

Public Consultation
on the Review of Policy on the Conservation of Built Heritage

Purpose

This paper briefs Members on the consultation document on the review of the policy on the conservation of built heritage (“policy review”) issued by the Antiquities Advisory Board (“AAB”) on 4 June 2014, and invites Members’ views on the various issues covered by the consultation document.

Background

2. As announced by the Chief Executive in his 2013 Policy Address, we have worked to strike a balance between the need to respect private property rights and the need to preserve our heritage. On the premises of respecting private property rights, we need to offer appropriate economic incentives to encourage private owners to either hand over or conserve historic buildings in their ownership. In light of the experience gained over the past few years, we need to review the policy on the conservation of privately-owned historic buildings. This will include formulating a set of more detailed mechanism and criteria for determining the extent and means to use public resources for the conservation of privately-owned historic buildings, and studying whether there is a need to enhance conservation of such buildings in the context of town planning. The Government would also examine whether the setting up of a heritage trust would help in the conservation of privately-owned historic buildings and if so, the feasibility of setting up a trust in the context of Hong Kong. The AAB has assisted the Government in conducting the policy review at the invitation of the Development Bureau.

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3. In the past year, the AAB has, in preparation for the consultation document on the policy review, exchanged views with over 150 stakeholders, including Legislative Council Members, the Chairmen and Vice-chairmen of the 18 District Councils, professional organisations, concern groups, owners of privately-owned historic buildings, business chambers, academics, etc. After exchanging views with the stakeholders, the consultation document has now been completed.

4. The AAB published the consultation document on the policy review on 4 June 2014 for a two-month public consultation until 8 June 2014. The consultation document has been uploaded to AAB's dedicated website on the policy review (<http://www.builtheritagereview.hk>). Through the consultation document, the AAB would like to collect the views of the public on the following major issues:

- a) Should we regulate or restrict private owners from demolishing or altering their graded historic buildings through the law? If affirmative, what should be the scopes and ways to do so? Should different treatments be applied to buildings with different gradings?
- b) Should we, on the grounds of conservation, purchase or resume historic buildings from private owners? Should there be any predominate requirements (such as depending on the heritage value of the buildings, criteria for and means of compensation or whether the buildings are open to public)?
- c) Should we impose restrictions on the development (for instance, to impose restrictions on the heights, uses and designs of buildings, as well as the width of streets) of certain streets or areas (such as Tai O, Kowloon City, Tai Hang and Sai Ying Pun) in order to preserve their heritage merits?

- d) Should we allow relaxation of or exemption from the legislative requirements for historic buildings while the primary objective of the Buildings Ordinance is to protect structural safety and health standard?
- e) Do you think that Hong Kong should set up a heritage trust? If so, what should be its functions? Is it appropriate to support the trust with public funds? If yes, which functions of the trust should be supported by public funds?
- f) Do you think that we should provide more incentives to private owners in order to encourage them to preserve their historic buildings? If yes, what kind of extra incentives should be provided (for example, should we provide extra developable area in addition to the compensation for the exact loss of developable area as a result of conservation, or should we set up a heritage conservation award for Hong Kong to recognise the efforts of private owners and various organisations in heritage conservation)?
- g) In addition to providing subsidies for heritage maintenance works, should we provide subsidies for consultant's fees and additional construction costs arising from preservation? Should the higher the grading of a historic building, the larger the amount of grant be given?
- h) Which aspects in the public education, consultation and publicity works in relation to heritage conservation should be further enhanced? What channels can be used to enhance such works?
- i) If certain historic buildings cannot be open to the public, do you accept other viewing methods (such as 3D laser scanning, as well as photographic and cartographic recording, for the public to appreciate the interior of declared monuments and historic buildings)?
- i) Other comments?

Comments Sought

5. While conducting the public consultation, the AAB would particularly like to know the views of District Council Members on the various issues covered by the consultation document. Members are welcome to send their comments to the AAB Secretariat through the following channels:

- a) To complete the attached Comment Form, and return the duly completed Comment Form to the AAB Secretariat via the respective District Council Secretariats on or before **28 July 2014**; or
- b) To submit comments to the AAB Secretariat by post (mailing address: 136 Nathan Road, Tsim Sha Tsui, Kowloon), by fax (2189 7264) or by email (comment@builtheritagereview.hk) on or before **4 August 2014**.

**Secretariat, Antiquities Advisory Board
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