

9 Pages submitted by Fax and E-mail
7th October 2005

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Re: Response to Government's presentation to Harbour Business Forum

Dear Michael,

I would like to start by reiterating my thanks to you and your team for sparing the time to meet representatives of the Harbour Business Forum earlier last month.

Following that meeting of September 7th, the HBF Patrons and committees have met to review and discuss Government's response to the issues which we had specifically raised in my letter to you of 2nd September, a copy of which is attached (Annex 2). I regret to advise that, coupled with our deepening concerns over the development plans for Central (Annex I Summary of Issues Discussed) and its position within the wider debate of the Harbour as a whole, there was a universal sense of frustration at the lack of specific response provided to our questions and I would request again, on behalf of the HBF membership, a formal response to the specific issues raised. Collectively we believe that the 'business as usual' approach being presented by Government, as stated by you and your team, will fall well short of delivering a world-class harbour-front for Hong Kong. We would like to take this opportunity to set out once more the concerns of our Patrons and our 120 strong membership.

In the recent Urban Regeneration conference here in Hong Kong there was a recurring message throughout the proceedings that the quality of urban design and planning in Hong Kong leaves a lot to be desired and that the community and the Government hold very different views on the subject.

Government needs to recognise that there has been a shift in the concept of value in our society. The quality of our environment is now recognised as a vital contributor to our social and economic life. This has been recognised by cities across the world. If Hong Kong is truly to be positioned as a World Class city, then Government needs to take a stronger cognisance of the lessons learned by many cities around the world – all of which have been looked at by Government in the past but with no apparent change in Government's approach to vision setting, planning or decision making with regard to the Harbour as a whole. Government needs to understand that Hong Kong, as a regional destination, needs to position itself in

comparison with our regional neighbours or risk losing opportunities to attract the best people, the best businesses and the best development opportunities.

Hong Kong should avoid quick-fix measures and focus on the longer term needs of the territory. Government's apparent focus on "getting things done" at speed, while laudable on occasion, needs also to be set in the context of understanding what the "right things" are which need to be done in the context of a long term strategic vision for Hong Kong. One of the most important and obvious ways to do this is through coherent and integrated planning for the future of the harbour.

At the meeting on September 7th, HBF was "challenged" to respond on Central and this is a challenge we are happy to accept, but in the context of our overall desires to see Government change its approach to Harbour planning with regard to the harbour as a whole and not just in relation to Central.

Regarding Central, the Harbour Business Forum is not objecting to the current plans for reclamation and we do not therefore wish to re-open the reclamation debate. In addition, HBF does not question the legality of the Central Extension Outline Zoning Plan (CEOZP) which has been through Due Process. We do however firmly believe that the existing plan is outdated and needs to be updated. HBF wishes to see much lower density development being approved and built on the harbour-front, and on the Central reclamation area in particular. We believe that there is an opportunity now to review and revise the CEOZP to incorporate new ideas on the types of activities to be developed along the harbour-front around Central to create an exciting, vibrant, world class environment.

What is at issue here, at least as far as Central goes, is what goes on top of the reclamation and not the bypass itself. In this regard, despite a more recent comment from Mrs Lau that the "market should decide", in terms of long term infrastructure, commercial interests need on occasion to be overruled by community interests – Central is a case in point.

Perhaps more crucially, what is also at issue here is how what is planned for Central will fit into the wider, long term vision for Hong Kong as a whole – and how decisions which are made to implement that vision are applied within the broad context of the Harbour Planning Principles in their entirety.

In the context of many of the projects which we see in Plan today, and particularly with regard to Central, transport is taking a disproportionate weighting in Government's planning and decision making processes. Transport planning should not take precedence over land use planning nor should transport and other infrastructure dictate the future of the harbour. We cannot continue with the one-dimensional principles that favour roads over other amenities resulting in the current inaccessible, non-vibrant waterfront. Nor can we accept the current situation in which the size of the development plots are inversely proportional to their proximity with the waterfront. This violates Government's own Urban Design Guidelines. We also need to ensure the provision of a sustainable mix of functions in the plan, which will become the driver for long term sustainable development of the harbour-front into a truly vibrant area.

As stated above, HBF noted with interest the challenge by Mrs. Lau to respond on the Central plans and we gladly accept the challenge. HBF will prepare a detailed paper examining these Central Plans for the area which runs from IFC to HKCEC and we hope this will act as a springboard for a harbour-wide review. We will use the Harbour Planning Principles as our baseline but we will also aim higher and will compare the plans against international precedents. We believe that Central deserves the best and that its development is in the long-term interest of Hong Kong.

Independently of this letter we will be undertaking various other initiatives. In the interim we call for a moratorium on all building on top of or alongside the Central-Wanchai reclamation. We sincerely hope that Government will listen to the views of the business community whom we represent. We look forward to receiving the responses to our questions and we wish to continue the dialogue and cooperation with Government in doing what is best for Hong Kong.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'AL' followed by a long horizontal stroke and a small flourish at the end.

Mr. Andrew Long
Chairman, Executive Committee, Harbour Business Forum

cc. Mrs Rita Lau, Town Planning Board

encl.

- i. Summary of view raised during meeting, Government presentation of Harbour Plans to Harbour Business Forum 7th September 2005.
- ii. Letter to Michael Suen regarding Questions/ Issues for Discussion from the Harbour Business Forum dated 2nd September 2005.



Government Presentation of Harbour Plans to Harbour Business Forum, September 7th, 2005

- **Summary of views raised during meeting –**

1. **Government Views**

- 1.1. **On Central**

- Michael Suen (MS) stated that the 1998 statutory Outline Zoning Plan (OZP) controls planning for Central and was a significant improvement on the previous plan. He sees no problem with the current Central plans as they comply fully with the OZP.
- MS explained that Government cannot just change OZPs as the statutory process has to be observed. Government is not starting from a greenfield site.
- MS suggested that we cannot review Central Wan Chai Bypass (CWB) forever and that the road needs to be built.
- Core needs of government: road infrastructure serving through-traffic and local (P2) needs, centrally located government office and revenue generation.

- 1.2. **On constraints**

- Funding was cited as a factor.
- Time was cited as a constraint in terms of the need for more transport infrastructure.
- MS explained that a balance needs to be struck between the various interests, harbour is used by the people but also is a working port.
- MS states that Government considers itself to be a facilitator and flexibility is needed to ensure creativity from the private sector.
- Government recognises the need for a high quality, world-class harbour with two public corridors: civic, and arts and entertainment.
- Government considers vibrancy, ridgelines and symbolic nature of the waterline as important.

- 1.3. **On process**

- Harbour Planning Principles (HPP): TPB may consider the HPP, but are not bound by them. Door could be opened for change in the TPO through a submission to the TPB.
- Rita Lau highlighted clearly that views (including the HBF submissions) are taken into account by the Town Planning Board (TPB), but that ultimately the board makes the decisions.
- MS said that Harbour authorities have been examined and that they are complex but the door could also be opened with respect to a harbour authority. These considerations are being pushed by the HEC and the HBF. Government clearly does not accept that it needs to do something more proactive with respect to the implementation of the HPP - although the possibility of doing this exists. A third party will need to advocate strongly for change.

- **Summary of views raised during meeting –**

2. **HBF Views**

2.1. **On Central**

- No integrated planning.
- Road footprint too intrusive.
- Too much development intensity.
- HBF developer members do not think there is a need for more malls in Central.
- There is open space, but no guarantee of vibrancy.
- Vibrancy will not happen with the current lack of development mix.
- No marine considerations.
- Presentation deceptive and does not reflect final product.
- Some members believe that Tamar is the wrong project/site - adds (particularly with redevelopment of existing government sites) traffic loading to central district and likely to negate the benefit of removing the through traffic, making any gain short to mid-term only.

2.2. **On Constraints**

- Government is not taking a pro-active role in developing a world-class harbour.
- Government is facilitating zoning planning briefs which fail to deliver.
- There is a need for planning and OZP's not to be considered in isolation.

2.3. **On Process**

- Government doesn't take into account the Harbour Planning Principles and process is neither clear nor transparent. It appears this will be carried forward without a review unless further action is taken by members of the community.
- Inconsistent and contradictory messages from the government regarding processes, i.e. time/no time, engage community/not, modify plans/not.
- We have not seen substantive changes in the systems that will deliver the outcome we desire.
- Concern that there is no public consultation on Tamar.

4 Pages submitted by Fax and E-mail

2nd September 2005

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Re: Questions/ Issues for Discussion from the Harbour Business Forum

Dear Michael,

We are very much looking forward to our meeting next Wednesday 7th September 2005. Our members have submitted a number of questions they want to discuss, and we have summarised them below. We hope they may be useful for you and your colleagues as you formulate your presentation.

1. For the sake of ensuring clarity, it would be helpful if Government could state what it believes the key concerns of HBF Members are and could government indicate its reaction to HBF's recent letters to the various parts of government including the Chief Executive?
2. Will the government establish an over-arching strategy for Harbour-front Enhancement? If Government believes that it has such a strategy, can it please be espoused and explained.
3. Will the government formally adopt the Harbour Planning Principles, and if yes how will these principles be enforced? If not, can Government explain why it asked the HEC to formulate them and what it intends to do with them.
4. How will the establishment of the HEC and the goal of harbour-front enhancement be translated into changes in the planning process, in particular marine, land use and transport policies, as well as responsibilities, coordination, ownership and funding? Have any material changes in these processes occurred in the last 18 months?
5. The need for high-level coordination of planning has been recognized with the establishment of the West Kowloon District Steering Committee, and now plans for a West Kowloon Authority. Will the Government consider urgently creating a steering committee or an authority for the Harbour as a whole? If not, can Government explain why West Kowloon is considered to warrant a different approach.
6. HEC is championing the Harbour-front Enhancement Review process. A number of groups have called for a review of the development density in Central and Wan Chai. Will you work with HBF in reviewing Central District and, if consensus is reached to this effect, in changing plans which have already been announced?

Attached please find the full list of questions from our membership which we hope can be answered by Government in due course so as to allow us to report back to our members.

Yours sincerely,



Mr. Andrew Long
Chairman, Executive Committee
Harbour Business Forum



Questions from Harbour Business Forum Members 1 September 2005

In preparation for the presentation by Government officials to the Harbour Business Forum (HBF) on 7 September 2005, the members have raised various issues and submitted the following questions to the HBF Secretariat. In addition to reporting on the 7 September briefing, we look forward to providing HBF members with responses from Government in due course.

1. What is the status of decision-making with regard to the various harbour plan components including:
 - The status of West Kowloon. When can we expect a decision? On what basis will this be made?
 - Status of HKCED extension
 - Status of Tamar Government Office Complex
 - Status of PLA (Tamar) facilities
 - Overall current government thinking / action
2. "How can the challenge for implementing and managing the process change be met? The need for a champion is paramount, be it the Chief Executive, a new Secretary for Strategic Planning or a Harbour Authority. There is no shortage of ideas and the challenge is one of implementation and management of the process. Difficult decisions over priorities will not be reached through consensus, rather through decisive leadership and a willingness to cut through red tape and 17 Government Departmental silos. There is also the need for a holistic rather than the present piecemeal approach and to develop a master plan for the harbour as a whole even if that takes time.
3. HBF' s has endorsed the Harbour Planning Principles what is Government's commitment to these?
4. What has changed in marine, land use and transport policies and planning (process, institutions, responsibilities, funding) since setting up the HEC and the adoption of the Harbour Planning Principles?
5. What changes are made to the planning for the CBD to take into account the CFA judgment under the PHO, the setting up of the HEC and the adoption of the HPP? What density is sustainable? What changes will be made to the existing and planned road infrastructure? What is the time line?
6. During the 5th August 2005 Town Planning Board meeting, it was suggested that the Government welcomes are review of the urban planning for the CBD. When and how will a review of the policies, zoning and planning briefs take place? Will this include transport policies and infrastructure/services planning? What are the planned temporary uses for CR3 and how does the Government plan to minimize the impact of an estimated 12-15 years of construction work (CWB, NOL, Airport railway extension, land uses)?
7. The need for high-level coordination of planning has been recognized with the establishment of the West Kowloon Steering Committee. A similar 'Harbour Committee' is called for together with an expanded role for the HEC. Will the Government consider to urgently expand the West Kowloon Steering Committee to the Harbour as a whole, and to create a direct working relationship between HEC and such Harbour Committee? (HEC is not an exclusive advisor to the Harbour Committee, others could include range from cultural to transport advisory groups, to sports and marine users, as needed).
8. When and how will the next round of review of the Town Planning Ordinance take place? Will the Government support an independent Chair and Secretariat for the Town Planning Board, the set up of a Design Panel as a Town Planning Board SubCommittee, increase the role of the Town Planning Board in transport policy making, and greater responsibility in initiating plan development, design and implementation controls?

9. Is there a team with sufficient funding available to address the connectivity issues with the harbour across existing road works? How are planned road works being amended? When will the at grade (ground level) crossing connecting Nathan Road and the harbour-front be restored?
10. With the HPO and CFA judgment, and the HPP, it appears that we face acute limitations on expanding road capacity around the harbour. What measures are being undertaken by Government to guide the development of Hong Kong within the capacity limitations of the harbour-front?
11. The evolving marine use of the harbour requires evolving land water interfaces and supporting land uses. What are the specific marine uses we are planning for? Which vessels and what fleet sizes do we plan to cater for in the harbour?
12. Why did the Government approve the HKCEC extension plans without first completing the integrated planning process for the area it had initiated itself? Why did the Government not raise the 'interface with the ongoing Harbour-front Enhancement Review' as a matter of concern? How is the extension compatible with adjacent uses, specifically the harbour-front for public enjoyment? In addition to the Extension, how will the various potential conflicting developments and demands for the area be coordinated (including: conversion of car parking into exhibition space, increased East/West pedestrian traffic, growing Bauhinia Square tourist visits, heliport operations, CWB slip roads, harbour-front enhancement, etc). How are the traffic management measures for loading and unloading guaranteed and made mandatory in the approval? How does the impairment of the harbour with a balcony road differ from impairment through reclamation? What are the mandatory measures to make the environment under the enlarged Atrium pedestrian friendly? When will rail facilities be provided?
13. Will the Government subsequently pro-actively commence a review of all zoning around the harbour for compliance with the Urban Design Guidelines and Harbour Planning Principles? Will the Government support the rezoning proposal for Oil Street?
14. Will the Government fund and implement quick win and continues improvements of the harbour-front? Who will take responsibility to lead these? Will all unnecessary fences and visual obstruction be removed soon (including bill boards at the Harbour Tunnel entrance)? Will the temporary uses of the harbour-fronts for car parking, material storage, and other uses incompatible uses be redirected, if so, when?
15. Can the Government explain the funding, coordination and leadership for harbour-front enhancement? Follow through: How does it support the Harbour-front Enhancement Committee? The set-up of the Institutional Arrangements SubCommittee? A strengthening of the relationship between HEC and TPB with a joint Harbour Planning Forum and funding to develop and review specific plans? Will it support the requests for a motion voting mechanism, an independent secretariat, and funding to develop the overall harbour planning framework?
16. Will the Government consider a holistic approach to the harbour in view of its vital importance to Hong Kong - including Kai Tak, Wanchai, West Kowloon, etc. such an approach was put forward by Swire but ignored.
17. Will the Government confirm that it will not destroy the RHKYC (by building an unnecessary road) and thus remove recreational sailing from the harbour
18. What steps will the Government take to ensure the survival of the iconic star ferry given its move away from central?
19. Does the Government have any long term planning or policy for the Harbour, its use or function?
20. Does the Government see the harbour as Hong Kong's land bank or site for further infrastructure, roads or reclamation? Or is the harbour to be used as Hong Kong's last remaining open space to purge the polluted air of the area -ie as the city lung?
21. Is there any plan to restore the harbour to give life back to the water. The water is an essential element of the city. This include the clean and clear as well as healthy water for that can sustain

marine lives for people to enjoy just by sharing the water with other life forms or to utilize these marine recourses.

22. Is there any plan to return the harbour front to the people of Hong Kong so that the public can enjoy and reach the water for enjoyment, such as fishing, canoeing, swimming boating or diving? Let the public enjoy fresh air from the seaside. Not the exhaust fumes from tug boats or containers or cargo barges that occupy the water front along the waterfront on both sides of the harbour.