

LEGISLATIVE COUNCIL BRIEF

Antiquities and Monuments Ordinance (Cap. 53) Antiquities and Monuments (Declaration of Historical Building) Notice 2011

INTRODUCTION

After consultation with the Antiquities Advisory Board (AAB¹) and with the approval of the Chief Executive, the Secretary for Development (SDEV), in her capacity as the Antiquities Authority under the Antiquities and Monuments Ordinance (the Ordinance) (Cap. 53), has decided to declare the fortified structure at No. 55 Ha Pak Nai, Yuen Long, New Territories (the Building) to be a historical building (which is a type of “monument” as defined under the Ordinance) under section 3(1) of the Ordinance. The declaration is made by the Antiquities and Monuments (Declaration of Historical Building) Notice 2011 (the Notice) (Annex A), which will be published in the Gazette on 24 June 2011.

A

JUSTIFICATIONS

Heritage significance

2. The Antiquities and Monuments Office (AMO²) of the Leisure and Cultural Services Department has researched into and assessed the heritage significance of the Building. AMO recommends to the Antiquities Authority that the Building has high heritage value that meets the threshold required for declaration as a historical building under section 3(1) of the Ordinance. The heritage value of the Building is summarised in paragraphs 3 to 4 below and elaborated in Annex B.

B

3. Built around 1910, the Building is the only remaining building in Hong Kong with solid evidence of having direct connection with the

¹ AAB is an independent statutory body established under section 17 of the Antiquities and Monuments Ordinance to advise the Antiquities Authority on any matters relating to antiquities, proposed monuments or monuments or referred to it for consultation under section 2A(1), section 3(1) or section 6(4) of the Ordinance.

² AMO is the executive arm of the Antiquities Authority dealing with matters, among others, relating to research, examination and preservation of any place, building, site or structure which is of historical, archaeological or palaeontological value.

revolutionary movement under the leadership of Dr. SUN Yat-sen (孫中山) (1866-1925) and his compatriots. As testimony to Hong Kong's role in the revolutionary movement, the Building has high historical significance.

4. With its advantageous location overlooking Deep Bay and Shenzhen, No. 55 Ha Pak Nai was an operational base of the revolutionary movement. A place of refuge for the revolutionaries under the cover of a rice mill and sugar refinery was set up around 1910 at the site after the Mutiny of the New Army in Guangzhou (廣州新軍之役). The Building was also built to keep watch on the area across Deep Bay, which was then under the administration of the Qing authority. The Building was built by Mr. TANG Yam-nam (鄧蔭南) (1846-1923), who was a core member of Hsing Chung Hui (Xing Zhong Hui, 興中會). The site was mainly owned by Mr. LI Ki-tong (李紀堂) (1873-1943), who joined Hsing Chung Hui in 1900 and was a son of the wealthy businessman Mr. LI Sing (LI Sheng, 李陞) (1830-1900).

Declaration as a monument

5. The Building has been accorded with a Grade one status by AAB having regard to the recommendations of an independent expert panel³ under the existing administrative grading mechanism⁴. AAB advised in November 2008 that all Grade one historic buildings should, given their outstanding heritage value, form a pool of potential candidates for the Antiquities Authority to consider declaration as historical buildings under section 3(1) of the Ordinance. With the recommendation of AMO as set out in paragraph 2 above, the approval of the Chief Executive and in consultation with AAB, SDEV, as the Antiquities Authority under the Ordinance, has decided to declare the Building as a historical building. In addition to reflecting the outstanding heritage value of the Building,

³ The expert panel comprises experts from the fields of town planning, architecture and engineering as well as historians.

⁴ The grading system is an administrative arrangement to provide an objective basis for determining the heritage value, and hence the preservation need, of historic buildings in Hong Kong. Under the grading system,

- Grade one status refers to buildings of outstanding merit, which every effort should be made to preserve if possible;
- Grade two status refers to buildings of special merit; efforts should be made to selectively preserve; and
- Grade three status refers to buildings of some merit; preservation in some form would be desirable and alternative means could be considered if preservation is not practicable.

the declaration will provide the Building with statutory protection⁵ under the Ordinance.

C

6. The declaration of the Building is made by the Notice to be published in the Gazette on 24 June 2011. The plan at Annex C shows the location of the Building declared by the Antiquities Authority as a historical building. A copy of the plan has been deposited in the Land Registry. The Notice will take immediate effect. It will be tabled for negative vetting by the Legislative Council on 29 June 2011. The Government does not prefer to defer the effective date of the declaration until the completion of the normal full negative vetting period (i.e. the second meeting of the 2011/12 Legislative Council session or, if extended by the Legislative Council, the first meeting not earlier than the 21st day after the second meeting of the 2011/12 Legislative Council session) as we would like to render statutory protection to the building concerned as soon as possible.

IMPLICATIONS OF THE PROPOSAL

7. The declaration is in conformity with the Basic Law, including the provisions concerning human rights. It does not have any economic, productivity, environmental or civil service implications. As far as sustainability implications are concerned, the declaration is conducive to the sustainability principle of protecting Hong Kong's historical assets. Government will provide financial and technical assistance for the maintenance of the Building. The Leisure and Cultural Services Department will absorb the maintenance costs from within its existing resources as far as possible. Where necessary, the Leisure and Cultural Services Department will seek additional resources in accordance with the established resource allocation mechanism.

PUBLIC CONSULTATION

8. AAB was consulted on the proposed declaration as required under section 3(1) of the Ordinance on 22 February 2011 and rendered its support.

⁵ Section 6(1) of the Ordinance provides –

“6(1) Subject to subsection (4), no person shall –

- (a) excavate, carry on building or other works, plant or fell trees or deposit earth or refuse on or in a proposed monument or monument; or
- (b) demolish, remove, obstruct, deface or interfere with a proposed monument or monument, except in accordance with a permit granted by the Authority.”

PUBLICITY

9. A press release on the declaration will be issued on the date of declaration (i.e. 24 June 2011). A spokesman will be available to answer media and public enquiries.

ENQUIRIES

10. For any enquiries on this brief, please contact Mrs. Laura Aron, Commissioner for Heritage of the Development Bureau, at 2848 2104.

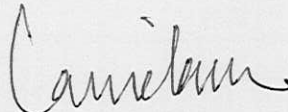
Development Bureau
22 June 2011

Antiquities and Monuments (Declaration of Historical Building) Notice 2011

(Made by the Secretary for Development under section 3(1) of the Antiquities and Monuments Ordinance (Cap. 53) after consultation with the Antiquities Advisory Board and with the approval of the Chief Executive)

1. Declaration of historical building

The fortified structure at No. 55 Ha Pak Nai, Yuen Long, New Territories, as delineated and shown edged red on the plan marked Plan No. YLM7759 signed and deposited in the Land Registry under section 3(4) of the Ordinance by the Secretary for Development, is declared to be a historical building.


Secretary for Development

7 June 2011

Explanatory Note

This Notice declares the fortified structure at No. 55 Ha Pak Nai, Yuen Long, New Territories, to be a historical building for the purposes of the Antiquities and Monuments Ordinance (Cap. 53).

**Heritage Value of the Fortified Structure
at No. 55 Ha Pak Nai, Yuen Long, New Territories**

The fortified structure at No. 55 Ha Pak Nai (下白泥) *Historical Interest* of Yuen Long (the Building), built around 1910, is the only remaining building in Hong Kong with solid evidence of having direct connection with the revolutionary movement under the leadership of Dr. SUN Yat-sen (孫逸仙) (1866-1925) and his compatriots. The movement led to the rise of modern China and marked a turning point in Chinese history. As a testimony to Hong Kong's role in the revolutionary movement, the Building has high historical significance.

With the good transportation connections of Hong Kong with other places in the world, during the early decades of the 20th century the revolutionaries made use of Hong Kong as a place to form political partnerships, recruit members and raise funds, and as a haven for disbanded revolutionary members escaping from Manchu vengeance.

The previous address of the Building was No. 39 Long Chok Tsuen (浪濯村). Formerly known as Leung Tseuk Hang Hau (良雀坑口), Long Chok Tsuen was a village facing Deep Bay (后海灣) and Shenzhen (深圳).

With its advantageous location overlooking Deep Bay and Shenzhen, No. 55 Ha Pak Nai became another operational base of the revolutionary movement in Hong Kong, in addition to Castle Peak Farm (青山農場) in Tuen Mun. A place of refuge for the revolutionaries under the cover of a rice mill and sugar refinery was set up around 1910 at the site after the Mutiny of the New Army in Guangzhou (廣州新軍之役). The Building was also built to keep watch on the area across Deep Bay, which was then under the administration of the Qing authority. With the intelligence obtained from the surveillance at the Building, the revolutionaries could swiftly flee to the other revolutionary bases if the base in Ha Pak Nai was in

danger of being raided.

The Building was built by Mr. TANG Yam-nam (DENG Yinnan, 鄧蔭南) (1846-1923), who was a core member of Hsing Chung Hui (Xing Zhong Hui, 興中會). The site was mainly owned by Mr. LI Ki-tong (LI Jitang, 李紀堂) (1873-1943), who joined Hsing Chung Hui in 1900 and was a son of the wealthy businessman Mr. LI Sing (LI Sheng, 李陞) (1830-1900). TANG originated from Kaiping of Guangdong Province (廣東開平) and once operated farms and sugar plantations in Hawaii. He was a friend of Mr. SUN Mei (孫眉) (1845-1915), the elder brother of Dr. SUN Yat-sen. He joined Hsing Chung Hui in Hawaii in 1894 upon its establishment. TANG came to Hong Kong in 1895 to pursue revolutionary activities.

The Building is a two-storey rectangular structure built of grey bricks, with a mezzanine floor between the first floor and the roof. A staircase bulkhead is found on the flat roof. Gun loops at various levels on the elevations can still be found. Internally, the plain rooms have screeded floors. To serve defence purposes, tapered and recessed window openings allowed a greater viewing angle from the inside of the Building. Architecturally, the Building is essentially a functional structure for surveillance.

***Architectural
Merit***

Alterations appear to have been made to the Building, particularly the insertion of windows and the erection of the attached temporary structures. A building once attached to the Building, but was subsequently demolished. Traces of the demolished building are still visible.

Authenticity

The Building is now the only remaining building which bears witness to the revolutionary activities in the area in the early 20th century. The Building is a unique and rare example with its exceptional historical value.

***Rarity &
Built Heritage
Value***

The revolutionary base in Ha Pak Nai set up by Mr. TANG Yam-nam formed another important operational base of the revolutionary movement in Hong Kong, in addition to Castle Peak Farm in Tuen Mun. The Building has high social value as the Hong Kong community shows an increasing interest in local history and the role of Hong Kong in Chinese history, which could be symbolised by this valuable piece of built heritage.

***Social Value &
Local Interest***

The Building has some group value as it is situated close to the Tin Hau Temple in Sha Kong Tsuen, Ha Tsuen (廈村沙江村天后古廟), a Grade three historic building.

Group Value

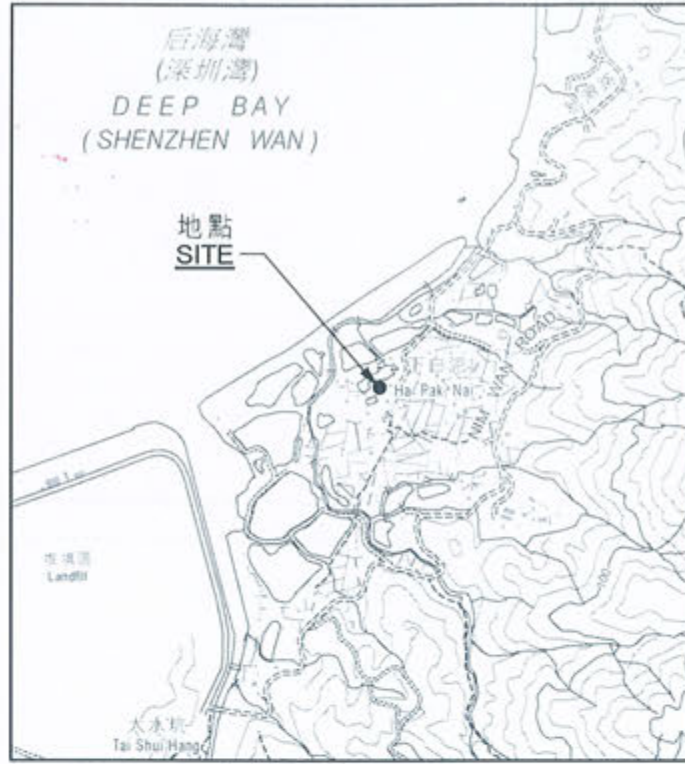


Front elevation of the Building

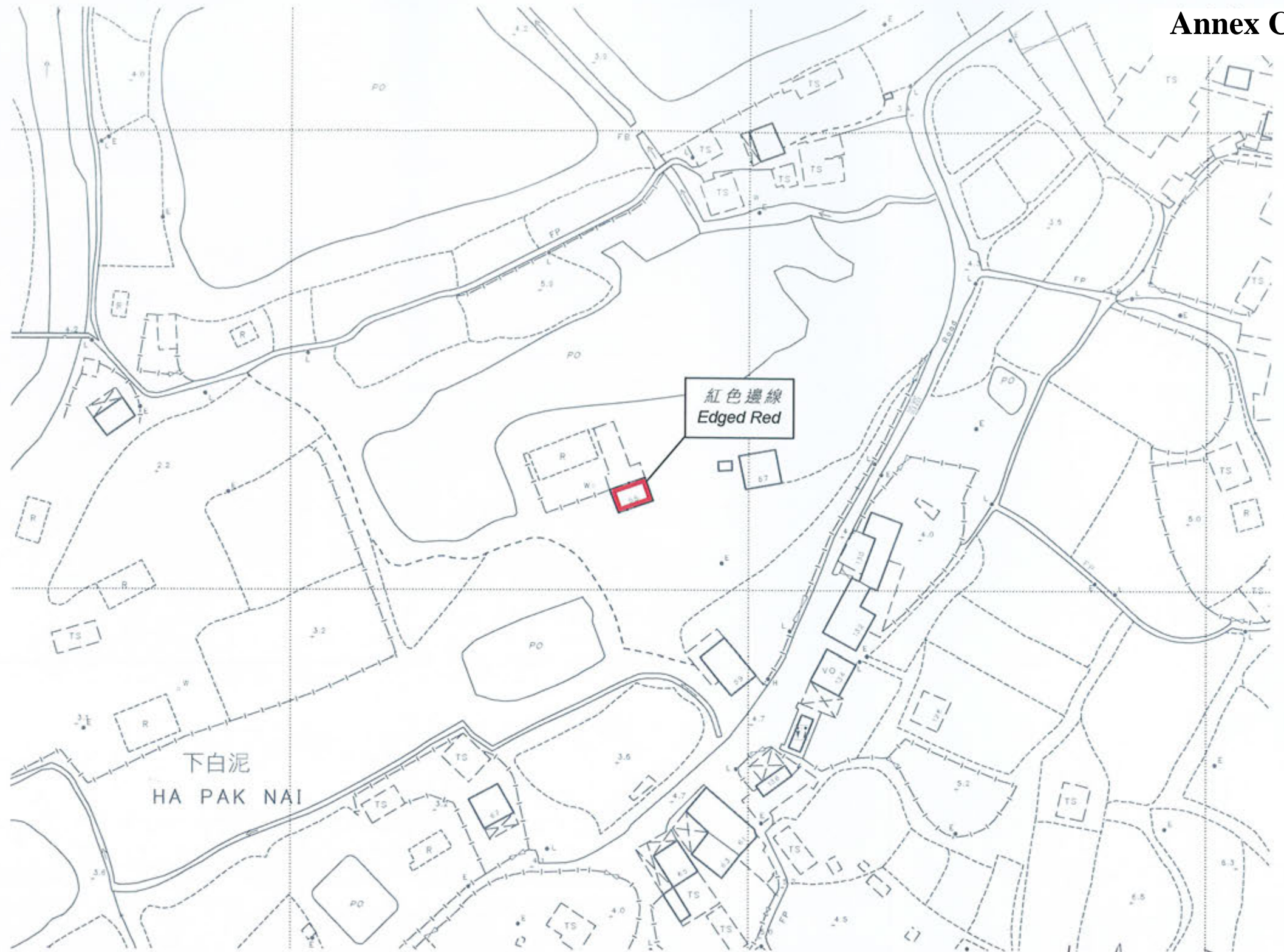


North elevation of the Building

位置 LOCATION



比例 SCALE 1:20000



以紅色邊線標示的面積約為 43 平方米 EDGED RED AREA 43 SQUARE METRES (ABOUT)



比例尺 SCALE 1:1 000

林鄭月娥 Carrie Lam

(林鄭月娥女士 Mrs Carrie Lam)

發展局局長 Secretary for Development

日期 Date 7.6.2011

只作識別用 FOR IDENTIFICATION PURPOSES ONLY

地政總署 元朗測量處
District Survey Office, Yuen Long
Lands Department

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古物及古蹟條例 (第 53 章)
根據第 3 (4) 條存放於土地註冊處的新界元朗下白泥 55 號的磚堡圖則

ANTIQUITIES AND MONUMENTS ORDINANCE (CAP. 53)
PLAN OF FORTIFIED STRUCTURE
AT No. 55 HA PAK NAI, YUEN LONG, NEW TERRITORIES
DEPOSITED IN THE LAND REGISTRY UNDER SECTION 3(4)

檔案編號 File No. LCS AM 21/3/1, DSO/YL/14/2/5

測量圖編號 Survey Sheet No. 5-NE-19A

發展藍圖編號 Layout Plan No. -----

參考圖編號 Reference Plan No. -----

圖則編號 PLAN No. YLM7759