早前一千四百四十四幢評級中,專家的論 證已建議它成爲一級歷史建築。過去年多以來,我們亦把這些建議與 公眾分享,所以在歷史價值的評估方面,有相當客觀的基礎。 第二,上一次有緊急性,大家可能亦記得,但今次我們將建議評級告訴業主後,過去十多個月,我們跟業主和業主的代表已接觸了很多次,也與他們分享了我們對文物保育工作的熱誠和政策,以至我們是可以提供經濟誘因來保護這歷史建築,但可惜這接觸工作於去年七、八月停了下來,我們不能再和業主繼續磋商,這是第二方面的分別。

第三方面是我們建立了預警機制,令我們可以更早知道香港的歷史建築會受到甚麼影響,能夠有效及適時採取行動。今日爲何要召開這個特別會議採取行動,是因爲何東花園的現址已經申請了拆卸批准和重建圖則,兩方面屋宇署按着它作爲建築物條例下的監管機構,分別批准了拆卸圖則(demolition plan),在十二月底亦批准了建築圖則(building plan),即拆卸重建後的新建築物。兩者經批准後,業主只要再申請拆卸工程施工同意書,即consent to commence demolition,建築物便可以被拆卸。所以我們覺得這時候我需要按條例賦予我的權力,在諮詢了古物諮詢委員會後採取行動,將它定爲暫定古蹟,讓我們有十二個月的時間,可以跟業主繼續磋商。期間,因爲它已成爲暫定古蹟,按《古物及古蹟條例》第6條,在未得到我批准前,業主不能對這建築物作任何的拆卸、移走、干擾,都不能進行,換句話說,所有的法定保護會在本星期五生效。

完

2011年1月25日(星期二) 香港時間18時18分