

**For discussion  
on 24 October 2011**

**BOARD PAPER  
AAB/26/2011-12**

**MEMORANDUM FOR MEMBERS OF THE  
ANTIQUITIES ADVISORY BOARD**

**DECLARATION OF HO TUNG GARDENS  
AT 75 PEAK ROAD, HONG KONG AS A MONUMENT  
UNDER THE ANTIQUITIES AND MONUMENTS ORDINANCE**

**PURPOSE**

This paper seeks Members' advice on the intention of the Antiquities Authority to declare Ho Tung Gardens at 75 Peak Road, Hong Kong as a monument under section 3(1) of the Antiquities and Monuments Ordinance ("the Ordinance") (Cap. 53).

**BACKGROUND**

2. At the special meeting on 25 January 2011, the Antiquities Advisory Board ("AAB") confirmed the Grade 1 status of Ho Tung Gardens, taking into account the assessment of the expert panel as well as the views and information received during the public consultation on the proposed gradings of 1 444 historic buildings in Hong Kong.

3. While the administrative Grade 1 status of Ho Tung Gardens does not automatically accord it with statutory protection under the Ordinance, Ho Tung Gardens, being a Grade 1 building, is included in a "pool" of highly valuable historic buildings for consideration by the Antiquities Authority as to whether it may have reached the "high threshold" of monuments to be put under statutory protection. As set out in the AAB paper entitled "Review of the Relationship between the Monument Declaration System under the Antiquities and Monuments Ordinance (Cap. 53) and the Grading System of the Antiquities Advisory Board" (AAB/78/2007-08), which was considered and endorsed by AAB at the meeting on 26 November 2008, the Antiquities Authority will

readily declare Grade 1 buildings as proposed monuments when these buildings are under threat of demolition to give highly graded historic buildings immediate protection.

4. Under Government's internal monitoring system established to monitor any submission to relevant Government departments on proposed works that may affect monuments and historic buildings, it was brought to the Administration's attention that the owner of Ho Tung Gardens had plans to demolish and redevelop Ho Tung Gardens and had submitted a set of demolition plans and a set of building plans to the Building Authority ("BA") for approval. Both plans have been approved by the BA as the applications complied with all the relevant requirements under the Buildings Ordinance (Cap. 123), which regulated building safety.

5. Taking into account the Antiquities and Monuments Office (AMO)'s assessment of the high heritage merit of Ho Tung Gardens and the demolition threat to Ho Tung Gardens, and with the support of the AAB as endorsed at the meeting on 25 January 2011, the Antiquities Authority declared Ho Tung Gardens as a proposed monument under section 2A(1) of the Ordinance on 28 January 2011. The declaration of proposed monument shall have effect for a period of 12 months. The "proposed monument" declaration provides timely statutory protection<sup>1</sup> to Ho Tung Gardens while allowing time for the Antiquities Authority to carefully consider whether Ho Tung Gardens warrants declaration as a monument under section 3 of the Ordinance.

6. For more background, please refer to the AAB Paper entitled "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" (AAB/2/2011-12) (with the plan showing the "proposed monument" declaration boundary at Annex A to the paper) and the gazette notice on the declaration of Ho Tung Gardens as a proposed monument at **Annexes A and B** respectively.

7. The declaration of any building as a proposed monument does not have to be followed by its subsequent declaration as a monument. The

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<sup>1</sup> Pursuant to section 6 of the Ordinance, the protection includes the prohibition of any excavation, carrying on building or other works on the proposed monument, and any action to demolish, remove, obstruct, deface or interfere with the proposed monument unless a permit is granted by the Antiquities Authority.

Antiquities Authority has to make a decision on monument declaration after having considered all relevant factors. While AAB will focus on “heritage significance” as the only relevant consideration in considering the grading of historic sites/buildings, the Antiquities Authority will take into account other relevant factors in the overall community interest in monument declaration. Under the Ordinance, the Antiquities Authority has to consult AAB and seek the approval of the Chief Executive for monument declarations.

## **FURTHER ASSESSMENT OF HERITAGE VALUE**

8. To facilitate the Antiquities Authority to consider whether to declare Ho Tung Gardens as a monument under the Ordinance, AMO has commissioned the following two consultancies—

- (a) a consultancy jointly undertaken by Dr. Victor Zheng and Professor Siu-lun Wong to study the history of Ho Tung Gardens. Dr. Zheng was a Research Assistant Professor of the Hong Kong Institute for Humanities and Social Sciences of The University of Hong Kong while Professor Wong is an Honorary Professor of the same institute. Both of them are recognised scholars on the history of the Ho Tung family and the authors of a number of publications on Sir Robert Ho Tung and his family members; and
- (b) a consultancy jointly undertaken by Dr. Lynne DiStefano, Dr. Ho-yin Lee and Mr. Curry Tse of the Architectural Conservation Programme (ACP) of The University of Hong Kong to study the architectural values of Ho Tung Gardens. Dr. DiStefano, who is an International Council of Monuments and Sites (ICOMOS) World Heritage Technical Evaluator, has professional knowledge and expertise in historic landscape. Dr. Lee and Mr. Tse are recognised conservation architects who have practical experience in architectural conservation in Hong Kong.

9. A briefing on the findings of the two consultancy studies was given to AAB on 10 October 2011 vide the AAB paper entitled “Briefing on the

Consultancy Studies on the Heritage Value of Ho Tung Gardens” (AAB Paper AAB/23/2011-12). The consultancy studies have further established the outstanding heritage significance of Ho Tung Gardens. With reference to the two consultancy studies and AMO’s heritage assessment, an updated appraisal of the heritage value of Ho Tung Gardens is at **Annex C**. It is beyond doubt that Ho Tung Gardens has reached the high threshold of heritage value for monument declaration. The gist of the assessment is as follows –

### Historical value

10. While Ho Tung Gardens was not the main residence of Sir Robert Ho Tung, it was closely associated with him, his wife Lady Clara Ho Tung<sup>2</sup> and their children including General Robert Ho Shai-lai<sup>3</sup>, and other significant historical figures and events (such as Ho Tung Gardens being used as a base of military operation against the Japanese attack in 1941). Moreover, Ho Tung Gardens marked a break of the racial policy in the early colonial days. During the early colonial days, Chinese tenements were not allowed to be built, and Chinese were restricted from living in the Peak. Sir Robert Ho Tung was the first non-European to receive permission from the then Hong Kong Government to reside in the Peak area.

### Architectural value

11. Ho Tung Gardens exemplifies a mixture of Chinese and Western architectural elements. This type of buildings, named as “Chinese Renaissance architecture” by some architects, was popular in Hong Kong and China during the early 20<sup>th</sup> century. It represents the vision of China’s first-generation Western-trained modern architects to create an architectural identity for China. These architects attempted to modernise and revitalise Chinese architecture and develop an architectural language that combined the desire for Chinese aesthetic tradition and Western construction technology in architecture. Therefore, the significant architectural merit of Ho Tung Gardens is in terms of it being an early example, and may be the earliest surviving example, of Chinese Renaissance architecture in Hong Kong. It is

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<sup>2</sup> Lady Clara Ho Tung (née Cheung) is 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), which is a Grade 1 historic building.

<sup>3</sup> General Ho Shai-lai is an important historical figure not only in the history of Hong Kong but also in the history of modern China.

also dated to an earlier time than many of the examples found in Mainland China. Ho Tung Gardens is also one of the few remaining examples of a grand house setting within an expansive garden and with dramatic views in the period preceding World War II.

### Rarity

12. While Sir Robert Ho Tung had several Peak residences, Ho Tung Gardens is the only remaining residence directly related to Sir Robert Ho Tung. Ho Tung Gardens was also the only building with Chinese architectural elements built in the Peak area at that time. Moreover, while Chinese Renaissance architecture became a popular trend in Hong Kong before World War II, residential buildings in the manner were uncommon. Postwar development has reduced the already small number of such residential buildings to an even smaller number, thus making every extant example a rare specimen worthy of conservation.

### Authenticity

13. Conservation is not about freezing the place at a given point in time. Changes that do not adversely affect the important character-defining elements are acceptable. Ho Tung Gardens has maintained its authenticity in terms of the Chinese Renaissance aesthetic character despite alterations and modifications. Moreover, changes may reflect the accumulated layers of history of the place. In the case of Ho Tung Gardens, the damages made to Ho Tung Gardens during World War II, for instance, reflect its history of being a base of military operation against the Japanese attack in 1941 and reinforced its designation as a continuing cultural landscape.

### Social value and local interest

14. Ho Tung Gardens, blending the Chinese and Western architectural elements, not only reflects the cultural characteristics of the Eurasian family, but also gives expression to a unique history, culture and value in Hong Kong, where the East meets and integrates with the West. Moreover, Ho Tung Gardens has strong associations with Sir Robert Ho Tung and his family, whose community leadership and close involvement in the development of social services are still evident in many places in Hong Kong. Being a Peak

residence of Sir Robert Ho Tung, who was the first non-European to receive permission from the then Hong Kong Government to reside in the Peak area, Ho Tung Gardens is an important marker of a break of the racial policy in the early colonial days.

#### Group value

15. Ho Tung Gardens together with King Yin Lei (declared monument), Haw Par Mansion (Grade 1 building), S.K.H. St. Mary's Church (Grade 1 building), the Old Block of Holy Spirit Seminary (Grade 1 building), etc., form a diminishing record of the evolutionary development of Chinese Renaissance architecture in Hong Kong. Ho Tung Gardens is also among the cluster of historic sites on the Peak including Gate Lodge of the Governors' Mountain Lodge (declared monument), Peak Café (Grade 2 building) and Peak Tramways Office (Grade 2 building).

#### **ADVICE SOUGHT**

16. Members are requested to advise whether Ho Tung Gardens should be declared as a monument under section 3(1) of the Ordinance. The intended boundary for the monument declaration is the same as that for the "proposed monument" declaration.

#### **NEXT STEP**

17. If Members support the proposal to declare Ho Tung Gardens as a monument, the Antiquities Authority shall proceed with the statutory procedures under the Ordinance.

Development Bureau

October 2011

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