

13 USE/MISUSE OF THE BURRA CHARTER

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As an Australia ICOMOS member resident in Hong Kong, I was recently asked to respond to the Hong Kong SAR Development Bureau's answer to a Government Hill Concern Group submission regarding the Government Hill project that was sent to overseas and local heritage organizations including Forum UNESCO. The DEVB response includes the mention of the Australia ICOMOS Burra Charter as supporting its approach to the site. In particular, the following will outline my concerns regarding the way the professional process of conservation planning for the heritage place was managed, and the way in which the Burra Charter has been quoted at what appears to be the final stages of that process by the DEVB in relation to Government Hill's intended redevelopment.

First of all, it should be remembered that the Burra Charter's full name is *The Burra Charter. The Australia ICOMOS Charter for Places of Cultural Significance, 1999*. It differs from earlier conservation charters by being centred on assessment of a heritage place's cultural significance first and foremost. From this assessment, the heritage place's conservation planning and management decisions can then be traced. As stated in the Charter, it should be understood that:

The Charter should be read as a whole. Many articles are interdependent. Articles in the Conservation Principles section are often further developed in the Conservation Processes and Conservation Practice sections.

Although it has been used extensively in Hong Kong for years, (for instance, in the Ohel Leah Synagogue project), the Charter and its guidelines for cultural significance assessment and undertaking studies and reports are rarely used in a way that fully exploits its best practice principles, mainly because Hong Kong lacks the legislation and policy to support that.

To undertake the study of the heritage place, I understand that the Antiquities and Monuments Office (AMO) commissioned Purcell Miller Tritton LLP, a British firm of conservation architects with an office in Hong Kong, were engaged. The study 'Historical and Architectural Appraisal of the Central Government Offices' was mainly authored by architect, Michael Morrison, and was completed in September 2009.

Nowhere in this report or the official brief for the study is any mention made of the use of any key international conservation charters - Burra, Venice or China Principles - in regards to the conservation principles used to conduct the study. Also, it is difficult to assess if a significance assessment based approach, similar to that of the Burra Charter, was used at all, as the only mention of terms of reference comes briefly at the beginning of Chapter 1:

The brief for this report states that the "objective of the project is to conduct a thorough appraisal of the historical and architectural value of the Central Government Offices Complex".

This is largely because the AMO (overseen by the Antiquities Advisory Board) implements the definition of cultural significance in the *Antiquities and Monuments Ordinance, 1976*, which only looks at buildings in terms of their historical or architectural value (a position now considered outdated by international best practices for assessing cultural or heritage significance).

For the record: Article 1.2 of the Burra Charter holds as its definition of cultural significance:

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the *place* itself, its *fabric, setting, use, associations, meanings, records, related places and related objects*.

Places may have a range of values for different individuals or groups.

Accordingly, if the Burra Charter was used from the beginning of the project, a much broader definition of cultural significance would have been used and then assessed by a multi-disciplinary team of heritage professionals not just a firm of architects on their own. There should have been a consideration of visual impacts on the aesthetic significance by a landscape architect, historical and social significance by a public historian (including consultation with heritage societies and community stakeholders), and a scientific assessment of the archaeological potential of the heritage place by an archaeologist working closely with the historian. Hence, a lot of information is missing and the 2009 report's assessment of cultural significance seems incomplete and unsubstantial by Burra Charter standards of practice.

Overall, the Burra Charter requires that a certain process be followed after the assessment of cultural significance and a range of options be presented for public consultation before a major intervention to the fabric of the heritage place is undertaken (i.e. demolition and new construction being considered). This process is outlined in a flowchart on page 10 of the Charter. When the process in the flowchart is compared with that undertaken for the Government Hill project, there seems to be a number of steps missing, particularly in relation to identifying options other than development for a comprehensive conservation policy. The Charter also has an overall philosophy of taking a cautious approach to interventions to the heritage place's fabric as this can affect its cultural values. As such, I have personally found it bizarre that the DEVB has used the Burra Charter to defend the current redevelopment proposal. The construction of a 32-storey high-rise office block is not a cautious approach or should be considered as the natural result of using the Burra Charter for undertaking a "good conservation project," as the DEVB says it has done in its response. Instead, I have found that the Charter has NOT been used from the start and the single option given to the public is just another fairly typical example of a Hong Kong podium office building with no reference to the site's cultural significance in its design or scale.

Once again, if a full assessment of cultural significance had been undertaken in 2009, and studies of possible reuses and their impacts conducted as part of formulating a comprehensive conservation policy in line with the Burra Charter process, DEVB would not have to offer any defense. Part of the problem is the lack of inclusion of the Burra Charter in the original brief for the appraisal study, possibly because of Hong Kong's inadequate legislation and the general lack of will to do more than the minimum. If ALL heritage professionals (public or private sector) in Hong Kong or elsewhere only did the minimum that is required, no doubt all significant heritage places would be gone!

Therefore, I personally resent the use of the Burra Charter in this instance to cover-up the underlying problems with this project in terms of the narrow assessment of cultural significance and the lack of best practice conservation planning processes. I would ask that no one should pretend that the current redevelopment proposal has much to do with the Burra Charter.

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*Between 1997-8 before arriving in Hong Kong, I was on the National Executive of Australia ICOMOS. During that time, I was also part of the working group that revised the Burra Charter for endorsement by ICOMOS in 1999. So I have some inside knowledge of how the Charter has been used in the past and Article 5.2 was given an explanatory note to prevent being cherry-picked in the way it has been by DEVB in this instance. Obviously, they did not bother to read it.