

香港特別行政區政府
房屋及規劃地政局局長



SECRETARY FOR HOUSING,
PLANNING AND LANDS
Government of the Hong Kong
Special Administrative Region

14 November 2005

Mr Andrew Long
Chairman, Executive Committee
Harbour Business Forum
Room 201, 2/F, Jockey Club Environmental Building
77 Tat Chee Avenue, Kowloon
Hong Kong
(Fax No.: 2784 6699)

Dear Mr Long,

**Response to Government's presentation
to Harbour Business Forum**

Thank you for your letter of 7 October 2005, to which a summary of the views expressed at the meeting on 7 September 2005 was attached. To better reflect Government's views, I attach a revised summary at Annex A for your reference.

As I said at the meeting on 7 September 2005, our policy goals are the continued protection, preservation and enhancement of the harbour. We have pledged repeatedly that apart from the existing Central Reclamation Phase III, Wan Chai Development Phase II and Southeast Kowloon Development, we will not consider any reclamation proposals within the harbour.

I share the concern of your Forum as well as the general public about the development along the waterfront. However, we have to consider all development proposals along the Harbour carefully with a view to striking a balance to meet the economic, environmental and social need of the community. I would like to reiterate that planning for the current development of the Central waterfront has undergone a due process of public consultation back in 1998 in accordance with the Town Planning Ordinance. Such planning has been incorporated into the Central District (Extension)

Outline Zoning Plan (OZP) after consideration by the Town Planning Board and approval in 2000 from the Chief Executive in Council. Nevertheless, the land uses and development restrictions within the zone has been set out clearly in the OZP. Future development projects in the area shall observe these restrictions and take into account the Harbour Planning Principles formulated by the Harbour-front Enhancement Committee.

As regards the other issues and questions raised in your letters of 2 September and 7 October, they can be grouped into several broad areas, including better harbour planning, Central Reclamation Phase III, institutional and traffic and transport issues. I enclose our response under these broad areas at Annex B.

I look forward to further cooperation with the Harbour Business Forum in enhancing our harbour-front.

Yours sincerely,



(Michael M Y SUEN)
Secretary for Housing, Planning and Lands

Encl.

c.c.

Secretary for the Environment, Transport and Works

Director of Planning

(Attn: Mr Bosco Fung)

Commissioner for Transport

(Attn: Mr K K Lau)

Director of Civil Engineering and Development

(Attn: Mr L T Ma)

Permanent Secretary for Housing, Planning and Lands

(Attn: Mrs Rita Lau)

Annex A**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**

- Mr Michael Suen stated that the current statutory Outline Zoning Plan (OZP) for Central was a significant improvement on the previous plan in 1998. He saw no problem with the current Central plans as they complied fully with the Harbour Planning Principles (HPPs).
- Mr Suen explained that Government could not just change OZPs as the statutory process had to be observed. Government was not starting from a greenfield site.
- Mr Suen suggested that we could not review Central Wan Chai Bypass (CWB) forever as the road needed to be built.
- Transport needs: CWB serving through-traffic and local (P2) serving local developments.
- Government recognised the need for a high quality, world-class harbour and proposed three design corridors for pedestrian circulation between the Central hinterland and waterfront: statute, civic, and arts and entertainment.

1.2. On constraints

- Time was cited as a constraint in terms of the need for essential transport infrastructure.
- Mr Suen explained that a balance should be struck between the various interests. Harbour was used by the people but it was also a working port.
- Mr Suen stated that Government considered itself as a facilitator. Flexibility was needed to ensure creativity from the private sector.
- Government considered vibrancy, ridgelines and symbolic nature of the waterline as important.

1.3. On process

- HPPs: TPB took into account the HPPs in the planning process, having balanced all relevant factors. Statutory provisions were available for making amendments to an OZP through a submission to the Town Planning Board (TPB).
- Mrs Rita Lau highlighted clearly that views (including the HBF submissions) were taken into account by the TPB before the board made its decisions.
- Mr Suen said that Harbour authorities had been examined and it was considered that an independent harbour authority, which was being pushed by the HEC and the HBF, was not suitable in Hong Kong.

Annex B**Government's Response to the Harbour Business Forum (HBF)'s
Letter of 2 September and 7 October 2005****General****1. Key concerns of HBF members (Point 1 of HBF's letter of 2.9.2005)**

We welcome the initiative of the business community in forming the HBF to participate in the planning and enhancement of the Harbour.

2. Land use planning/development proposals along the harbour-front (Q18, Q19 and Q20 of Appendix 1 of HBF's letter of 2.9.2005)

Our harbour is our most precious natural resource. Time and again, we have made it clear to the public that our policy goals are the continued protection, preservation and enhancement of the harbour. We have pledged that apart from the existing Central Reclamation Phase III (CRIII), Wan Chai Development Phase II (WDII) and Southeast Kowloon Development, we will not consider any further reclamation proposals within the harbour. However, the Government has to consider all development proposals along the Harbour carefully with a view to striking a balance to meet the economic, environmental and social need of the community. In fact, this planning principle has been embodied in the Harbour Planning Principles (HPPs) adopted by the Harbour-front Enhancement Committee (HEC).

Better Harbour Planning

3. Holistic approach in Harbour Planning (Point 2 of HBF's letter of 2.9.2005 and Q16 of Appendix 1 of the letter)

There is already an overall Harbour Planning Framework formulated under the Harbour Plan Study completed by Planning Department in early 2003. In the current review of the Harbour Plan, Government continues to adopt a holistic approach in harbour planning, as advocated in "the Approach and Process in Harbour Planning", which was adopted by HEC. However, in view of the development pressure in Hong Kong, development proposals around the Harbour are considered in the light of the HPPs in parallel, rather than in isolation, so that they can be taken into account in the formulation of an updated integrated planning framework.

4. Adoption of HPPs (Point 3 of HBF's letter of 2.9.2005, Q3 and Q13 of Appendix 1 of the letter, and para 9 of HBF's letter of 7.10.2005)

The HPPs were formulated by the HEC as guidelines for planning, development and management of harbour-front development. Government has already been applying the principles in the relevant planning studies (such as Kai Tak, WDII), community programmes (Central Ferry Piers Enhancement), other related studies (Tsim Sha Tsui Area Improvement, Piers enhancement) and development proposals (Sheung Wan waterfront) and enhancement schemes (West Kowloon, Hung Hom Bay).

The Secretariat of the HEC Sub-committee on Harbour Plan Review has already issued the agreed principles to all concerned bureaux, departments and organizations to enable them to plan for and design their projects based on the HPPs. In fact, although the principles were only agreed by HEC in January 2005, it is now an established practice for Government departments to submit their proposals or projects at the harbour-front area to HEC for advice in the light of the HPPs. Private sector is also doing the same.

5. Establishment of HEC (Point 4 of HBF's letter of 2.9.2005, and Q4, Q7 and Q15 of Appendix 1 of the letter)

The establishment of HEC, which comprises representatives from different sectors of the community, in May 2004 represents a big step forward in community engagement in the plan making process. Whilst HEC is an advisory body, the working relationship between Government and HEC is not simply to consult and to be consulted on the planning recommendations, but rather, a partnership throughout the entire planning process.

As an independent statutory body, the Town Planning Board (TPB) makes recommendations to ExCo on plan approval. As far as issues relating to development around the Harbour are concerned, TPB will take into account the views of HEC as one of the major stakeholders.

6. Status of various harbour-related planning applications (Q1 and Q12 of Appendix 1 of HBF's letter of 2.9.2005)

The Trade Development Council (TDC)'s application for the Hong Kong Convention and Exhibition Centre Atrium Link Extension was considered and approved by TPB on 26 August 2005. TPB is exercising its authority within the ambit and in accordance with the Town Planning Ordinance. As with all planning applications, TPB has given careful considerations to and assessment of all relevant factors that are pertinent to the application, including economic, land use compatibility, design and traffic implications. ExCo on the other hand is exercising its policy making authority in giving policy support and approval to TDC for expanding the convention and exhibition facilities and through it sustain Hong Kong's economic position. Giving TDC the green light to proceed with the expansion plan does not imply or confer any meaning of automatic approval by the TPB. The TPB has to be satisfied that the TDC proposal is able to meet the planning, environmental, traffic and technical requirements. HEC's views together with all views received on the TDC proposal have been conveyed to the TPB for consideration. On traffic in particular, TDC has undertaken to adopt a

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series of measures to reduce traffic generation and thus traffic impact before and after major exhibitions. Such measures include mandatory central forwarder services, off-site truck marshalling area and extended duration for move in and out before and after exhibitions etc. Moreover, TPB has imposed the planning approval condition requiring TDC to submit and implement, to the satisfaction of the Commissioner for Transport or of the TPB, effective measures to cope with the potential increased in pedestrian demands and passenger pick-up/set down activities upon the Atrium Link Extension.

As regards the West Kowloon Cultural District (WKCD) development, we have, on 7 October 2005, announced Government's proposals to take forward the project by introducing clear and additional development parameters including the maximum plot ratio and development mix, and the establishment of a trust fund. We have also proposed the establishment of an independent statutory body to take over the WKCD project from the Government at a suitable time.

The development of the Tamar site for the new Central Government Offices and Legislative Council Building was announced in the CE's Policy Address delivered on 12 October 2005.

7. Quick-win Projects (Q14 of Appendix 1 of HBF's letter of 2.9.2005)

Apart from the planning for the long-term, we and the HEC are working on a series of "quick-win" projects to enhance the harbour-front for the enjoyment by the public pending long term development. The West Kowloon Waterfront Promenade, which was opened in September 2005, is a good example. The HEC Sub-committee on Wan Chai Development Phase II Review is also working on another quick-win project in the former Wan Chai public cargo working area.

Central Reclamation Phase III (CRIII)

8. Planning for the CBD (Q5 and Q6 of Appendix 1 of HBF's letter of 2.9.2005)

The draft Central District (Extension) Outline Zoning Plan (OZP) was first exhibited for public inspection in 1998. After the due process of public consultation and considerations of public views and objections received by the TPB, the draft OZP was substantially revised and the reclaimed area under CRIII was reduced from 32 ha to 18 ha. The revised OZP was subsequently approved by the Chief Executive in Council (CE in C) in February 2000.

In April 2004, CE in C, taking into account the Further Review of CRIII undertaken by the Government by applying the CFA's "overriding public need" test and other administrative and policy considerations, decided not to revoke the approved OZP or refer it to TPB for reconsideration under the provisions of the Town Planning Ordinance.

In August 2005, TPB considered three rezoning requests submitted by the Society for Protection of Harbour Ltd (SPH), Save Our Shorelines, and Clear the Air and decided not to agree to the rezoning requests.

Although HEC's endorsement of the HPPs came at a stage after CE in C approved the revised Central District (Extension) OZP, the spirit of the HPPs have actually been embodied in the planning and urban design of CRIII.

9. Land use planning in CRIII (Point 6 of HBF's letter of 2.9.2005, and paras. 7, 9 and 12 of HBF's letter of 7.10.2005)

The land use zoning of the subject area has undergone a due statutory planning process through the TPB and approved by the ExCo with all views and objections duly considered. Despite TPB's rejection of the three rezoning requests submitted by SPH, Clear the Air and Save Our Shorelines,

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TPB has asked the Government to prepare/refine the planning design briefs for the Central District waterfront to ensure that future developments would blend in with the waterfront setting, facilitate pedestrian access to the waterfront, and promote visual permeability of the developments. Being CDA sites, we are confident that TPB will be able to exercise appropriate planning controls on the future developments and ensure that the harbour planning and Urban Design Guidelines are heeded.

Institutional Issues

10. Harbour Authority (Point 5 of HBF's letter of 2.9.2005, and Q2 and Q15 of Appendix 1 of the letter)

The question of whether to set up a Harbour Authority has been studied thoroughly in the Harbour Plan Study. On the issue of institutional mechanisms for harbour planning and development, we should understand the problems we are facing and consider the best possible ways to tackle the problems in the most cost-effective manner. Overseas experiences of Harbour Authority indicate that harbour planning issues are often closely related with the unique background, governance, and financial regime of the areas. As situations in different countries and cities vary, it may not be appropriate to lift any overseas practice and apply it to Hong Kong. Our proposed establishment of a statutory body for the WKCD project will no doubt shed light and provide experience for us to consider in respect of the Harbour in future.

Traffic and Transport Issues

11. Road works and road capacity (Q9 and Q10 of Appendix 1 of HBF's letter of 2.9.2005)

Because of the high volume of vehicular and pedestrian traffic at the various

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junctions across Salisbury Road, it is in the best interest of pedestrians in terms of road safety to use the existing subways to cross Salisbury Road. Besides, the restoration of at grade crossings would lead to severe traffic congestion and traffic gridlock in the area. The situation would become even more critical when the construction of the Kowloon Southern Link starts. In view of the above, I am advised by Transport Department that there are no plans at the moment for their restoration. However, we would review the situation again after the completion of the Kowloon Southern Link. On the other hand, a footbridge across Salisbury Road will be built soon to connect the Wing On Garden Plaza and the promenade to enhance pedestrian connection to the waterfront area.

In the light of the CFA ruling, the Central – Wan Chai Bypass (CWB) and the Road P2 projects have been revisited as part of the CRIII project review. The results revealed that construction of both the CWB and Road P2 met the “overriding public need” test. In the medium term, the Government would pursue these roadwork projects with a view to tackling the existing traffic congestion problem in the Central Business District and to cope with the traffic from the planned developments. Land use planning and transport planning have always been done hand in hand under the existing planning procedures. If there is a constraint in the expansion of the road network, it would be duly taken into account in the land use planning process.

12. Transport planning and land uses (para 10 of HBF’s letter of 7.10.2005)

The Government has taken a balanced view in preparing the Central District (Extension) OZP. Traffic studies have also confirmed that the planned land uses in the area are sustainable in traffic term. The public’s misconception that road has taken precedence over amenities might be due to the fact that the major section of CWB would fall within the Central District (Extension) area. In fact, the CWB would be a strategic road serving Hong Kong Island at large. Furthermore, the majority section of the CWB within Central district would be built in the form of tunnel leaving the valuable surface land for use as open spaces or local roads. The Government has taken a holistic approach on

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transport / land use planning in the past, and would continue to do this in the future.

Others

13. Town Planning Ordinance and Town Planning Board (Q8 of Appendix 1 of HBF's letter of 2.9.2005)

The Town Planning (Amendment) Ordinance was enacted in July 2004 and came to effect in June 2005. The operation of the amended Ordinance will be reviewed in light of experience.

14. Marine uses within the Harbour (Q11, Q17, Q21 and Q22 of Appendix 1 of HBF's letter of 2.9.2005)

The Victoria Harbour belongs to the people of Hong Kong and all vessels should be allowed to use it, as long as they navigate carefully and comply with safety regulations. Since the Harbour is expected to meet diverse aspirations of the community, a harmonious co-existence of working traffic and leisure activities is important to our vibrant harbour.