

**ANTIQUITIES ADVISORY BOARD**

**Minutes of the Special Meeting**  
**on Tuesday, 28 February 2017 at 2:30 p.m.**  
**in Conference Room, Hong Kong Heritage Discovery Centre,**  
**Kowloon Park, Haiphong Road, Tsim Sha Tsui, Kowloon**

Present: Mr Andrew Lam Siu-lo, JP (Chairman)  
Mr Stephen Chan Chit-kwai, BBS, JP  
Mr Chan Ka-kui, BBS, JP  
Prof Chiu Yu-lok  
Mr Peter Lau Man-pong  
Mr Christopher Law Kin-chung, JP  
Mr Ronald Liang  
Mr Philip Liao Yi-kang  
Mr Kenny Lin Ching-pui  
Dr Annissa Lui Wai-ling, JP  
Ms Yvonne Shing Mo-han, JP  
Mr Douglas So Cheung-tak  
Sr Wong Bay  
Mr Rex Wong Siu-han  
Dr Sharon Wong Wai-yee  
Prof Yau Chi-on

Mr Asa Lee (Secretary)  
Senior Executive Officer (Antiquities and Monuments)  
Leisure and Cultural Services Department

Absent with Apologies:  
Prof Ching May-bo  
Prof Rebecca Chiu Lai-har, JP  
Mr Lee Ping-kuen, JP  
Ms Theresa Ng Choi-yuk  
Dr Winnie Tang Shuk-ming, JP

Ms Karen Tang Shuk-tak  
Ms Ava Tse Suk-ying, SBS

In Attendance: Development Bureau

Mr Albert Lam  
Deputy Secretary (Works)1

Mr José Yam  
Commissioner for Heritage

Mr Allen Fung  
Political Assistant to Secretary for Development

Ms Leonie Lee  
Assistant Secretary (Heritage Conservation)3

Mr Eddie Wong  
Chief Executive Officer (Heritage Conservation)1

Leisure and Cultural Services Department

Dr Louis Ng  
Deputy Director (Culture)

Ms Susanna Siu  
Executive Secretary (Antiquities and Monuments)

Ms Veta Wong  
Principal Information Officer (Cultural Services)

Mr Chau Kwun-tong  
Senior Architect (Antiquities & Monuments)1

Mr Chin Hoi-fun  
Senior Architect (Antiquities & Monuments)2

Mr Kenneth Tam

Chief Heritage Manager (Antiquities and Monuments)

Mr Ng Chi-wo  
Curator (Historical Buildings)<sup>2</sup>

Miss Pauline Poon  
Assistant Curator I (Building Survey)

Planning Department

Mr Michael Chan  
Assistant Director / Metro

Architectural Services Department

Mr Hui Chiu-kin  
Assistant Director (Property Services)

Ms Chan Mei-kuen  
Senior Maintenance Surveyor / Heritage

**Opening Remarks**

The Chairman welcomed Members and representatives of Government bureau and departments to the special meeting. In particular, he welcomed new Members, namely Prof Chiu Yu-lok, Mr Peter Lau, Mr Christopher Law, Mr Ronald Liang, Mr Douglas So and Prof Yau Chi-on, who attended Board meeting for the first time.

**Item 1     The Proposal to declare Hung Lau, near Shek Kok Tsui Village, Castle Peak, Tuen Mun, New Territories as a Proposed Monument under the Antiquities and Monuments Ordinance (Board Paper AAB/2/2017-18)**

2.           The Chairman declared that he was one of the directors and founders of the HULU Culture, an organisation which had submitted views on Hung Lau

recently, yet he was not involved in the daily operation of the organisation.

3. The Chairman said that the purpose of the special meeting was to discuss and advise the Antiquities Authority whether Hung Lau, near Shek Kok Tsui Village, Castle Peak, Tuen Mun, New Territories, should be declared as proposed monument under section 2A(1) of the Antiquities and Monuments Ordinance (the “Ordinance”).

4. Mr Ng Chi-wo briefed Members on the heritage value and architectural features of Hung Lau with the pictures of the building in different eras. He pointed out that the location of the building shown in the survey plan of 1905 at Lot No. 36 in DD300 was clearly different from the location of the present-day Hung Lau, although both of them were on the same lot. This indicated that it was unlikely that the present-day Hung Lau was the same building shown on the survey plan of 1905.

5. Mr Ng Chi-wo further briefed Members that the Board agreed to retain the Grade 1 status of Hung Lau in 2009 after taking into account the assessment of the independent Historic Buildings Assessment Panel as well as the collective memory of Hung Lau, one of the sub-assessment criteria to determine the grading of a historic building. The heritage value of Hung Lau was further discussed by the Board in 2011. After deliberation, the Board agreed that Hung Lau would not be considered for declaration as monument, unless there was new information supporting its direct relationship with the 1911 Revolution.

6. The Chairman pointed out that under the prevailing practice, the Board welcomed members of the public to provide new information on graded historic buildings, which might justify a review on the grading as well as on the Board’s recommendations on monument declaration. He noted that the historical information presented by the Antiquities and Monuments Office (“AMO”) at the beginning of the meeting had been considered in confirming the grading of Hung Lau in 2009. The proposed declaration of Hung Lau as monument had also been discussed on several occasions in the past, in which the Board maintained the decision not to declare Hung Lau as monument as the high threshold for declaration could not be reached.

7. At the invitation of the Chairman, Ms Susanna Siu briefed Members the latest position of Hung Lau. She reported that the Government was highly

concerned about the works carried out near Hung Lau recently. When the works were noticed on 16 February 2017, AMO inspected Hung Lau on the same day and confirmed that the main building remained intact. According to the Buildings Department (“BD”), no application to seek consent from the Building Authority to demolish Hung Lau as required under the Buildings Ordinance (Cap. 123) was received. BD also confirmed that no alteration or demolition works at Hung Lau were carried out at present and had reminded the owner the requirements to comply with under the Buildings Ordinance before demolition and construction works at Hung Lau could be carried out. She added that BD had been conducting daily inspection and stepped-up monitoring of Hung Lau since 18 February 2017.

8. Ms Susanna Siu reported that the Commissioner for Heritage’s Office (“CHO”) and AMO had already contacted the owner’s representative with a view to exploring feasible preservation options. She explained that the declaration of a Grade 1 historic building as proposed monument under the Ordinance could offer statutory protection against demolition or alternations for 12 months after declaration. Notwithstanding, the historic building, after declared as proposed monument, would not be automatically declared as monument. The Antiquities Authority would consider, amongst other things, the heritage value of the historic building, the views of the Board, the community and the owner, as well as the cost for preservation, when considering whether to declare a historic building as monument. As per the prevailing practice, on the basis of respecting private property rights, the Government would always liaise with the respective owner(s) of a historic building and seek his/their consent to declare the building as monument before taking forward the matter.

9. Ms Susanna Siu went on to brief Members on the views on Hung Lau by Prof Ching May-bo who could not attend the meeting. Prof Ching supported the declaration of Hung Lau as proposed monument for immediate protection. She believed that the Board’s previous decision to confirm Hung Lau as Grade 1 historic building but not declare it as monument was made after thorough consideration and with full justifications. She opined that there was no concrete evidence to show the direct relationship between the present-day Hung Lau and the revolutionary activities or Dr Sun Yat-sen, and doubted if the present-day Hung Lau was the original structure erected on the site.

10. Mr José Yam recapped the follow-up actions taken by CHO, AMO and

BD since the works near Hung Lau were noted on 16 February 2017, and confirmed that no demolition or alterations were carried out to the main building of Hung Lau. In response to the Chairman's enquiry, he replied that the negotiation with the owner's representative on preservation proposals had commenced not long ago. The owner's representative indicated that he had no intention to demolish Hung Lau. The removal of the trees and temporary structures near Hung Lau by the owner were intended for requesting the sitting occupiers to move out.

11. Mr Kenny Lin asked about the construction year of Hung Lau, which was an important factor in considering the proposed declaration. The Chairman recalled, and Ms Susanna Siu and Mr Ng Chi-wo advised that when deliberating this point in the past, the Board agreed that the present-day Hung Lau was probably constructed in the 1920s to 1930s, though the exact construction year of Hung Lau was uncertain. Ms Susanna Siu highlighted the differences in the locations between the building on the site survey plans of 1905 and 2017, as well as the period during which Dr Sun Yat-sen was prohibited from entering Hong Kong. Prof Chiu Yu-lok echoed Ms Susanna Siu's view as the survey plans had clearly shown that the buildings in 1905 and 2017 were two buildings at two locations whilst on the same lot. Besides, by comparing the architectural style of the present-day Hung Lau with the residence of Ip Ting-sz located at Lin Ma Hang, which was constructed between the 1920s and 1930s, it was reasonable to deduce that the present-day Hung Lau was constructed in the 20<sup>th</sup> century rather than the 19<sup>th</sup> century.

12. Mr Kenny Lin further enquired the restrictions that could be imposed on the owner to restrict alteration works at Hung Lau. Mr José Yam replied that under the Buildings Ordinance, prior approval from the Building Authority was required to demolish or carry out alteration works to Hung Lau. BD had been conducting daily inspection to Hung Lau to closely monitor the situation. He also pointed out that Hung Lau was located in "Green Belt" zone, implying that approval from the Town Planning Board would be required for any redevelopment plan which did not fall within the approved usage. Meanwhile, the owner's representative had indicated intention to explore feasible preservation options with the Government. Under the internal monitoring mechanism, applications or enquiries to demolish or alter declared monuments, proposed monuments, graded buildings and historic buildings pending for grading received by relevant Government departments would be referred to CHO and AMO. The two offices

would proactively liaise with the owners concerned to explore feasible preservation options.

13. In response to the enquiry of Dr Annissa Lui concerning the historical merits of Hung Lau, Ms Susanna Siu replied that the Board had already taken into consideration the collective memory associated with the building and the association of Hung Lau with the revolutionary activities by the public before confirming the Grade 1 status of Hung Lau in 2009, although the direct relationship between Hung Lau and the 1911 Revolution had yet to be established.

14. The Chairman recalled that during the Board's deliberation in 2009, it was noted that the former Castle Peak Farm ("CPF"), instead of Hung Lau, might have direct relationship with revolutionary activities. At the request of the Chairman, Ms Susanna Siu explained that the former CPF, including the site where the present-day Hung Lau now stood, was owned by Li Ki-tong and used as a training ground and assembly place by revolutionaries. Although the boundary of the former CPF could not be ascertained, it could be deduced by the then land ownership records of Li Ki-tong. Prof Chiu Yu-lok supplemented that the history of Hsing Chung Hui and the estimated construction year of the present-day Hung Lau showed a significant time gap between the two.

15. Ms Yvonne Shing enquired the extent of Hung Lau being used by the public to commemorate the revolutionary activities as this could have bearing on the resources required for preserving it. Besides, even if Hung Lau had no direct relationship with the revolutionary activities, whether to preserve Hung Lau could still be considered by assessing its architectural merits as a building constructed between the 1920s and 1930s.

16. Prof Yau Chi-on pointed out that reliable evidence was crucial to substantiate the claim that Hung Lau had a direct relationship with revolutionary activities. The historical information available at present showed that there was a time gap between the construction year of Hung Lau (that was around the 1920s) and the 1911 Revolution. This implied that the present-day Hung Lau was unlikely the original structure which existed during the revolutionary times from the late 19<sup>th</sup> to early 20<sup>th</sup> century. Instead of describing Hung Lau as the building where the revolutionary activities took place, it was more appropriate to refer it as a building possibly situated in the former CPF, a place which had direct relationship with the revolutionary activities.

17. Mr Kenny Lin opined that if there was no consensus among historians on the construction year of Hung Lau, it was not appropriate to consider declaring the building as monument.

18. Mr Stephen Chan quoted Pak Tsz Lane and Dr Sun Yat-sen Historical Trail in the Central and Western District as examples, where plaques were installed at or near the historical sites to tell the history. He agreed to accord a Grade 1 status to the present-day Hung Lau in view of its historical merits in connection with the former CPF. Nevertheless, it was not appropriate to declare the present-day Hung Lau as monument as it was not the original structure erected on the site before the 1911 Revolution. He also opined that further discussion was required to consider whether or not to declare the former CPF as monument.

19. Mr Douglas So, Mr Philip Liao and Sr Wong Bay suggested conducting further research study on the site, in particular the location of the suspected “original” Hung Lau. Mr Douglas So wished to know the criteria for declaring a historic building as proposed monument. Dr Sharon Wong enquired whether there were building remains found at the location of the suspected “original” Hung Lau.

20. Sr Wong Bay pointed out that the building was not properly maintained in the past years, causing deterioration to its architectural features, such as the replacement of the original roof, which had adversely affected the architectural value of Hung Lau. In view of the historical value of the former CPF, he supported the Board to consider whether the former CPF was warranted to be declared as monument.

21. In response to the enquiry of the Chairman, Ms Susanna Siu said that the present-day Hung Lau was privately-owned and used as residence. Without the owner’s permission, no excavation could be conducted on site. The events held in the past to commemorate the 1911 Revolution were outside the grading boundary of Hung Lau.

22. The meeting then discussed whether the declaration of Hung Lau as proposed monument was an appropriate measure to protect the building at present. At the request of the Chairman, Mr José Yam explained that both proposed monuments and declared monuments were subject to statutory protection under the Ordinance with the former valid for 12 months and the latter perpetually. He



highlighted that as per the prevailing practice, only when the “high threshold” of monuments could be reached before a proposed monument / Grade 1 historic building would be considered for declaration as monument. He further explained that if a Grade 1 historic building was under demolition threat or substantial alterations that would adversely affect the heritage value of the building, the Antiquities Authority (i.e. Secretary for Development), after consulting the Board, could declare the historic building as proposed monument under the Ordinance with effect for 12 months to accord immediate statutory protection to the building on the one hand, and to facilitate the discussion with the owner on feasible preservation options on the other.

23. Mr José Yam continued to explain that under the prevailing grading mechanism, historic buildings could be accorded a Grade 1, 2, 3 or nil grade status. All Grade 1 buildings would be included in the pool of historic buildings for consideration to be declared as monument when their heritage value reached the high threshold of declaration. In response to the enquiry of Mr Philip Liao on whether the Government would have a stronger bargaining chip for negotiation if the subject building was declared as proposed monument or declared monument, Mr José Yam replied that under the prevailing mechanism, the Government would proactively approach the owner to discuss feasible preservation-cum-development option(s) once development plan of a historic building was noted, irrespective of its grading status. Subject to the unique circumstances of individual historic buildings, different preservation-cum-development options could be considered, e.g. relaxation of development restrictions (e.g. plot ratio and building height restriction), land exchange etc. He quoted the preservation of Cheung Chau Theatre (Grade 3 historic building), 128 Pok Fu Lam Road (known as “Jessville”, Grade 3 historic building) and 23 Coombe Road (Grade 1 historic building) as examples.

24. The Chairman observed that it was not common to declare a historic building as proposed monument as a way to protect and preserve it. There were a number of successful cases in which historic buildings were preserved through negotiation and consensus with the owners. Members should note that despite the uncertainty in establishing direct relationship between Hung Lau and the 1911 Revolution, the Grade 1 status of Hung Lau remained unchanged given the collective memory aspect. Members should also consider whether Hung Lau was subject to imminent demolition threat at present, given that BD had been closely monitoring the building, and whether declaration of Hung Lau as proposed

monument was the best way to preserve Hung Lau for the time being.

25. Mr Peter Lau enquired whether further research on Hung Lau conducted after its declaration as proposed monument might affect its Grade 1 status. The Chairman reiterated that the meeting today was to discuss whether the Board should recommend declaring Hung Lau as proposed monument to facilitate the discussion with the owner on feasible preservation options but not to review the grading of Hung Lau.

26. Mr Philip Liao agreed that Hung Lau carried significant collective memory even though the public could not enter the building. As there was no demolition risk at present, declaring Hung Lau as proposed monument at this stage might not be necessary. He suggested the Government to actively liaise with the owner to allow public access to the building and to carry out the necessary maintenance works. Sr Wong Bay echoed the views of Mr Philip Liao and considered that the demolition risk of Hung Lau was low as it was closely monitored by relevant departments.

27. Mr Christopher Law supported declaring Hung Lau as proposed monument, noting that proposed monuments would not automatically be considered for declaration as monument. He also pointed out that the public believed that both the former CPF and the present-day Hung Lau had connection with the revolutionary activities and that the areas outside Hung Lau had been used for commemorating revolutionary activities in the past decades. Since there was no conclusive evidence to show that the present-day Hung Lau had no connection with the revolutionary activities, he proposed declaring Hung Lau as proposed monument in the meantime to allow more time for conducting further research for conclusive evidence.

28. Mr Kenny Lin and Mr Stephen Chan sought clarification on whether the Board or Development Bureau was the authority to declare a historic building as proposed monument, whether the proposed declaration would allow the Government to access Hung Lau for conducting research, and whether the declaration would jeopardise the negotiation with the owner and affect the occupiers of Hung Lau.

29. Mr Douglas So wished to understand the difference in terms of the owner's legal responsibilities if he demolished Hung Lau with and without the

proposed monument status. Furthermore, noting there were successful cases in preserving historic buildings through negotiation, he asked if the existing circumstances rendered it necessary to declare Hung Lau as proposed monument.

30. In response to Members' enquiries, Mr José Yam elaborated that in accordance with the Ordinance, the Antiquities Authority should consult the Board before declaring a historic building as proposed monument. The Government would normally discuss with the owners to preserve their historic buildings through negotiation and there were successful cases. If Hung Lau were to be declared as proposed monument, the Government would have 12 months to liaise with the owner to explore feasible preservation options (statutory protection on Hung Lau would last for 12 months). Any alteration or demolition works to a proposed monument would require prior approval and permits from the Building Authority and the Antiquities Authority. Such works, however, would unlikely be approved. The proposed monument status would not affect the use of the building as well as the occupiers. Ms Susanna Siu supplemented that the Ordinance had empowered the Antiquities Authority to authorise relevant Government departments, such as BD and AMO, to inspect any proposed monument.

31. Mr Christopher Law wondered if applications for demolishing Grade 1 historic buildings would be approved by BD if they could meet requirements such as safety under the Buildings Ordinance. Mr Philip Liao enquired whether the change of the exterior wall color would be allowed. Ms Susanna Siu explained that both declared monuments and proposed monuments were subject to stringent controls under the Ordinance. Regardless of whether approval was given by BD, it would be an offence under the Ordinance to undergo demolition or alterations, such as re-painting of external walls, for declared monuments or proposed monuments without prior approval by the Antiquities Authority.

32. Mr Kenny Lin asked whether the owner would be willing to facilitate the study, including field study, of Hung Lau within the site so as to look for the missing pieces in assessing the heritage value of Hung Lau.

33. The Chairman recalled that the discussion of Hung Lau started as early as 1985. The Board had undergone in-depth discussions on the issue in several occasions in the past three decades. It might not be realistic to expect new information that could not be found in the past 30 years be unearthed within a year.

The Grade 1 status of Hung Lau was accorded after considering the collective memory aspect through the activities to commemorate the 1911 Revolution organised in the past. He trusted that the Government would actively explore feasible preservation options with the owner whether Hung Lau was declared proposed monument or not. Given the statutory protection for Hung Lau would only last for 12 months and that the declaration might not necessarily facilitate the negotiation, it was for consideration whether it was most appropriate to declare Hung Lau as proposed monument at this juncture.

34. Mr Albert Lam and Ms Leonie Lee supplemented that under section 2B of the Ordinance, the declaration of historic building within private land as proposed monument could only be effective for 12 months with no extension. Mr Albert Lam said that under normal circumstances, 12 months would be sufficient for the negotiation with the owners on feasible preservation options. Regarding Hung Lau, the Government would consider different means to preserving it as far as practicable, such as relaxation of restrictions on development parameters.

35. After deliberation, the Chairman summarised that Members supported the Government to continue to liaise with the owner to explore feasible preservation options. It was suggested that the mechanism to declare Hung Lau as proposed monument should be triggered once the building was under genuine demolition threat. Mr Philip Liao and Dr Annissa Lui supported the Chairman's proposal and suggested that if needed, the Board's views on whether Hung Lau should be declared as proposed monument could be solicited through circulation of paper or special meeting.

36. In response to Mr Kenny Lin's enquiry, Mr José Yam confirmed that according to the Ordinance, the Secretary for Development, after seeking the Board's recommendation, could proceed to declare a historic building as proposed monument. As the Board had thorough deliberations on the declaration of Hung Lau as proposed monument at the meeting, Members' recommendation could be sought vide circulation of paper if the situation warranted. Circulation of paper was previously adopted for seeking Members' recommendation to declare 128 Pok Fu Lam Road (known as "Jessville") as proposed monument.

37. Mr Douglas So enquired examples of undesirable situations that might trigger the declaration mechanism. Mr José Yam responded that up to the present,

the owner had been willing to discuss with the Government on feasible preservation options. Meanwhile, BD had been closely monitoring the situation of Hung Lau. Notwithstanding, should any demolition, construction or alteration works to the building take place, CHO and AMO, once notified, would take appropriate and timely actions including the triggering of the declaration mechanism. The Chairman suggested that attention should also be given to the red dwarf wall of Hung Lau since it contributed to the collective memory. Ms Susanna Siu supplemented that AMO would conduct site inspection to Grade 1 historic buildings and liaise with the owners once undesirable conditions were noted. Owners were also encouraged to apply for financial assistance under the Financial Assistance for Maintenance Scheme to fund the repairing and maintenance works of their respective graded buildings. Besides, as a long term measure, a systematic inspection to all declared monuments and graded buildings would be conducted.

38. Mr Stephen Chan opined that the Board had thorough discussions on the grading of Hung Lau in the past and that a review of the grading was not necessary. Given that the negotiation with the owner was smooth so far, he supported the Chairman's suggestion to declare Hung Lau as proposed monument only when the situation warranted.

39. Mr Christopher Law considered that as there was grave concern on Hung Lau, he proposed to conduct a comprehensive study on the historical significance of the former CPF and the present-day Hung Lau. He also suggested working out a sustainable solution as soon as possible as it was not practical to monitor Hung Lau for a long period of time. The owner might be able to seek approval from BD to alter Hung Lau upon the expiry of the declaration, which was allowed for Grade 1 historic buildings. The Chairman pointed out that historic research was an endless process subject to resources available and new information might be discovered at any time. Before that, Members were suggested to consider references available, which were also the basis of the Board's discussions in the past. He agreed with Mr Christopher Law that a solution should be worked out as soon as possible and feasible preservation options could be presented to the Board for comment according to the prevailing practice. He also suggested strengthening the monitoring of Hung Lau as alteration was noted after its grading was confirmed in 2009.

40. Mr Christopher Law stressed the importance to make it clear that the

Board did not refuse to declare Hung Lau as proposed monument, but decided not to trigger the mechanism at the moment. Should there be any unauthorised demolition or alterations to Hung Lau, the Board would take immediate action to declare Hung as proposed monument without hesitation.

41. After thorough deliberations, the Board considered it not necessary to declare Hung Lau as proposed monument for the time being given that there was no imminent demolition threat and that the Government had been in discussion with the owner on preservation proposals. Nevertheless, the Chairman requested that:

- (i) the Government should continue to proactively liaise with the owner for long-term preservation arrangement;
- (ii) should there be any undesirable action from the owner or others that would harm the heritage value of Hung Lau, the mechanism for declaring Hung Lau a proposed monument should be triggered promptly, either by means of circulation of paper or special meeting as deemed appropriate. This should convey a clear message to the owner and the public that the Board would utilise all possible means to preserve Hung Lau under the prevailing mechanism;
- (iii) AMO could negotiate with the owner for conducting further research at the site; and
- (iv) the public was welcome to provide information to support the assessment on the heritage value of Hung Lau.

42. The Chairman thanked Members for attending the special meeting.

## **Item 2 Any Other Business**

43. There being no other business, the meeting was adjourned at 4:37 p.m.

Antiquities and Monuments Office  
Leisure and Cultural Services Department  
June 2017

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Ref: LCSD/CS/AMO 22-3/1