

CONSERVATION OF MONUMENTS AND HISTORIC BUILDINGS

Executive Summary

1. Heritage and historic buildings are valuable assets of society which enshrine a city's significant past developments. A good system of conservation and promotion of these assets helps people develop a sense of belonging to society and promote tourism. Under the Antiquities and Monuments Ordinance (A&M Ordinance — Cap. 53), the Antiquities Authority (who is the Secretary for Development) may declare a place, building, site or structure (by reasons of its historical significance) a monument for protection from excavation, demolition or alteration. As of February 2013, there were 101 declared monuments, of which 57 were owned by the Government and the remaining 44 by private bodies.

2. Furthermore, the Antiquities Advisory Board (AAB) has implemented an administrative grading system for classifying historic buildings into three grades (namely Grades 1, 2 and 3), where Grade-1 buildings are those of outstanding merits, Grade-2 buildings of special merits and Grade-3 buildings of some merits. As of February 2013, there were 917 graded historic buildings (comprising 153 Grade-1, 322 Grade-2 and 442 Grade-3 buildings), of which 203 were owned by the Government and 714 by private bodies.

3. The Antiquities and Monuments Office (AMO) set up under the Leisure and Cultural Services Department is responsible for protecting and conserving Hong Kong's archaeological and built heritage, and increasing awareness, understanding and appreciation of cultural heritage by facilitating public access to the heritage. Moreover, the Commissioner for Heritage's Office (CHO) set up under the Development Bureau (DEVB) is responsible for providing policy support and guidance to the AMO, and implementing heritage conservation and revitalisation projects. In 2012-13, the estimated expenditures of the AMO and the CHO were \$98 million and \$45 million respectively.

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Declaration of monuments

4. Upon noting that a historic building is having a demolition risk, the Antiquities Authority may, under the A&M Ordinance, declare the building a proposed monument for a period of 12 months. The purpose is to provide the building with immediate protection against demolition. From 1982 to 2012, five historic buildings had been declared proposed monuments, namely Ohel Leah Synagogue at Robinson Road, Morrison Building in Tuen Mun, Jessville at Pok Fu Lam Road, King Yin Lei at Stubbs Road and Ho Tung Gardens at Peak Road. In the event, Morrison Building and King Yin Lei were subsequently declared monuments, Ohel Leah Synagogue and Ho Tung Gardens were classified as Grade-1 buildings and Jessville a Grade-3 building (paras. 2.2 and 2.7).

5. *Experience drawn from Ho Tung Gardens case.* In October 2011, after assessing the heritage merits of Ho Tung Gardens, the Antiquities Authority announced to the public of his intention to declare the Gardens a monument. In the event, the Chief Executive-in-Council later directed that the monument declaration should not be made. According to the DEVB, the Government could not reach agreement with the owner over the related financial compensation and opening of the Gardens for public visits. In this connection, research by the Audit Commission (Audit) has revealed that some overseas countries have statutory provisions to help the governments acquire private historic buildings for conservation (paras. 2.16 to 2.18).

Assessment of historic buildings

6. From 1996 to 2000, the AMO conducted a territory-wide survey of historic buildings and identified 1,444 buildings with high heritage value. From 2002 to 2004, the AMO carried out assessments of these 1,444 buildings. From 2005 to 2009, an Assessment Panel of the AAB further conducted assessments and, in 2009, the AAB announced the proposed grading of these buildings. Thereafter, the AMO consulted the owners of the related private buildings and informed the Government bureaux or departments (B/Ds) of the related Government buildings before the AAB confirmed the grading of the buildings. As of February 2013, of these 1,444 buildings, 53 (4%) had been confirmed as monuments, 917 (63%) as graded buildings and 276 (19%) as No-grade buildings while 23 (2%) had been demolished and the grading of the remaining 175 buildings (12%) had not been confirmed (paras. 1.7, 1.8, 1.12, 1.13 and 3.2).

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7. ***Grading of 1,444 historic buildings not yet completed.*** In March 2010, the DEVB informed the Legislative Council Panel on Development that the AAB had targeted to complete the grading of the 1,444 historic buildings in 2010. However, as of February 2013, more than two years after the target completion date, the grading of 175 historic buildings had not yet been confirmed. Furthermore, as of February 2013, other than the 1,444 historic buildings, the AMO had received public referrals of 202 buildings for historic-value assessments (paras. 3.3, 3.4 and 3.8).

Government monuments and graded buildings

8. Most of the Government monuments and graded buildings have been put into use by B/Ds, and guided tours have been arranged for some of them (paras. 4.5 and 4.14).

9. ***Lack of conservation of 10 unallocated Government graded buildings.*** Audit examination revealed that, as of February 2013, of the 203 Government graded buildings, 10 had not been allocated to any B/Ds. Audit noted that these buildings had been left unattended for a long period of time, and owing to the lack of proper maintenance, some of these buildings had become dilapidated and might pose safety risks to visitors (paras. 4.3 to 4.8).

10. ***Government monument and graded buildings left unused.*** Audit examination also revealed that, as of December 2012, of the 57 Government declared monuments and 193 (203 less 10) Government graded buildings which had been allocated to B/Ds or private bodies for use, one monument and five graded buildings had been left unused for a long period of time, ranging from 6 to 20 years (paras. 4.3, 4.5 and 4.9).

11. ***Guided tours not organised for many Government historic premises.*** Audit examination revealed that, from 2009 to 2012, no guided tours had been organised for 36 (63%) of the 57 Government monuments and 152 (75%) of the 203 Government graded buildings. The lack of guided tours to these historic premises is not conducive to promoting awareness, understanding and appreciation of heritage in Hong Kong (paras. 4.14 and 4.16).

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Private monuments and graded buildings

12. Under the Buildings Ordinance (Cap. 123), the owner of a private building needs to obtain approval from the Buildings Department (BD) before commencing any building demolition or alteration works. Furthermore, under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121), the owner of a small house in the New Territories may be exempted from obtaining approval from the BD for building demolition or alteration works if he has obtained a Certificate of Exemption from the Lands Department (Lands D). Since October 2009, with a view to conserving private historic buildings, the DEVB has tasked the BD and the Lands D to notify the CHO and the AMO of any applications for demolishing or altering monuments and graded buildings. Upon receipt of such notifications, the CHO and the AMO will discuss with the building owners on possible economic incentives for conserving the buildings (paras. 5.3 and 5.4).

13. *CHO and AMO not being notified of the demolition of some private historic buildings.* Audit examination revealed that, from March 2009 to February 2013, a Grade-3 building and five proposed Grade-3 buildings in the New Territories had been demolished without obtaining approval from the BD or the Lands D. However, the BD had not taken any enforcement action against the building owners. Furthermore, the Lands D, after noting the demolition plan of a Grade-3 building and a proposed Grade-3 building, had not notified the CHO and the AMO. The buildings were subsequently demolished (paras. 5.5 to 5.9).

Promotion of heritage conservation

14. *Information signs not erected outside many monuments and graded buildings.* Information signs erected outside monuments and graded buildings help the general public locate these premises and provide information on their historic significance. However, Audit noted that information signs had not been erected outside many Government and private monuments and almost all the Government and private graded buildings (para. 6.4).

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Audit recommendations

15. **Audit recommendations are provided in PART 7 of this Audit Report. Only the key ones are highlighted in this Executive Summary. Audit has recommended that the Secretary for Development should:**

Declaration of monuments

- (a) **conduct a review of the existing mechanism for heritage conservation, particularly that relating to private historic buildings, drawing experience from the Ho Tung Gardens case and making reference to overseas practices (para. 7.12(a));**

Assessment of historic buildings

- (b) **task the Executive Secretary of the AMO to formulate a plan for confirming the grading of the outstanding 175 historic buildings (para. 7.12(b)(i));**

Government monuments and graded buildings

- (c) **take measures to ensure that all unallocated Government graded buildings (particularly the 10 unallocated buildings identified by Audit) are properly maintained and gainfully used (para. 7.12(c));**
- (d) **task the Commissioner for Heritage to periodically organise guided tours to Government monuments and graded buildings as far as practicable (para. 7.12(e)(i));**

Private monuments and graded buildings

- (e) **task the Executive Secretary of the AMO to conduct promotion campaigns on the requirements for building owners to seek the BD's consent before demolition of historic buildings (para. 7.12(f)(i));**
- (f) **remind the related B/Ds of the requirement to notify the CHO and the AMO of any demolition or alteration plans of private historic buildings (para. 7.12(g)); and**

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Promotion of heritage conservation

- (g) task the Executive Secretary of the AMO to take action to erect information signs outside all Government monuments and graded buildings, and persuade the owners of private monuments and graded buildings to allow the erection of information signs outside their buildings as far as possible (para. 7.12(i)(i) and (ii)).

16. Audit has also *recommended* that, regarding the six Government historic buildings that have been left unused for a long period of time, the relevant Government departments should take action to ensure that the buildings are properly utilised (para. 7.13).

Response from the Administration

17. The Administration agrees with the audit recommendations. The Secretary for Development also thanks Audit for undertaking this audit review.