

For Information

**Legislative Council Panel on Home Affairs
Subcommittee on Heritage Conservation**

**Dragon Garden -
Latest Position**

PURPOSE

The purpose of this paper is to inform Members of the latest position of Government's discussions with the owner on the latter's proposal to explore the possibility of donating the Dragon Garden to Government under certain conditions.

BACKGROUND

2. Dragon Garden is situated at the Remaining Portion of Tsing Lung Tau Lot No.1 (TLTL 1 RP) at 32-42 Castle Peak Road of Tsing Lung Tau, Tsuen Wan with a total site area of about 26,500 m². It was built in the 1950s-60s by the late Mr. Lee Iu-cheung, who was a successful businessman and community leader between the 1930s and 1960s, and comprises a complex of ornately decorated buildings in traditional Chinese style in a landscaped setting planted with many different species of trees and shrubs. Based on its architectural and historical merits, the Antiquities Advisory Board accorded a Grade II status to the Garden on 25 September 2006.

3. Since August 2006, the Government represented by the Home Affairs Bureau (HAB) and Leisure and Cultural Services Department (LCSD), has been in discussion with Dr. Lee Shiu, who is the son of Mr. Lee Iu-cheung and the current owner of the Garden, on the possibility of donating the Garden to Government. On 9 August 2006, Dr. Lee's lawyer wrote to Government proposing donation of the Garden to Government under certain conditions, for example:

- a. Preserve, repair and maintain the entire garden, building structures, ponds, water course, grounds, fixtures and fittings and other features of Dragon Garden in good condition;
- b. Open Dragon Garden to members of the public for enjoyment within reasonable time; and
- c. At a suitable and permanent location in one of the buildings in Dragon Garden, present prominently a display with pictures and artifacts on the history of Dragon Garden and the life and career of the late Mr. Lee Iu-Cheung, who created the garden over 50 years ago, to commemorate him and his charitable work and numerous good deeds to Hong Kong, etc.

On the request of the owner's side, LCSD has been arranging certain services, such as horticultural maintenance for the Garden since September 2006.

4. After deliberation, an initial proposal to turn the Dragon Garden into an LCSD-managed park for public enjoyment was forwarded by LCSD to Dr. Lee for comment in March 2007. However, Dr. Lee considered the proposed scope inadequate for fulfilling his desire of turning the Garden into not just a leisure ground, but a venue for educating and edification of the younger generations in Hong Kong. Separately, Dr. Lee has commissioned at his own expense consultants to provide conceptual designs of new facilities to be constructed on the site for this purpose. The owner's side then further proposed construction of new facilities comprising a visitor centre, an exhibition hall, a multi-purpose hall, an education/research center, an office, etc.

RECENT DEVELOPMENT

5. On 1 July 2007, the responsibility of heritage conservation policy was transferred from HAB to the newly-formed Development Bureau (DEVB). The DEVB and LCSD have since continued to discuss with the owner's side on their proposal to donate the Dragon Garden to Government for public enjoyment. A number of meetings as well as visit have been held with the owners' side to explore various options. LCSD has expressed concern over the owner's proposal which

involves not only restoration of existing buildings and structures as a heritage site but construction of various new facilities for exhibition, research and educational purposes. From the Administration's point of view, addition of new facilities for ancillary purposes to support the original heritage buildings of a reasonable scale (e.g toilets, improvement of public access, etc.) is acceptable but provision of new facilities will require strong justifications and policy support to be obtained from relevant bureaux. Furthermore, there is yet no agreed view over the modus operandi of managing the Garden should the donation materialize in due course.

6. In late November 2007, DEVB put forward the following options for the owner's consideration -

- (a) Option (1): The property to be donated to Government, and Government would then own and manage the property as a public leisure facility

Under this option, the Government will fund the capital works to renovate the property up to the required Government safety and usual operational standards, and LCSD will operate it as a public pleasure ground under the Public Health and Municipal Services Ordinance (Cap. 132). As the property will be operated as a Government facility, the recurrent cost will be fully borne by Government;

- (b) Option (2): The property to be donated to Government, and Government would then place the property under the Revitalising Historic Buildings Through Partnership Scheme (the Revitalisation Scheme) launched in early 2008

Under the Revitalisation Scheme, Government will invite non-profit-making organizations (NPOs) to submit proposals for adaptive reuse of the property. The NPO will have to prove how the property would be preserved and their historical significance be brought out effectively. As the operation of the social enterprise will be of a non-profit-making nature, the NPO can apply for Government's financial support, including capital funding for the major renovation to the property according to the proposal of the successful applicant, nominal rental to be charged on the successful applicant, and financial assistance to meet the operating cost in the initial

two years of operation (after which the operation would be expected to become self-sustainable); or

- (c) Option (3): The property to be donated to Government, and Government would then allocate it to a NPO nominated by the owner of Dragon Garden

This will be a variant to Option (2) above. It will in all aspects be similar to Option (2), except that the NPO will be nominated by the owner instead of being selected via a round of open application. Under this option, the nominated NPO will have to meet the criteria under the Revitalisation Scheme if it aims to receive from Government capital funding to renovate the property and initial funding for the operation of the property as a social enterprise for the first two years.

7. Apart from the above, the owner's side was also advised that should they after detailed deliberation decide not to donate the property to Government, they as the private owner of Dragon Garden (which is a Grade II historic building) can still apply for Government funding to carry out repairs and regular maintenance works under a separate scheme. In such case, there will be a requirement for the owner to allow some degree of public access in order to allow the public to have the opportunity of appreciating the Dragon Garden.

PRESENT POSITION

8. When the Revitalisation Scheme was launched on 22 February 2008 and applications invited, details of the Scheme were sent to the owner's side for its further information and consideration. The latest position of the case was also reported to the Tsuen Wan District Council at its meeting on 25 March 2008.

9. The Administration is presently awaiting response from the owner's side. Given that this is a complex issue, we appreciate that the owner will need much time to deliberate. We stand ready to discuss if there are further developments.

Development Bureau
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