

ANTIQUITIES ADVISORY BOARD

Minutes of the 140th Meeting
held on Friday, 4 December 2009 at 3:00 p.m.
in Conference Room, Hong Kong Heritage Discovery Centre
Kowloon Park, Haiphong Road, Tsim Sha Tsui, Kowloon

- Present: Mr Bernard Charnwut Chan, GBS, JP (Chairman)
Ms Susanna Chiu Lai-kuen
Mr Philip Kan Siu-lun
Mr Kwong Hoi-ying
Mr Andrew Lam Siu-lo, JP
Professor Lau Chi-pang
Ms Lilian Law Suk-kwan
Mr Laurence Li Lu-jen
Professor Bernard Lim Wan-fung, JP
Dr. Ng Cho-nam, BBS, JP
Mr Ng Yat-cheung, JP
Mr Almon Poon Chin-hung, JP
Professor Simon Shen Xu-hui
Dr Linda Tsui Yee-wan
Ir Dr Greg Wong Chak-yan, JP
Mr Bryan Wong Kim-yeung
Mr Yeung Yiu-chung, BBS, JP
Ms Heaster Cheung (Secretary)
Chief Administration Manager
(Antiquities and Monuments)
Leisure and Cultural Services Department
- Absent with Apologies: Dr Anissa Chan Wong Lai-kuen, MH, JP
Mrs Mariana Cheng Cho Chi-on, BBS, JP
Mr Patrick Fung Pak-tung, SC
Dr Lee Ho-yin
Dr Tracey Lu Lie-dan
Professor Billy So Kee-long
- In Attendance: Development Bureau

Mrs Jessie Ting, JP
Deputy Secretary (Works)¹

Mr Jack Chan
Commissioner for Heritage

Mr Ku Kwok-pun
Assistant Secretary (Heritage Conservation) 4 (Acting)

Leisure and Cultural Services Department

Mr Chung Ling-hoi, JP
Deputy Director (Culture)

Dr Louis Ng
Assistant Director (Heritage and Museums)

Mr Tom Ming
Executive Secretary (Antiquities and Monuments)

Mr, Kenneth Tam
Chief Heritage Manager (Antiquities and Monuments)

Mrs Ada Yau
Curator (Education and Publicity)

Ms Fione Lo
Curator (Historical Buildings)

Mr Kevin Sun
Curator (Archaeology)

Miss Addy Wong
Senior Marketing Coordinator (Heritage and Museums)

Miss Amanda Leung
Senior Executive Assistant (Antiquities and Monuments)

Miss Catherine Chiu
Executive Officer I (Antiquities and Monuments) 2

Planning Department

Mr Raymond Lee Kai-wing
Acting Assistant Director/Metro

Architectural Services Department

Mr S L Lam
Senior Maintenance Surveyor/Heritage

Opening Remarks

The Chairman welcomed Members and representatives from government departments to the meeting.

**Item 1 Confirmation of Minutes of the 139th Meeting held on 9 September 2009
(Board Minutes AAB/3/2009-10)**

2. The minutes of the 139th Meeting held on 9 September 2009 were confirmed with the amendment on paragraph 11 proposed by a Member as follows:

“Two Members were divided on the proposed alteration of the existing retaining wall. A Member expressed that he had no objection to the proposed plan. He further supplemented that the slope where the retaining wall currently situated might need to be demolished ultimately because of safety reason. In response to this, the other Member was of the view that the proposed demolition of the rubble retaining wall was not necessary from the civil engineering point of view. An alternative would be to maintain the existing wall and open an entrance with matching design and materials to the wall. Mr Ming explained that the integrity of the landscaped courtyard would be adversely affected if the main entrance of the auditorium was built within the Compound.”

Item 2 Matters Arising

3. There were no matters arising being raised in the meeting.

**Item 3 Review of the Relationship between the Statutory Monument Declaration System and the Administrative Grading System and Establishment of a Protection Mechanism for Privately-owned Monuments and Historic Buildings
(Board Paper AAB/28/2009-10)**

4. The Chairman recapped that the relationship between statutory monument declaration system and the AAB grading system was endorsed at the AAB Meeting held on 26 November 2008. He explained to Members that the purpose of this paper was to review the system after its implementation for one year, plus to report the protection mechanism of privately-owned historic buildings. Mr Tom Ming reported that the system was directly related with the five heritage conservation measures including:

- (i) Heritage Impact Assessment
- (ii) Financial Assistance for Maintenance Scheme
- (iii) Revitalising Historic Buildings Through Partnership Scheme
- (iv) Formulation of Design Guidelines for Adaptive Re-use and Alteration to Historic Buildings
- (v) Educational Activities

5. Mr Tom Ming then introduced the operation of an administrative protection mechanism which was established with a view to protecting privately-owned declared monuments, proposed monuments and graded historic buildings. Whenever a private owner lodged an application for redevelopment, demolition or alteration, Building Department, Lands Department and Planning Department would alert the Antiquities and Monuments Office (AMO) and the Commissioner for Heritage's Office (CHO) immediately. In addition, District Offices would inform AMO and CHO when any unauthorized works were identified.

6. Members noted that the full list of 1,444 historic building, though pending finalization, was disseminated to Departments concerned (i.e. Planning Department, Building Department, Lands Department and Home Affairs Department) for execution of the mechanism.

7. A Member was concerned whether similar cases like King Yin Lei could be avoided in future. Mr Jack Chan explained that the chance of recurrence was low because Government would engage the owners proactively at early stage on discussion of economic incentives to avoid similar cases. With the new protection mechanism in place, timely alert could be provided to the Authority if any historic building was under threat of demolition, alteration or redevelopment. The Authority might take decisive action like declaring the historic building under threat as Proposed Monument to give it immediate protection.

8. The paper was noted and endorsed by Members.

**Item 4 Finalisation of the Gradings of the 1, 444 Historic Buildings
(Board Paper AAB/29/2009-10)**

9. Following the endorsement of the proposed 3-step approach on the finalisation of grading at the 139th AAB meeting held on 9 September 2009, Mr Tom Ming took Members through the subject follow-up paper on more details of the 3-step approach and their implementation. He updated Members that AMO received a total of 664 submissions up to 30 November 2009 and that notification letters on the proposed gradings had been issued by registered mail and by hand to registered owners of all privately-owned buildings proposed to be accorded Grade 1 to 3 statuses.

10. He went on to explain that there were about 800 items to be first dealt with by Members under Step 1, comprising 350 government buildings and 450 private buildings of which AMO had not received any adverse comments and the notification letters had been properly received by the owners of the buildings concerned. Under Step 2, Members would review the proposed gradings of buildings for which queries or requests for delisting/upgrading and requests concerning buildings to be divided or combined within the same compounds had been received. There were a total of 264 items under Step 2. Mr Tom Ming also briefed Members that AMO had received suggestions to include 109 new items/categories which gradings would be dealt with in a separate exercise after conclusion of the assessment of the 1,444 historic buildings under Step 3.

11. With regard to the legal position of the administrative grading system, Mr

Tom Ming reported that legal advice had been sought, which suggested that the grading approved by AAB would form part of its advice to the Antiquities Authority pursuant to Section 18 of the Antiquities and Monuments Ordinance.

12. While Members generally accepted the 3 steps as suggested in the paper, the Chairman reiterated the suggestion as agreed at the last meeting that AMO should take photos of the 1444 items to check their current condition before the gradings were finalised. Mr Tom Ming replied that AMO would complete the photo taking exercise by end of Dec 2009.

13. In response to a Member's query, Mr Tom Ming confirmed that only those buildings which notification letters had been properly received by the respective owners would be included in the list for grading finalisation under Step 1.

14. A Member suggested that Step 2 should start from with the easier items. Those items with positive suggestions such as advice from DC members could be handled first while those proposed for delisting or with objection letters from owners' solicitors could be handled later. The Chairman also suggested that those owners who raised objection or adverse comments to the proposed gradings were welcomed to have further discussion with AAB separately.

15. Some Members were concerned whether there was any prevailing protection system to prevent those owners from demolishing their buildings before the finalisation of the gradings. In response, Mr Jack Chan explained that with the exception of those proposed nil grades out of the 1,444 buildings, Government had already treated the 1,152 buildings with proposed gradings as if they were graded under the protection mechanism. CHO and AMO would therefore be alerted of any demolition/alteration works/redevelopment proposals under the mechanism for further liaison with the owners. He also stressed that it was an offence for any demolition or major alteration to the buildings without obtaining prior approval from relevant Departments.

16. Having regard to the serious deteriorating of some historic buildings, a Member suggested to separately dealing with these buildings in-danger so that they could be given higher priority on the endorsement of their final gradings. Mr Tom Ming said that AMO would proactively work with the owners concerned in preserving the buildings along with the support under the Financial Assistance Scheme.

17. A Member suggested that 5 categories of items should be handled first. They were: (i) buildings with structural or maintenance problems; (ii) buildings affected by public works projects and private redevelopments; (iii) media sensitive cases; (iv) cases being challenged by stakeholders, e.g. those with objection letters from owners' solicitors and (v) Policy Address related items, e.g. Conserving Central projects.

18. Of the 109 new items grouped under Step 3, the Chairman requested Mr Tom Ming to brief Members on four cases of media interest: (i) Tsim Sha Tsui bus terminal; (ii) Edinburgh Place; (iii) Central Market and (iv) Hollywood Road FPMQ. Some Members enquired about the urgency for finalization of the gradings to these four

items and whether there was any immediate threat. Mr Tom Ming advised that for the TST bus terminal, Highway Department's proposed roundabout would not affect the bus terminal while Tourism Commission had yet to come up with a proposal for the Piazza at the site. After some deliberations, the Chairman concluded that since there should be no great urgency for these items, the next meeting would start with Step 1 to deal with those items without any adverse comments first. If any urgent need arose, AAB could handle them urgently.

19. Mr Tom Ming further informed Members that the research on the 109 new items listed in Annex E of the paper were in progress. Dr Louis Ng supplemented that AMO would examine the manpower requirement in taking up such extensive research exercise.

20. A Member proposed to devise a standard vetting procedure for any new nominations of historic building raised by the public. Mr Tom Ming explained that the Expert Panel would be engaged in the assessment exercise for those new items and items with queries.

21. The Chairman concluded and Members agreed that AAB should aim to finalise all the gradings including the 109 new items within one year, say by end of 2010. The paper was endorsed.

Item 5 Remnants of Lung Tsun Stone Bridge in Kai Tak Area (Board Paper AAB/30/2009-10)

(Mr Walter Leung, Senior Engineer / District Monitoring Group on Housing Sites & Special Duty (Kowloon) of Civil Engineering and Development Department joined the meeting at this juncture)

22. Mr Kevin Sun briefed Members on the history of the Lung Tsun Stone Bridge with the aid of PowerPoint presentation. Members noted that the Bridge's remnants were recommended to be preserved in-situ as part of the Kai Tak Development (KTD). Mr Sun then briefly introduced the Conservation Management Plan (CMP) and highlighted the significance of the remnants of the Bridge.

23. In response to the question about the land use of the archaeological site in Kai Tak, Mr Kevin Sun said that, based on the outline zoning plan approved in 2007, the archaeological site fell within two sites designated for commercial uses (C-site) and one site designated for residential use (R-site). Mr Raymond Lee supplemented that due to the discovery of the Bridge remnants, revision to the land use proposals in the vicinity of the archaeological site would be required. Planning Department would work with CEDD and AMO on the necessary revision taking into account the comments received from the public engagement exercise planned.

24. Mr. Sun told the Meeting that a public engagement exercise for the preservation of the Bridge would be carried out by CEDD in 2010. Most Members requested that the Bridge should be preserved for public enjoyment. Some Members suggested that Government should provide options for the public to consider in the

public engagement exercise. Given its high technical context, a Member opined that comprehensive and well-written information should be made available for the public to encourage effective participation.

25. A Member quoted a reference site of Beijing Road in Guangzhou in preserving remnants of various dynasties. He further requested adjusting the overall planning so that the public could have access to the Lung Tsun Bridge site. Some Members echoed the idea.

26. Dr Louis Ng said that the heritage value of the Bridge was considered high and the remnants would be preserved in-situ for public enjoyment. AMO would provide technical input in the public engagement process.

27. The Chairman reiterated the importance of early involvement by AAB and he expressed his appreciation to CEDD in sharing the information with AAB in project initiation stage. The paper was noted.

Item 6 Any Other Business

28. In response to Members' suggestion, the Chairman requested that AAB's comments on Heritage Impact Assessment should be sought at an early stage instead of the final stage when details had been largely decided. CHO and AMO would work out an appropriate mode of consultation with AAB.

29. A Member reported her unpleasant experience on the prohibition from taking photos within the hotel compound of Heritage 1881. Mr Jack Chan told Members that under the new heritage conservation policy, Government would allow a suitable partner to revitalise the historic building under a tenancy. Government would have the right to terminate the tenancy if the operator's performance was found unsatisfactory.

30. In response to Members' concern, the Chairman would issue a letter to Heritage 1881 requesting their management to review the existing policy and improve on public access arrangement and provide heritage information at the site in order to facilitate the general public to appreciate the heritage value of this declared monument.

31. Ms Heaster Cheung reported that CHO was arranging with AMO a two-day duty visit for members of AAB and Advisory Committee on Revitalisation of Historic Buildings (ACRHB) to Guangzhou on 11 and 12 January 2009. The visit would be led by Mr. Bernard Chan, Chairman of both AAB and ACRHB. The itinerary included visits to preservation and revitalization projects in Guangzhou and discussions with relevant Chinese authorities. Further details would be provided by the AAB Secretariat.

32. There being no other business, the meeting was adjourned at 5:15 p.m.

**Antiquities and Monuments Office
Leisure and Cultural Services Department
March 2010**

Ref: LCS AM 22/3