
**Application Under Section 12A of the Town Planning Ordinance.
The Sai Ying Pun & Sheung Wan Outline Zoning Plan No. S/H3/22**

**Proposed Amendment to the Statutory Planning Restrictions for
the Conservation of the Central Police Station Compound,
Hollywood Road, Central.**

January 2009

This Application is Jointly Submitted By:

1. Central and Western Concern Group
2. Community Alliance for Urban Planning
3. Community Cultural Concern
4. The Conservancy Association
5. Designing Hong Kong Limited
6. The Dragon Garden Charitable Trust
7. Green Sense
8. Heritage Hong Kong Foundation
9. Hong Kong International Association of Art Critics
10. Hong Kong People's Council for Sustainable Development
11. SEE Network Limited
12. Soho Residents Committee
13. World City Committee

行政摘要

- S.1 是項申請是一項有關「其他指定用途」地帶 — 具極高歷史價值的「中區警署古蹟群」(「古蹟群」)。此申請由多個非政府機構及民間組織提出，旨在修改用途地帶的註釋，加入一個根據古物諮詢委員會(「古委會」)通過建議保存規定的法定高度限制，以求更審慎地限制在「古蹟群」內興建新建築物及其用途。此申請亦考慮到近日由香港賽馬會(「馬會」)作出的技術研究，及這研究對保育「古蹟群」的含意。
- S.2 自政府於 1995 年將「古蹟群」列為法定古蹟，當局就如何保育「古蹟群」內的建築物舉辦了數次公眾諮詢。2004 年一個由政府舉辦的工作坊訂出多項保育「古蹟群」的原則，包括：歷史建築的活化再用、需要一套「保育管理計劃」(conservation management plan)、需遵從國際保育準則、任何新發展必須與「古蹟群」的社會、文化、政治及環境等不同範疇配合和協調。
- S.3 社會多個團體自 2004 年起對「古蹟群」的保育表示關注並提出方案，而政府則與香港賽馬會就「古蹟群」的日後發展進行非公開討論。2007 年 4 月，在公眾不知悉的情況下，香港賽馬會向政府提交保育及活化「中區警署古蹟群」的建議，而建議的詳情則於 2007 年 10 月 11 日正式公佈。由 2007 年 10 月 11 日至 2008 年 4 月 10 日，「馬會」舉辦公眾諮詢及參與活動，但被認為諮詢欠缺誠意，諮詢結果亦沒有充份回應公眾的關注。
- S.4 古物古蹟辦事(「古蹟辦」)處經諮詢古物諮詢委員會(「古諮會」)後擬定一套日後發展「古蹟群」的保存規定(preservation requirements)，規定的要旨訂明：
- 「為了保存歷史地點(即「古蹟群」)的歷史風貌及原有佈局的完整性，使其古蹟價值不會被不適當或不可逆轉的改動，而有所增建或削弱。」
- 該要旨清楚說明上層平台內的建築物的重要性及保存的必要，亦指出監獄操場乃上層平台內的重要開放空間故需如現狀保留。該規定亦清楚訂明在上層平台的新建築物的高度不得超過主水平基準 77 米，此高限與現有建築物相符。「馬會」提出的新發展方案完全違反「古蹟辦」擬定的規範。
- S.5 「馬會」委託國際保育顧問 Purcell Miller Tritton 完成一份「保育管理計劃」。該計劃書所包含的評估及政策是目前就「古蹟群」的長遠保育及管理所制定的最詳盡分析和規範。其中的要點包括：

- (a) 「保育管理計劃」所提出的一系列保育政策必須施行，除非有凌駕性的公眾需要及保育論點；
- (b) 有必要重新檢視「馬會」所提出在上層平台興建大型建築物以容納文化設施的建議，任何增建必須符合保育管理計劃所訂立有關上層平台的建築物、空間及樹木的保育政策；
- (c) 報告內容顯示顧問明顯知悉「馬會」建議在上層平台興建大型建築物，及可能拆卸 F 倉，但顧問仍刻意制定規範以防止大型新建築物的興建；
- (d) 「保育管理計劃」的其中一個重點是如何適當地加添新用途和新建築，而保育政策清楚指出在那裡及如何進行。這間接說明「馬會」的發展建議是不適當的。
- (e) 從「保育管理計劃」的論點看來，「古蹟辦」及「古諮會」有理由需要按《古物及古蹟條例》重新評估「古蹟群」內建築物的保存。

S.6 「馬會」對大量公眾反對意見的唯一回應，就是宣佈降低新建築物的高度及取消其觀景台。可是「馬會」從未透露降低的幅度，亦堅持會興建文化設施如劇院，故可以預計新建築物的高度將超過「古諮會」規定的主水平基準 77 米。自「馬會」完成上階段的公眾諮詢報告，就再沒有舉行進一步的公眾諮詢去研究如何改善發展方案以回應公眾的意見。

S.7 當局應參考三套國際保育憲章去推動「古蹟群」的保育工作，而憲章所提出的原則亦提供重要的論點不支持「馬會」的發展方案。此外，位於灣仔演藝學院附近的土地已預留作發展文化設施用途，故無必要在「古蹟群」內興建這類大型設施。

S.8 「古蹟群」的保育方案的一項凌駕性要求是新建築物必須與「古蹟群」現有建築物的高度和比例協調。「古諮會」、Purcell Miller Tritton 的「保育管理計劃」報告及公眾意見均不斷地強調這項要求。「古諮會」曾建議在上層平台的新建築物的高度限制為主水平基準 77 米。是次申請建議這高限成為分區計劃大綱圖內的法定高度限制，申請人亦支持「保育管理計劃的」建議保留 F 倉。

EXECUTIVE SUMMARY

- S.1 This application relates to the “Other Specified Uses” zone covering the historical site which is collectively known as the Central Police Station Compound (CPSC). This application has been made on behalf of a large number of NGOs and community groups. The application is to amend the Notes to the zone to include a statutory height limit in accordance with the recommendations of the Antiquities Advisory Board (AAB) to more carefully control the introduction of new buildings and uses on the site. It also takes account of recent technical studies undertaken by the HKJC and the implications that these have on the importance of the conservation components of the site.
- S.2 Since the site was declared a monument in 1995 by the AAB, there has been a number of public consultations on how to conserve the buildings. Then in 2004 a Government run workshop identified principles for the heritage conservation of this site including: adaptive reuse of historic buildings, the need for a conservation management plan, international conservation standards should be followed and that any new development should be compatible/sympathetic/ in harmony with the site socially, culturally, politically and environmentally.
- S.3 While this was being undertaken from 2004 by the various groups, the HKJC and the government were involved in confidential discussions regarding the future of the CPSC site. In April 2007, without public knowledge, the HKJC submitted a proposal to the Government to “conserve and revitalise the CPSC”. The details, as far as they had been developed, were made public on 11 October 2007. The HKJC undertook a “public engagement process” from 11 October 2007 to 10 April 2008. The consultation undertaken by the HKJC was insincere and the conclusions have not addressed public concerns adequately, or at all.
- S.4 The AMO has prepared a set of preservation requirements in consultation with the AAB. A Gist of these preservation requirements states:-

“In order to preserve the historic character and integrity of the original layout of the Historic Site so that its future heritage value will not be undermined by inappropriate or non-reversible alterations or additions.”

The Gist is very clear as to the importance of the buildings within the Upper Platform Area and the need to preserve them, that the prison courtyard is an important open area within the upper platform and must be retained as such. It clearly sets a limit of 77mPD for any new structures, a limit which is compatible with the existing structures. The new development proposed by the HKJC is completely contrary to the fundamental points contained within the Gist issued by the AMO.

- S.5 The Conservation Management Plan (CMP) was commissioned by the HKJC and completed by international experts Purcell Miller Tritton. The new assessment and policies included in the CMP are the most detailed analysis and framework established for the on-going conservation and management of the site. In particular the following implications arise:-
- (a) The application of the Conservation Policies outlined in the CMP should

be applied unless there is an over-riding public and conservation argument as to why they should not be applied;

- (b) The policies relevant to the buildings, spaces and trees in the Upper Platform require the reassessment of the proposal by the HKJC to cover the area with a massive new platform on which cultural facilities are proposed;
 - (c) It is clear from the approach taken by the authors that they were aware of the HKJC proposal to cover the upper platform, and the possibility of demolishing F Hall. However, they have deliberately proceeded to suggest Conservation Policies which would prevent the construction of this form of new building;
 - (d) An underlying theme is the need for sensitive introduction of new uses and buildings, and the Conservation Policies indicate where and how this should happen. By implication the HKJC proposal is considered insensitive and inappropriate.
 - (e) Based on the CMP there may be reason for the AMO and AAB to re-assess the designation of the buildings under the Antiquities and Monuments Ordinance.
- S.6 The only concession given to the significant adverse public comment on the HKJC proposal, has been an announcement that the height of the new structure would be reduced and viewing deck deleted. The extent of the reduction is not clear, but as the fundamental content of theatres and other cultural facilities remains unchanged, it would appear inevitable that the new building will exceed the height of 77mPD set by the AAB. Since the completion of the public consultation report there has been no further public consultation in relation to the way the project would be modified to meet the comments from the public.
- S.7 Three International Charters have been mentioned in relation to taking this heritage conservation project forward. Appropriate attention to these would provide a significant argument for not proceeding with the scheme that the HKJC has promoted. In addition, there are alternative sites reserved for cultural facilities in the vicinity of the Academy of Performing Arts which would be better suited for the proposed facilities.
- S.8 The over-riding requirement for the proposed conservation of the CPSC is for the new buildings to be sympathetic and compatible with the height and scale of the existing buildings. This has been stressed by the AAB, the CMP and in the public comments during the HKJC public consultation process. The AAB has previously proposed a height limit of 77mPD. It is proposed in this application that this become a statutory height restriction on the Outline Zoning Plan and we support the proposal of the CMP to retain F Hall.

Proposed Amendments to the Statutory Planning Restrictions for the Conservation of The Central Police Station Compound, Hollywood Road, Central

English and Chinese Executive Summaries

CONTENTS

1. Introduction
2. Background
3. Purpose and Reason for this Application
4. Planning Context
5. Heritage Context : The Antiquities Advisory Board and the Conservation Management Plan
6. Insufficient Consideration Given to Public Consultation
7. Appropriate Scale of Arts and Cultural Facilities
8. Financial Model Does Not Support Proposal
9. International Conservation Documents
10. Proposed Changes to the Outline Zoning Plan
11. Planning Assessment and Justification
12. Conclusion

APPENDICES

- | | |
|------------|---|
| Appendix A | Gist of Points Raised at Government Workshop, 13 March 2004 |
| Appendix B | Tourism Commission Report on Public Opinion Forms; 2005 |
| Appendix C | Heritage Conservation- An Update on Key Initiatives: Legislative Council Panel on Development: 19 December 2008: Anne B |
| Appendix D | Gist of Preservation Requirements for Central Police Station Compound : Antiquities and Monuments Office |
| Appendix E | Extracts from the Conservation Management Plan, Hong Kong Jockey Club, prepared by Purcell Miller Tritton LLP |
| Appendix F | Extracts from the Hong Kong Jockey Club Report on Public Consultation, May 2008 |

Proposed Amendment to the Statutory Planning Restrictions for the Conservation of the Central Police Station Compound, Hollywood Road, Central

1. Introduction

- 1.1 On 11 October 2007 the Development Bureau of the Government announced the intention of having the Hong Kong Jockey Club proceed with the conservation and revitalization of the Central Police Station Compound. This announcement was a reversal of the previous approach of preparing the site for tender and development by the private sector. The change in approach to not selling the site for future restoration and management has been generally welcomed. However, there remains considerable public concern over the current process being undertaken by the Hong Kong Jockey Club (HKJC) and the Development Bureau in taking the project forward.
- 1.2 This application has been made on behalf of several NGO and community groups. This application proposes the establishment of a height limit on the site in accordance with the recommendations of the Antiquities Advisory Board (AAB). It also takes account of recent technical studies undertaken by the HKJC and the implications that these professional studies have on the importance of the conservation components of the site.
- 1.3 This application relates specifically to the “Other Specified Uses” zone covering the historical site which includes the former Central Police Station, former Victoria Prison and the former Central Magistracy, collectively known as the Central Police Station Compound (CPSC). The intention of this submission is to amend the Notes to the zone to include a statutory height limit so as to more carefully control the introduction of new buildings and uses on the site.

2. Background

Period Prior to Hong Kong Jockey Club Involvement

- 2.1 The site was declared a Monument under the Antiquities and Monuments Ordinance in September 1995 after consideration by the Antiquities Advisory Board (AAB).
- 2.2 Since that time the means for conserving the buildings has been discussed in various forums, including the Central and Western District Council and the Legislative Council. A number of forums have been conducted by bodies such as the Hong Kong Institute of Architects and the Conservancy Association. Submissions have been made to Government by developers and other private organisations.
- 2.3 In the period from 2003 – 2005 the Government put forward the proposal to sell the site with a requirement that the heritage be conserved and the site developed for tourism purposes, with the initiative being taken by the Commissioner for Tourism. This proposal stimulated public discussion with considerable concern over whether this was the best way to implement a conservation process, and how the Government would assess proposals given that a significant weighting was to be given to the amount of land premium the successful bidder would pay to Government.

- 2.4 In March 2004 a workshop sponsored by Government was held involving various interested groups and members of the public. From that a “Gist of Points Raised at the Workshop” was issued and has been included in Appendix A.
- 2.5 In 2005 and 2006 a number of “open days” were held at the site co-organised by the Tourism Commission, the Central and Western District Council, the Hong Kong Institute of Architects and the Conservancy Association. Over 5,700 visits were made by members of the public who wanted to see the historic buildings. There is a strong and evident interest by a broad range of the public in wanting to keep the site much as it is and in making it available for public access. In conjunction with the Open Days an opinion collection form was distributed and about 1,000 replies were received. The results of the survey are included in Appendix B.
- 2.6 In May 2006 the Heritage Hong Kong Foundation (previously known as ‘Heritage Hong Kong’) submitted a representation to the Town Planning Board in relation to amendments made to the Notes of the zoning of the CPSC. The proposal included an alternative wording for the Planning Intention for the zone which provided more emphasis on conservation rather than tourism. The Representation (Number R/S/H3/21-1) was considered by the Town Planning Board on 25 August 2006 and was not accepted by the Board.
- 2.7 Following the Board’s decision to not amend the OZP Heritage Hong Kong initiated a Judicial Review of that decision and leave was granted by the High Court to proceed. However, before a date was set for the hearing the Government announced that the Hong Kong Jockey Club (HKJC) was undertaking investigations to conserve and revitalise the CPSC and that the site would not be sold for public tender. This change in approach was seen to go a long way towards addressing many of the issues that had been raised, particularly the issue of the weighting to be given to the land premium in relation to the conservation characteristics of the proposal that the HKJC may come up with. On this basis the Judicial Review was withdrawn by Heritage Hong Kong. There have been no changes subsequently made to the Outline Zoning Plan to address the concerns originally raised in the Representation.

Period Subsequent to the Hong Kong Jockey Club Involvement

- 2.8 While all of the above action was being undertaken from 2004 by the various groups, the HKJC and the government had been involved in confidential discussions regarding the future of the CPSC site. In April 2007 without public knowledge the HKJC submitted a proposal to the Government to “conserve and revitalise the CPSC”. The details, as far as they had been developed, were made public on 11 October 2007.
- 2.9 The HKJC undertook a “public engagement process” from 11 October 2007 to 10 April 2008. In May 2008 it issued a “Report on the Public Consultation” which was placed on the HKJC website. This report explains how the public consultation process was undertaken and the views that were obtained. Following that consultation process the HKJC undertook to “turn the proposal over to the Government for its consideration of the way forward”.
- 2.10 On 25 July 2008 it was announced by Government that EXCO had agreed that Government should enter into a partnership with the HKJC to take forward the conservation and revitalisation of the CPSC based on certain parameters. The brief on which this was based was also provided and it was announced that the height of the new structure would be reduced from that previously shown in the HKJC proposals.

- 2.11 It was also announced that in January 2008 the HKJC had commissioned a renowned British firm of Conservation Architects to undertake research into the history of the CPSC and to prepare a Conservation Management Plan. That plan was completed in June 2008 and is available on the HKJC website.
- 2.12 The HKJC consulted the AAB on 26 November 2008 and the Development Bureau presented a paper to the Legislative Council Panel on Development on 19 December 2008 "Heritage Conservation – an Update on Key Initiatives". In both cases the situation regarding the CPSC was covered. The Legco Paper included as Appendix B the parameters to be used for the partnership between the HKJC and Government on the conservation and revitalisation of the CPSC. That document is included in this submission as Appendix C.

3. Purpose and Reason for this Application

- 3.1 This application has been submitted jointly on behalf of several NGO's and community groups who are concerned that the process being undertaken by the HKJC in conjunction with the Government is not in the best interests of the public. The main concerns are :-
- (a) That the conservation of the CPSC is being subverted by the introduction of new uses and new development which are inappropriate for the site;
 - (b) The consultation undertaken by the HKJC was ineffective and insincere and the conclusions have not addressed public concerns adequately, or at all;
 - (c) The parameters issued by the Government for the development of the partnership are incompatible with the conservation objectives for the site as identified by the AAB and the Heritage Consultants; and
 - (d) The basis of the partnership between the Government and the HKJC has ignored fundamental issues which have arisen during the public consultation process.
- 3.2 The controls currently contained within the planning parameters on the Outline Zoning Plan are not strong enough to ensure that the Town Planning Board has adequate power to ensure that the most appropriate form of conservation is achieved on this site. It is therefore necessary to propose changes to the Outline Zoning Plan to ensure that these are in place before the HKJC makes an application to the Town Planning Board.

Main Focus of this Application

- 3.3 The main focus of this application is to ensure that new building, if any, is compatible with the conservation context and takes account of good conservation planning and management. The HKJC proposal includes:-
- "A new iconic structure will be erected on the upper platform area to create a cultural complex that will include a 500-seat auditorium, a 500-seat theatre, two art cinemas, a gallery, a multipurpose exhibition space and supporting facilities."* (From the HKJC website)
- 3.4 The intention of the HKJC is to construct a large concrete and steel structure above the existing heritage buildings on the upper platform and prison courtyard (See image in Figure 1.). The cultural facilities will then be built on top of this structure above the heritage site. The likely implications of constructing these new facilities is therefore the main focus of this application.

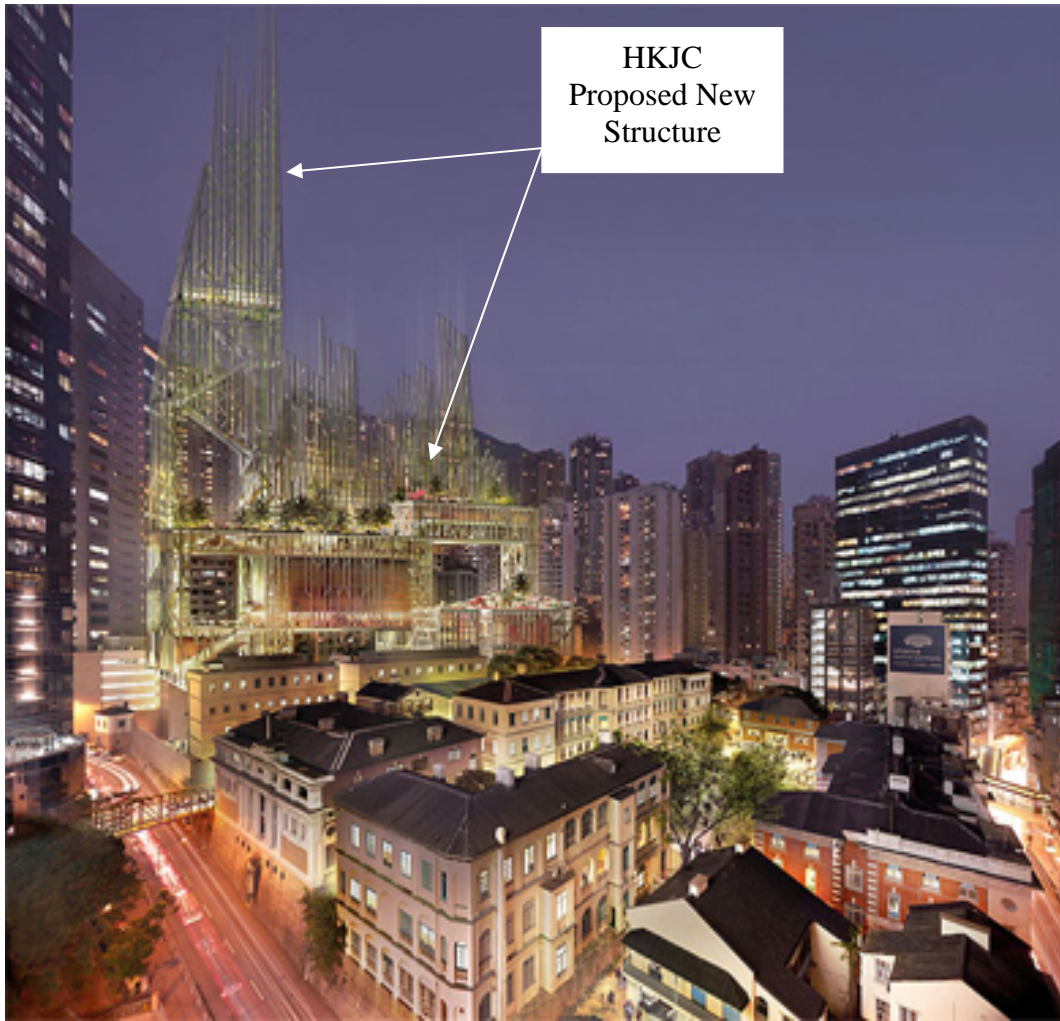


Figure 1: The HKJC proposed scheme and large structure on the upper platform incompatible with the rest of the historic CPSC buildings.

4. Planning Context

- 4.1 The site is zoned “Other Specified Uses” annotated “Historical Site preserved for Cultural, Recreational and Commercial Uses” on the current approved Sai Ying Pun and Sheung Wan Outline Zoning Plan Number S/H3/22 and this is illustrated in [Figure 2](#). The Notes to the Zone include a statement of Planning Intent and require that any new development other than alteration and addition to existing building requires an application to the Board.
- 4.2 It is considered that the Notes to the Zone do not provide adequate planning control over the site so as to ensure that the intention stated in the Explanatory Statement would be achieved, as there is no restriction on building height. It is also considered that the Town Planning Board has a broader function than that of the AAB, a function which requires the Board to take account of not only the implications of the development on the character of the site, but also the impact of the proposed development on the adjacent neighbourhood, particularly in relation to building height and traffic impact.

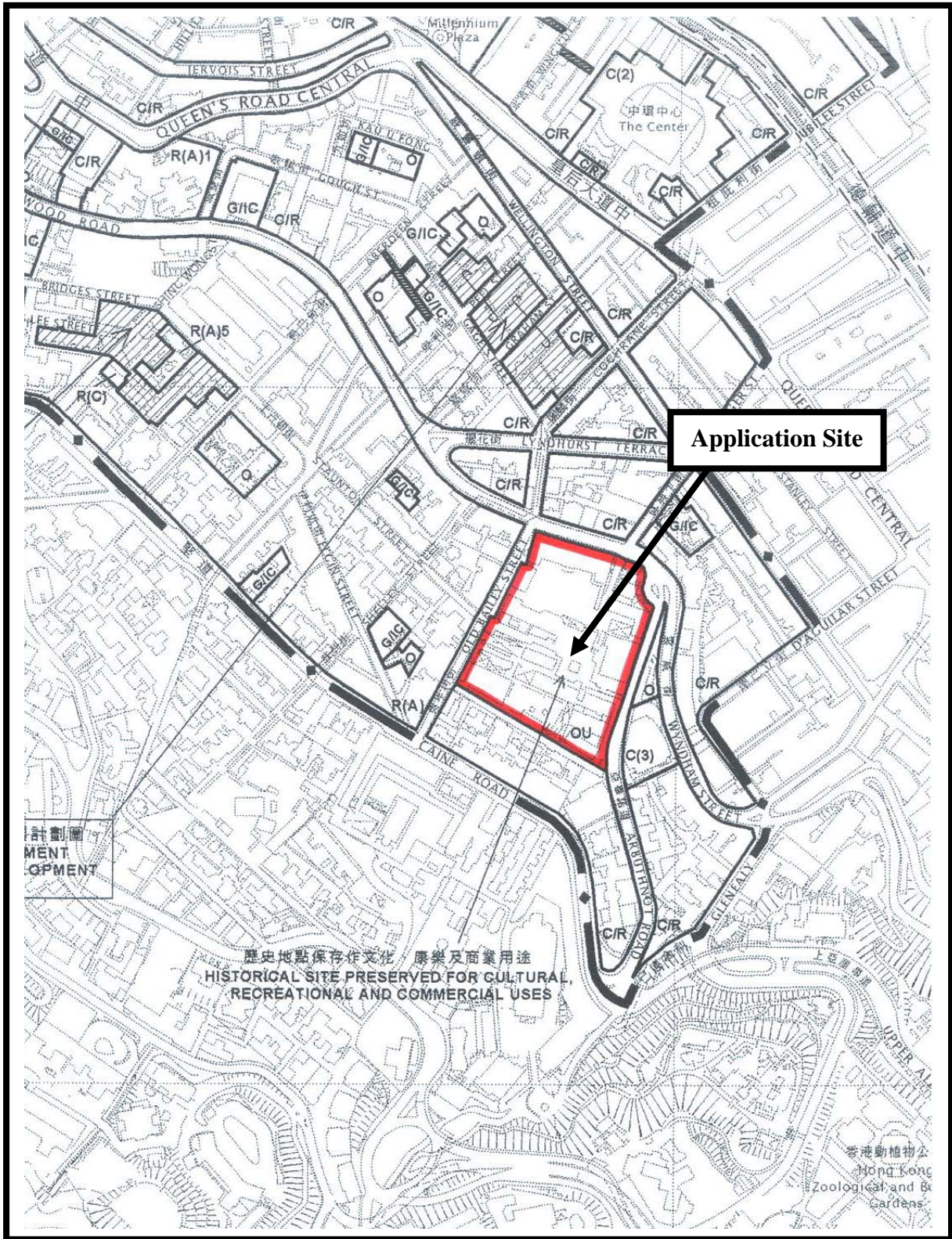


Figure 2 : Location Plan (extract from the Sai Ying Pun & Sheung Wan Outline Zoning Plan Number S/H3/22)

5. Heritage Context : The Antiquities Advisory Board and the Conservation Management Plan

For the purposes of this section reference will be made to firstly, the situation that exists under the Antiquities and Monuments Ordinance and the AAB, and secondly the findings and implications of the Conservation Management Plan prepared for the HKCJ by Purcell Miller Tritton from the UK. Both references show that the HKJC proposal is significantly in conflict with the stated conservation objectives and requirements.

5.1 *The AAB and Declaration as a Monument*

5.1.1 The Central Police Station, former Central Magistracy and Victoria Prison were declared as monuments under the Antiquities and Monuments Ordinance on 8 September 1995. The AMO has prepared a set of preservation requirements in consultation with the AAB. A Gist of these preservation requirements is included as Appendix D. It states by way of introduction that it is provided:-

“In order to preserve the historic character and integrity of the original layout of the Historic Site so that its future heritage value will not be undermined by inappropriate or non-reversible alterations or additions.”

5.1.2 There are 27 building and structures in the site and 17 buildings which have been classified by the AMO into two types: These are illustrated in Figure 3.

Type “A” are Historic Buildings which must be conserved externally and internally; and

Type B are Historic Buildings which must be conserved externally.

A similar classification relates to the walls around the site.

5.1.3 Of particular relevance to this application is the line on Figure 3 which defines the “Upper Platform”, the classification of the buildings on the platform and the walls which surround the exterior. Within the Upper Platform there are:-

- (a) 1 Type A building which must be conserved both externally and internally (D Hall);
- (b) 8 buildings which must be conserved externally; and
- (c) Walls and parts of walls which are shown as Type A or Type B Historic Structures.

5.1.4 Any of the non-historic buildings structures and walls within the site may be demolished only with the approval of the Antiquities Authority, and may be permitted to allow more space.

5.1.5 Regarding the location of new development the Gist states* :-

“Construction of new buildings is restricted to Upper Platform Area (Victoria Prison) while Type A and Type B Historic Buildings within the area shall be strictly preserved.”

“Any new development within the Upper Platform Area imposed with a maximum height restriction of 77mPD. The existing highest building of the Upper Platform Area, i.e. D Hall is 70.1mPD while ground level of the main courtyard is 55.7mPD.”

* N.B. underlining in all quotations has been added for emphasis.

中區警署建築群歷史建築物 Historical Buildings at the Central Police Station Compound

1. Headquarters Block (總部大樓) (1919)
2. Block A (A座) (early 1910s)
3. Block B (B座) (early 1910s)
4. Block C (C座) (early 1910s)
5. Block D (D座) (early 1910s)
6. Barrack Block (營房大樓) (1864; 3/F-1905) together with the attached Gateway (門廊)
7. Sanitary Block (衛生樓) (post 1948)
8. Stable Block (馬廄) (1925)
9. Former Central Magistracy (前中央裁判司署) (1914)
10. A Hall (A倉) (1945)
11. B Hall (B倉) (1914)
12. C Hall (East Wing) C倉(東翼) (1914)
13. C Hall (West Wing) C倉(西翼) (1914)
14. D Hall (West Wing) D倉(西翼) (c. 1860s)
15. D Hall (East Wing) D倉(東翼) (c. 1860s)
16. E Hall (E倉) (1914)
17. Watch Tower (Bauhinia House) 更樓 (紫荊樓)(c. 1860s)

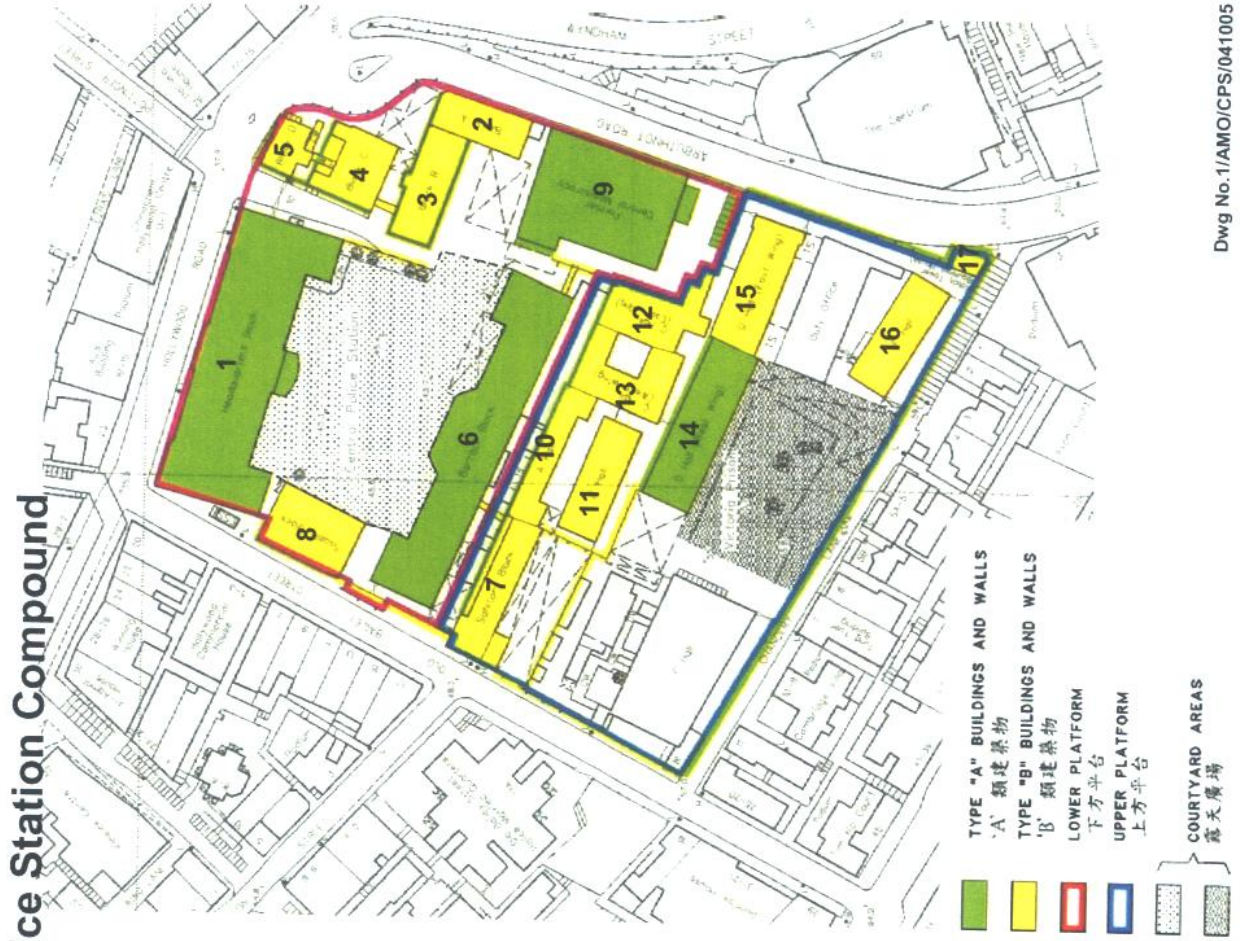


Figure 3: Plan showing the historical buildings at the CPSC (Extract from the Gist of Preservation Requirements for Central Police Station Compound: Antiquities and Monuments Office).

- 5.1.6 The two exercise yards within the site are very important components of the site and the Gist is very clear in this respect:-

“The two existing courtyards situated on the Upper and Lower Platform Areas shall be preserved. No buildings or structures shall be constructed or erected on the courtyards except those temporary building or structures which in the opinion of the Antiquities Authority are essential. However, subject to the approval of the Antiquities Authority, underground development might be permitted beneath the two courtyards respectively as well as beneath any new building, provided that no adverse structural impact is caused to the foundations of any historic buildings or historic walls.”

- 5.1.7 The “Purchaser” was required to respect the principles contained in three international documents namely (a) the Venice Charter, (b) the Burra Charter and (c) Principles for the Conservation of Heritage Sites in China.
- 5.1.8 The Gist then outlines the need for a Conservation Plan and gives an outline of what it should contain.

Implications

- 5.1.9 The Gist is very clear as to the importance of the buildings within the Upper Platform Area and the need to preserve them. It is also very clear that the prison courtyard is an important open area within the upper platform and must be retained as such. It also clearly sets a limit of 77mPB for any new structures, a limit which is compatible with the existing structures. The introduction of the new development as proposed by the HKJC is completely contrary to the fundamental points contained within the Gist issued by the AMO. On this basis alone it should not proceed to the next stages of design and development.

5.2. *The Conservation Management Plan*

- 5.2.1 The Conservation Management Plan (CMP) was commissioned by the HKJC and completed by international experts Purcell Miller Tritton. The CMP is a comprehensive and complex document of some 130 pages with additional Appendices and a “Gazetteer” which is a more detailed look at specific buildings, structures and spaces. It looks at the site from a historical background and traces the changes in use of the site and the buildings over time. It includes a set of “Conservation Policies” which look at the future use and maintenance of the site, intending to protect the heritage and significance of the CPSC.
- 5.2.2 The CMP is based on previous studies and information, but it looks at the buildings structures and spaces in more detail than has perhaps previously been the case. In this respect the CMP is an advancement of the situation established by the AAB. For instance the CMP has adopted the classifications of ‘High, Medium and Low’ heritage significance which are more detailed than that of the AMO’s ‘Type A, Type B and Non-historic’. One of the characteristics of the CMP is that it is more specific in terms of each building and concentrates more on the heritage importance of the spaces than the AAB classification. More buildings are therefore rated higher than under the AAB system and there are few buildings in the ‘Low’ category which could be perhaps compared with the AAB ‘non-historic’ buildings.
- 5.2.3 It is particularly difficult to do justice to the amount of information that is contained in the CMP. A series of quotations has been extracted and are included in Appendix E, along with extracts from the Gazetteer relating to particular buildings that are relevant to this application. The full document can be seen on the HKJC website at <http://www.centralpolicestation.org.hk/eng/CMP.pdf>. In the sections below some of the most relevant quotations are provided in relation to:-

- (a) the approach to the HKJC proposals;
- (b) enclosure of the site;
- (c) accommodating new uses;
- (d) conservation of the open courtyard; and
- (e) relevant conservation policies.

Deliberately Avoided HKJC Proposals and therefore is in Conflict with them

- 5.2.3 The CPM has deliberately ignored the proposals which had been prepared by the HKJC and presented to Government. In the conclusion to the CPM the authors state:-

“The Conservation Management Plan has deliberately started from the beginning as though no new proposals had been considered. The Conservation Policies are written with no reference to the possible scheme to redevelop the south part of the site. Any proposals for redevelopment will need to be judged against the Conservation Policies and if the development is to be seriously considered there will need to be mitigating factors that outweigh any loss of the cultural heritage significance.”

This approach by the authors has provided a well constructed series of policies with supporting arguments which give strong support to the minimisation of intervention in the site through the provision of new development.

Enclosure of the Site

- 5.2.4 Strong significance is given to the enclosure of the site by the existing walls and the impression that this gives to the public:-

“The enclosing walls are a highly significant feature of the site and should be respected as far as this is consistent with new uses. There will be a considerable tension in achieving access to the site that is compatible with new public and commercial use but does not diminish this significance. The historic nature of the site is that it was both defensive by keeping the public out, and protective by stopping the inmates escaping.”

Accommodating New Uses

- 5.2.5 The future of the conservation value of the site is vulnerable to the introduction of inappropriate new uses which may jeopardise the site’s significance

“4.5 Inappropriate new uses may jeopardise the site’s significance

Finding a sustainable new use for the site and for the buildings on it is essential for the long term future. However, a balance will need to be struck of how much adaption is permitted to the various structures. The significance of the various buildings on the site does vary considerably but all are capable of some degree of alteration and adaptation without serious damage to their significance. Such adaptations and alterations will need to be made with sensitivity and, for the most part the basic built form of the buildings, their roof lines and openings need to be respected.

The work that is carried out needs to produce a site that is sufficiently interesting for the area to have a distinct identity and to remain as a clearly defined whole. If the site simply became an extension of the surrounding shopping streets, low rise, but in all other respects indistinguishable from them, then the specific significance of the place would have been entirely lost. The key will be trying to integrate new and interesting uses into the buildings whilst preserving not only the individual character of the buildings but the general character of the site as a whole.”

“4.6 Any new use will mean alterations

Even if the minimum amount of change is contemplated to the use of the site with a view to displaying it as, in effect, a museum, there will still be a need for a large amount of physical intervention into the fabric of all the buildings. This is inevitable and occurs in every historic building. The skill lies in making these alterations in a way that does the minimum damage to the significance of the buildings and the site as a whole. Conservation, alteration and (to some extent) restoration of the fabric of these buildings is a necessity if they are to survive. However, controlling this change is essential if the significance of the building is not to be lost.”

Conservation of the Open Courtyard

- 5.2.6 The CPM is consistent with the AAB in that the significance of the courtyard within the prison compound should be fully recognised:

“4.7 Open spaces

The two courtyards are both significant spaces and a part of the history of the site. The open character of the two courtyards should be respected and the relationship of the courtyards to the adjacent buildings. There will, inevitably, be pressure to look to the courtyards as a suitable site for new development. Any development that is proposed should take note of the essential open and simple character of the area. This should be maintained and the accumulation of semi-permanent structures and the street furniture that will change the character of the space should be avoided.

The trees in these areas are also significant, not least as trees are a rarity in this part of the city. The trees are a significant part of the character of the courtyards and should be protected from either accidental damage or damage as a result of new development.”

Conservation Policies

- 5.2.7 The CPM presented a series of Conservation Policies in relation to the whole site and for individual buildings and structures within the site. Of particular importance to this application are those relating to D Hall, F Hall, the external walls, the prison yard and Bauhinia House. These are all within the area which will be covered or affected by the proposed construction of the platform above the Upper Platform. The reasons for the policies are contained in Appendix E, but in summary the most relevant ones are:-

“6.1.1 : The external granite walls around the site should be retained as much as is possible and should be carefully repaired using matching materials and appropriate craftsmen.”

“6.1.2 : Any new penetrations that are made in the external wall of the site should be designed to minimise the loss of the wall and should attempt to keep the sense of enclosure that exists at present.”

“6.1.4 : The entrance on the corner of Old Bailey Street and Chancery Lane should be retained as a pedestrian entrance.”

“6.1.9 : The Prison Yard should be preserved as an open space. It should remain free of unnecessary street furniture and inappropriate activities. The essential character of the space as a simple and rather bleak area should be retained to maintain the feel and significance of the prison use.”

“6.1.10 : The high buttressed wall on the south side of the Prison Compound should be repaired and maintained in its present configuration.”

“6.2.15.1 : The external appearance of D Hall should be repaired, conserved and maintained to keep its appearance as it is at present, with the exception of the removal of small accretions such as doors and windows and replacement with elements matching original design.”

“6.2.18.1 : F Hall, whilst being of little architectural significance is of some social significance and the external form of the building should be repaired and retained removing obvious modern additions.”

“6.2.18.2 The internal spaces of F Hall should be carefully recorded and they may be modified to suit new uses.”

“6.2.18.3 The entrance in the southwest corner of the site should be retained and should be returned to its earlier appearance.”

“6.2.20.1 : The exterior of Bauhina House should be retained in its present form other than the removal of obvious modern features and should be carefully repaired and conserved.”

“6.2.20.2 : The interior of Bauhina House should be altered with caution after proper investigation of the historic fabric.”

Townscape

5.2.8 The CMP also looked at the position of the CPSC in the context of the changing development of Central Hong Kong. It noted that the CPSC had remained rather unchanged while a high rise city developed around it.

“Through an assessment of historic photographs of the Central Police Station, one of the most striking characteristics is the relatively unchanged scale of the site as compared with the rapid growth of the surrounding area. Photographs of the 19th century to the mid 20th century show the site set against the backdrop of the nearby mountains to the south with the harbour visible out of the north. This perception was altered, however, with the sudden development of dense high rises on all sides of the site in the 1960s, which since then has neither stopped nor slowed. Comparatively the site has maintained its original design of single- to four- storey buildings, making it one of the few remaining sections of low rise buildings left in the centre of Hong Kong”.

Implications arising from the CMP

5.2.9 The new assessment and policies included in the CMP are the most detailed analysis and framework established for the on-going conservation and management of the site. In particular the following implications arise:-

- (a) The Conservation Policies outlined in the CMP should be applied unless there is an over-riding public and conservation argument as to why they should not be applied;
- (b) The policies relevant to the buildings, spaces and trees in the Upper Platform mean that the HKJC proposal is incompatible with the CMP. The proposal by the HKJC to cover the area with a massive new platform on which cultural facilities are proposed must be reassessed;
- (c) It is clear from the approach taken by the authors that they were aware of the HKJC proposal to cover the upper platform, and the possibility of demolishing F Hall. However, they have deliberately proceeded to suggest Conservation Policies which would prevent the construction of this form of new building;
- (d) An underlying theme is the need for sensitive introduction of new uses and buildings, and the Conservation Policies indicate where and how this should

happen. By implication the HKJC proposal is considered insensitive and inappropriate; and

- (e) Based on the CMP there may be reason for the AMO and AAB to re-assess the designation of the sites under the Antiquities and Monuments Ordinance.

6. Insufficient Consideration Given to Public Consultation

6.1 Following the public consultation carried out between 11 October 2007 and 10 April 2008 the HKJC produced a report which summarised the findings. The full Consultation Report can be found on the HKJC website at <http://www.centralpolicestation.org.hk/eng/report.pdf>. A summary of relevant extracts from the report are contained in Appendix F to this report. The selected quotations provide an indication of the extent of opposition to the HKJC proposals and in particular to the proposed new building. Many of the organisations and individuals submitting this joint application previously took part in the consultation process and are taking this further action as little or no consideration has been given to the comments that were made in relation to protecting the heritage aspects of the site.

6.2 The only concession given to the significant adverse public comment in relation to the proposal has been an announcement that the height of the new structure would be reduced. The extent of the reduction is not clear, but as the fundamental content of theatres and other cultural facilities remains unchanged, it would appear inevitable that the new building will exceed the height of 77mPD set by the AAB. In fact on the HKJC web site the answer to one of the FAQ's relating to why the proposal exceeds the 77mPD height limit is:-

“Firstly, we must stress that 77 metres is simply an AMO guideline and not a height restriction. Secondly, in designing the new structure to accommodate medium-scale facilities, we also wanted to make a statement about the role of modern architecture in heritage sites and to create ample open and green spaces for the public to enjoy. We believe that faux-heritage style, or yet another traditional 'box' structure will add no excitement or interest to the site. Instead, our innovative design concept, with its open porous structure, will blend the new architecture with the heritage buildings on the site to transform the Central Police Station Compound into a cultural landmark for Hong Kong.”

(See http://www.centralpolicestation.org.hk/eng/comment_fq.htm.)

6.3 It can be seen from the public consultation report that there is considerable public support of the views expressed by the AAB and in the CPM about the scale and intensity of new uses and buildings on the site. A taste of this can be gleaned from the following extracts :-

“The Heritage Hong Kong Foundation also supported the proposal to revitalise the site and the adaptive reuse of the heritage buildings but suggested that the proposal should be preceded by a conservation management plan which should form the basis for the proposal.”

“Some believed the Victoria Prison should be left intact because of its historic importance. While revitalisation was acceptable, comments were made that the ambience of the site should be maintained and the Compound should not be over-commercialized.”

“Various views were expressed on how the heritage buildings in the Compound should be preserved. There were suggestions that all the existing buildings – even those not declared as monuments by the Antiquities and Monuments Office, such as the F Hall, should be preserved.”

“Those who had reservations about the new structure or its height were of the view that it was

too overwhelming and overpowering, and not in harmony with the heritage site.”

“It was also felt by some that it was not necessary to have cultural and arts facilities in a new structure as such facilities could either be built underground, housed inside the F Hall, or in a new building that replaces the F Hall if it were to be demolished.”

“...one Central and Western District Council Member organised and sent in 107 identical letters raising similar concerns about the new structure. Several other Members of the same District Council also collected 1,415 signatures opposing the proposed new structure. These comments were made on the grounds that it was a “single proposal” giving the public very little choice; that the new structure did not match with the heritage buildings....”

- 6.4 In addition a survey was carried out by the HKJC and a total of 664 questionnaires were completed. Some of the findings were:-
- (a) 83% agreed that the CPSC was a valuable heritage site that should be sensitively revitalised;
 - (b) 74% believed that the CPSC should be sensitively adapted for new uses without major alterations;
 - (c) There were different views on the structure – 52% agreed that the new structure was needed to house the medium sized cultural facilities.

It is apparent from the findings of the survey that the dominant public view was for a sensitive revitalisation of the CPSC which made little alteration to the site, while the need for the new structure was inconclusive and possibly confused with the need for new cultural facilities.

- 6.5 Since the completion of the public consultation report there has been no further public consultation in relation to the way the project would be modified to meet the comments from the public. There is also no evidence that the HKJC or the Government wish to undertake a continuous process of public engagement on what is the most significant heritage conservation project ever carried out in Hong Kong. This is of major concern to the applicants as all of the information that has been released so far indicates that that the HKJC is proceeding to push through its slightly modified original scheme with little or no recognition given to the requirements of the AAB or their own CMP. It is therefore considered necessary for appropriate statutory planning controls to be put in place before the proposal is developed to a stage where it cannot be changed.

7. Appropriate Scale of Arts and Cultural Facilities

- 7.1 There is general agreement that the CPSC site would be suitable for including arts and cultural facilities. The real question is whether these new uses can be suitably accommodated within the existing heritage buildings or whether there is a need for additional new buildings to accommodate such uses. The CMP has taken the approach that such uses should be accommodated within the existing buildings (refer to section 5.5 page 99 of the CMP).
- 7.2 It is clear from the findings of the CMP that buildings could accommodate these uses either in their existing state or with modification. The most problematic appears to be the accommodation of venues for performing arts. The CPM has identified the following existing spaces within buildings which may be adapted to performance venues:-
- The larger court in the Magistracy;
 - Re-opening the double height gymnasium in the police Headquarters block;
 - Possible removal of the interior of the Barrack Block;
 - Re-modelled interior of F Block

- 7.3 The issue is possibly contentious and any modification to existing buildings *“will have to be approached on the basis of seeing that there is a benefit that outweighs any loss”*. The insertion of new cultural facilities *“would be relevant if the fabric to be lost is either a modern insertion or where it is replicated in its entirety in another part of the site”*.
- 7.4 The CPM has also identified buildings and structures which could be cleared with no loss of significance, and it is therefore appropriate to first look and see if new buildings of a sympathetic scale could be located in the spaces provided by the removal of these buildings, namely:-
- General Office Building (No.18) and outbuildings to the north
 - Single storey cellblock to the south of the Barracks Block;
 - The covered areas adjacent to E Hall (No. 15)
 - A Hall (Building No. 11)
- 7.5 However, the HKJC has indicated that the scale of the venues is too small to accommodate the size of theatre that they have envisaged should be located on the site. Because of this, the massive new construction above the Upper Platform is required. This approach is questioned as being appropriate for a heritage site of such importance for the following reasons:-
- (a) While it may be desirable for the arts community to have additional venues of the size and scale envisaged by the HKJC, there are alternative locations which are better suited for such facilities and for which the Town Planning Board has already identified sites. Of particular relevance is the “Arts Corridor” identified by the Board on the Central Extension OZP. This corridor is intended to build on the existing arts venues of the Hong Kong Arts Centre, and the Academy for Performing Arts. A number of GIC sites have been identified in the locality and are shown on [Figure 4](#). Additional space also exists within the APA site reserved for another building and that could be utilised.
 - (b) There is space within the Kowloon Cultural District site which may be utilised for part of the performance space identified by the HKJC as required.
 - (c) Other sites on the waterfront have been identified for cultural facilities, such as in Quarry Bay, and these should be considered.
 - (d) These sites would enable the design of iconic buildings without the need to construct an expensive platform above a heritage compound. This would enable both cultural facilities and the CPSC to develop their own distinctive identities, accommodating appropriate scale of facilities for the site and location.
 - (e) The CPSC site is difficult to access for vehicles and difficult to include adequate new supporting space for such things as delivery and storage of sets and equipment. Any provision of such space will likely severely impact the heritage component of the site and will adversely affect the prime objective to conserve this heritage component.
- 7.6 The scale of facilities envisaged by the HKJC is considered to be excessive and goes beyond the concept of ‘revitalising’ the CPSC. The appropriate scale of performance venues would be those which can be accommodated within the existing buildings and within spaces created for new buildings of a similar scale and height as the existing buildings. It would appear likely that 3 to 4 performance venues could be

provided if this approach is taken, and they would be appropriate to the scale and capacity of the site. To go beyond this level of provision introduces issues which are in direct conflict with good heritage conservation practice. The 'capacity of the site to successfully absorb new cultural uses needs to be carefully considered.'

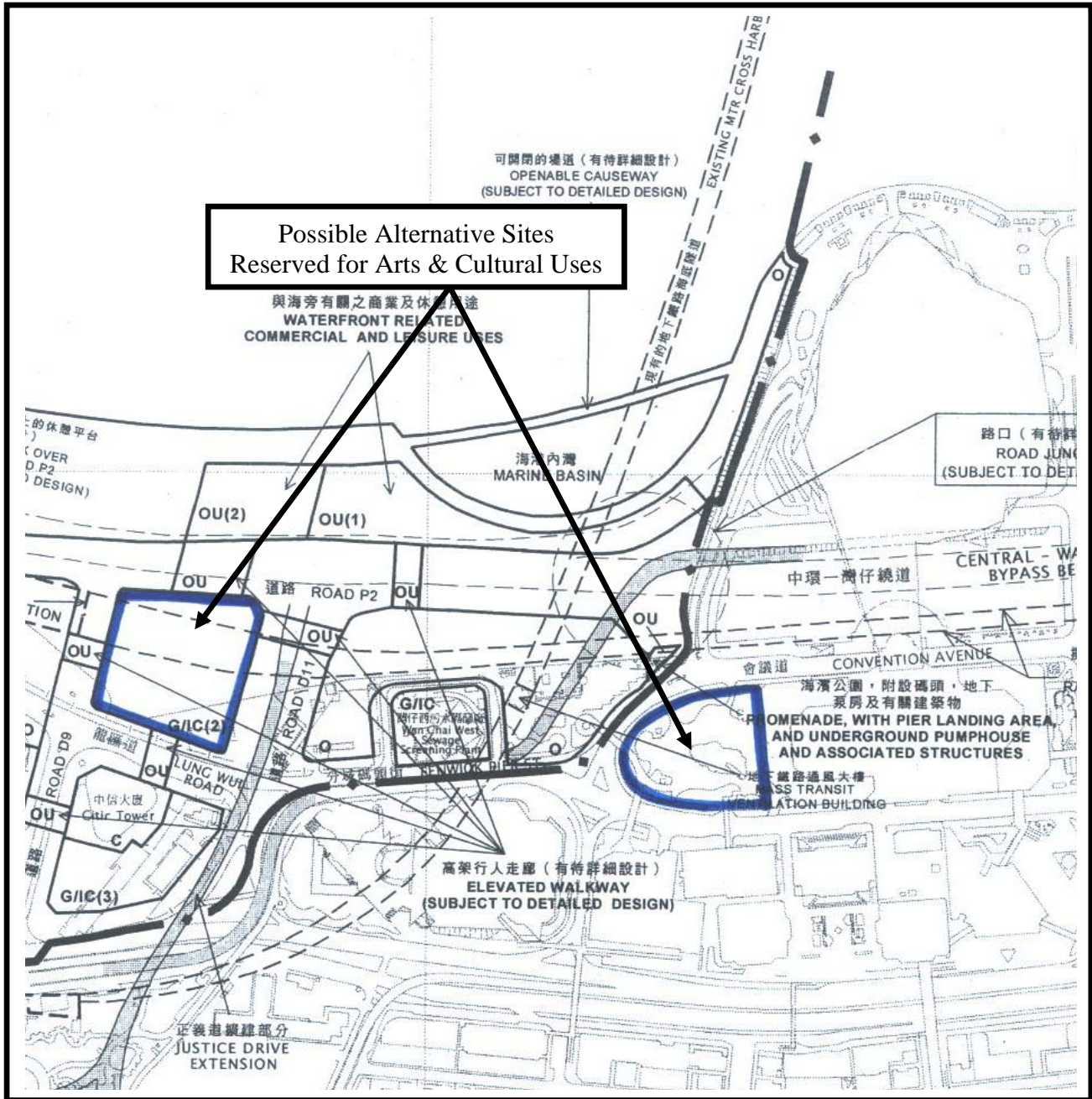


Figure 4 : A plan indicating alternative sites reserved for cultural and arts uses. (Extract from the approved Central District (Extension) Outline Zoning Plan No. S/H24/6)

8. Financial Model Does Not Support Proposal

8.1 During the Public Consultation process the HKJC presented an outline of a business plan for the operation of the site. The basic components were as follows:-

(a)	Cost of refurbishment and restoring existing buildings	\$0.8 billion
(b)	Cost of new building for arts and cultural facilities	\$1.0 billion
	Total Capital Cost	\$1.8 billion

8.2 The HKJC also offered to cover any deficit in operation costs for an initial period.

8.3 Income generation was calculated on a commercial rent for 75% of the space and 25% at concessionary rates for NGO's and community groups. On this basis it was concluded that:

- (a) The operation of the heritage component would provide a surplus,
- (b) The new cultural facilities would operate at a loss.

8.4 The HKJC made it clear in their presentations that the objective was to have the heritage component of the site subsidise the continued operation of the new cultural facilities to be built on the site. It was also clear that with the expenditure of \$0.8 Billion, the conservation objectives for the site would be met, and that a viable operation would have been established. Having been able to meet these objectives it therefore became difficult to understand why the additional expenditure of \$1.0 Billion on a non viable component should even be considered, especially as the expenditure of that component is now clearly in conflict with the whole basis of the heritage conservation of the site.

9. International Conservation Documents

9.1 Three International Charters have been mentioned in relation to taking this heritage conservation project forward – the Venice Charter, The Burra Charter and the China ICOMOS. Appropriate attention to these would provide a significant argument for not proceeding with the scheme that the HKJC has promoted.

9.2 For the purpose of this application specific reference is only made to the Burra Charter as a guide to determining the cultural significance of the site. The principles in the Burra Charter are directly applicable to the current site and indicate that it is an important one and should be given careful consideration before an irreversible decision is made to destroy or significantly modify the heritage that has been identified.

9.3 Relevant components from the Burra Charter are:-

- (a) "Why Conserve? : Places of cultural significance enrich peoples lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records that are important as tangible expressions of our identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and our landscape. They are irreplaceable and precious. These places of cultural significance must be conserved for present and future generations."
- (b) "On Cautious Approach : Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible."

- (c) “On Use : A place should have a compatible use. The policy should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of practices which contribute to the cultural significance of the place.”
- (d) “On Setting : Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of a place. New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.”
- (e) On Change : Change may be necessary to retain cultural significance, but is undesirable where it reduces cultural significance. When change is being considered, a range of options should be explored to seek the option which minimizes the reduction of cultural significance.

9.4 There is no reason why the Burra Charter should not be adhered to when looking at the future long term use of this important site. The site has deep historical and cultural meaning, particularly in relation to the development of institutions relating to law and order. When looking at the future use of the Upper Platform of the site in the context of the Burra Charter, the introduction a major incompatible building and uses is completely inappropriate. However, retaining the openness of the prison courtyard as an area of open space and provision of community related uses of the existing buildings on the Upper Platform are completely compatible and appropriate with the Burra Charter.

10. Proposed Changes to the Outline Zoning Plan

Introduction of a Statutory Height Restriction

- 10.1 The over-riding requirement for the proposed conservation of the CPSC is for the new buildings to be sympathetic and compatible with the height and scale of the existing buildings. This has been stressed by the AAB, the CMP and in the public comments during the HKJC public consultation process. The AAB has previously proposed a height limit of 77mPD and it is proposed that this be applied to the zoning of the site on the Outline Zoning Plan.
- 10.2 It is therefore proposed that the Notes to the “Other Specified Uses” zone annotated “Historical site Preserved for Cultural, Recreational and Commercial Uses” be amended to include the following in the “Remarks”:-

“Any new building or structure within the site should not exceed a height of 77mPD or the height of the existing buildings, whichever is the greater. A minor relaxation to this height restriction may be permitted by the Board on application under section 16 of the Town Planning Ordinance. Each application shall be considered on its individual merits.”

Addition to the Explanatory Statement

- 10.3 It is suggested that additional paragraphs be included in the Explanatory Statement for the ‘OU’ zone to explain the reasons for the explanatory statement. It is suggested that the following would be appropriate.

“The CPS is one of the most significant heritage sites in central Hong Kong. It has a

well documented history and is a significant feature of the area. Studies have indicated that a sympathetic treatment to the existing buildings and to the design of any new buildings is required to retain the heritage significance of the site.

The CPS site is also one of the few remaining low rise development areas in the Central and Sheung Wan area. It is therefore significant in showing a contrast between the old style and scale of development which once existed throughout the area and the recent high rise developments which now surround the site. From a townscape point of view it is considered significant to retain this low rise character throughout the site. The CPS site, also provides a 'breathing space' and visual contrast within the city and this importance is recognised by the inclusion of a building height of 77mPD on the site. This height has been established by the Antiquities Advisory Board in relation to the height of the existing tallest building on the site which is at 70.1mPD which is D Hall. It provides a compatible increase in height for new structures within the upper platform of the site, while no new development is permitted on the lower platform.

A minor relaxation of the height restriction may be permitted by the Town Planning Board by way of a section 16 application. Any relaxation must illustrate that the new building is sympathetic with the heritage objectives for the site, is sympathetic with the height and scale of the existing buildings on the site and an integral part of a Conservation Management Plan for the whole of the CPS compound. Consideration will also need to be given to the possible impact of any structure on the townscape of the site and locality, and any impact on the visual character of the neighbourhood."

- 10.4 The inclusion of these paragraphs is considered essential so as to ensure that there is adequate understanding as to why the height restriction has been imposed and to provide adequate criteria against which an application for relaxation can be considered, should such an application be made in the future.

11. Planning Assessment and Justification

Board is imposing height limits on all sites

- 11.1 The Town Planning Board has progressively been imposing height restrictions on all sites within various Outline Zoning Plan's, the most relevant one to this site is the adjoining Mid-Levels West Outline Zoning Plan. The restrictions have been imposed initially on plans which have been subject to development pressure and it is clear that this Outline Zoning Plan is subject to development pressure and public concerns over the development of new tall buildings. It is therefore appropriate that the Board address this Outline Zoning Plan as a matter of urgency.

77mPD is considered Reasonable

- 11.2 The approach taken by the Board on these other Outline Zoning Plan's has been to impose a height limit on "G/IC" and "OU" site equivalent to the existing building height. The Board has considered that sites such as these provide breathing spaces in the built environment and contrast with the general high- rise character of the area. This approach would be fully justified on this site, and in accordance with the approach taken by the Board, a number of height restrictions could be applied to the site related to the variation of formation levels and the heights of the existing buildings on these sites. However, the AAB has already established a height of 77mPD as being acceptable for new buildings and it is considered that this could be reasonably adopted for the statutory height limit on the Outline Zoning Plan.

Openness and Transparency

- 11.3 The Board has already included in the Notes to the Outline Zoning Plan a requirement for a section 16 application for the approval of any new buildings and structures. While this may provide some form of control, the Applicants consider that the need for a statutory height limit is a fundamental criteria which must be specifically included on the Outline Zoning Plan so that the public is aware of the control on the site. One of the main reasons that the Board has used for justifying the inclusion of the height limits is to provide clarity and transparency for the public. The great public concern over the development and use of the CPSC fully justifies the urgent inclusion of a statutory height limit on the Outline Zoning Plan for this site. Any relaxation of the height limit would therefore need to be justified and considered in an open statutory context.

Inadequate Public Consultation by HKJC

- 11.4 This application is made by organisations and individuals who took part in the consultation exercise undertaken by the HKJC. The applicants are making this application because the serious and genuine submissions and questions submitted during that process have been ignored. In particular the following points have apparently not been taken into account in the continued processing of the proposals by Government:

- No alternative scheme which respects the international charters on conservation has been developed for discussion;
- The HKJC refused to present alternatives without the massive construction of new cultural facilities on an elevated platform above the Upper Platform;
- The financial plan showed that the heritage objectives could be achieved and were viable without the new build, yet the HKJC insists on proceeding with a scheme where heritage is required to subsidize the new cultural facilities;
- The HKJC has refused to consider a scheme which complied with the 77mPD height limit set by the AAB;
- The HKJC has refused to consider the relocation of the massive cultural facilities to an iconic building on another site or sites;
- The HKJC has not proposed a program of continuing public engagement and has excluded the public from on-going involvement in the process;
- The HKJC has indicated that it will proceed with the original scheme contrary to the findings of the CMP developed by its consultants; and
- The HKJC has yet to show that their scheme is technically feasible and will not adversely affect the existing heritage buildings and structures on the site, whereas a development complying with the CMP and the 77mPD height limit would have a much greater ability to respect this fundamental requirement.

- 11.5 However, it is necessary for the HKJC to establish an on-going process of public engagement throughout the whole process of designing and implementing the conservation of the CPSC. There should be a role identified for the active engagement of NGO's and interest groups in the project.

Need for Up-dated Statutory Planning Control

- 11.6 This application provides a basis for the public to be involved in a statutory process whereby the criteria relating to the control of development on this site can be updated to take account of the changed circumstances. The decision to award the site to the HKJC is different from the situation where the site was to be made available for public tender. The completion of an authoritative CMP which has established the relevant heritage policies to be applied to the site, and has taken into account the

relevance of the site to the neighbourhood and townscape setting, requires a reconsideration of the statutory planning context. The up-dating of the statutory planning context provides a means for consultation and monitoring of the various stages of the conservation and development of the CPSC.

12. Conclusion

- 12.1 The CPSC has been accepted as the most important heritage site in the old part of Central Hong Kong. The recent completion of a CMP by international experts has established a series of Conservation Policies which set out clearly the way in which the conservation and revitalisation of the CPSC should take place. The manner in which these have been established has been objective and professional, and has disregarded the existence of the scheme that the HKJC has previously developed and put out for public consultation. The content of the CMP therefore provides a basis for the reconsideration of the statutory planning context for the conservation of the CPSC, including the retention of F Hall.
- 12.2 The Gist of Preservation Requirements established by the AAB for the site are very similar to those which have been further developed during the preparation of the CMP. One of the requirements set by the AAB was the preparation of a Conservation Plan for the site, which has now been prepared, while another was the establishment of a height limit of 77mPD. Both documents refer to the need to respect internationally recognised charters which apply to heritage conservation.
- 12.3 The HKJC proposal, even as modified by the removal of the observation tower, is not compatible with either the AAB's criteria, those of the CMP nor the international charters. The fundamental requirements are a sympathetic and cautious consideration of how new buildings and uses could be incorporated into the site.
- 12.4 The relevance of the CPSC in the local built environment has also been reconfirmed and elaborated. It is clear that building height is a significant issue and the applicants consider that this must urgently be addressed in relation to the CPSC. The inclusion of a statutory height limit of 77mPD on the Outline Zoning Plan would not only provide a well justified context for the on-going heritage conservation work but would also provide an overall control for the site in the context of the neighbourhood and the planning policies the Board has adopted for similar sites on other Outline Zoning Plans.
- 12.5 The Board is requested to amend the Sai Ying Pun and Sheung Wan Outline Zoning Plan as soon as possible to provide a proper context for the consideration of any proposal that the HKJC may develop for the long term conservation and revitalisation of the application site.