

Our Ref : 52/WKC/042
6 May 2002

Dr the Hon Tang Siu Tong
Convenor, LegCo Panel on Planning Lands and Works
Legislative Council
Jackson Road
Hong Kong

Dear Dr Tang

Harbour Park - Draft Wanchai North Outline Zoning Plan

I refer to the meeting of the LegCo Panel on Planning Lands and Works which will be considering the Draft Wanchai North Outline Zoning Plan in its coming meeting this Wednesday morning. I would like to submit for your reference a short paper on one important aspect of the Draft OZP, namely, the proposed Harbour Park; and would be grateful if you could circulate the paper to members of the Panel.

Please note that the paper has been prepared collectively by the following:

- Dr Chan Wai Kwan (myself), Vice Chairman of the Metro Planning Committee of the Town Planning Board
- Mr Christopher Cheng, Vice Chairman of the Rural and New Town Planning Committee of the Town Planning Board
- Mr Daniel Heung, retired member of the Town Planning Board who has served on the Board for 12 years from 1990-2002

The purpose of our paper is to express our strong support for the Harbour Park, and to explain the rationale behind the concept. In our view, the Harbour Park is an essential element in achieving the Board's vision for Victoria Harbour as "a harbour for the people and a harbour for life".

We would be more than happy, if called upon, to explain the concept to you or to the Panel in greater detail.

Thank you for your attention.

Yours sincerely

Dr W K Chan
Secretary General

cc The Hon PC Lau, Deputy Convenor, LegCo Panel on Planning Lands and Works
bcc Mr Christopher Cheng, Mr Daniel Heung

The case for the Wanchai Harbour Park

This paper is prepared by the following:

Christopher Cheng	Vice Chairman, Rural and New Town Planning Committee, Town Planning Board; seventh year on the TPB
Dr WK Chan	Vice Chairman, Metro Planning Committee, Town Planning Board; seventh year on the TPB
Daniel Heung	Retired member of the TPB, one of the longest serving members of the Board – 12 years

Whilst we present the following views in our personal capacity, it is our belief that our views reflect those of our colleagues on the Town Planning Board who have deliberated on the Draft Wanchai North Outline Zoning Plan.

Background

Protection of the Harbour Ordinance:

The harbour is to be protected and preserved as a special public asset and a natural heritage of Hong Kong people, and for that purpose there shall be a presumption against reclamation in the harbour.

Town Planning Board's Vision Statement for Victoria Harbour

To make Victoria Harbour attractive, vibrant, accessible and symbolic of Hong Kong – a harbour for the people and a harbour of life.

The Town Planning Board strongly supports the Ordinance. In support of the Ordinance the TPB has taken a positive and proactive and developed a “Vision Statement for Victoria Harbour”, which was unprecedented. Like LegCo, District Councils and other public-spirited community leaders, the TPB sees itself as a guardian of the Harbour as a public asset for Hong Kong people.

Fulfilling the Harbour Vision through the Harbour Park concept

In discharging our statutory duty to prepare a plan for Wanchai North, the TPB has taken ultra serious consideration of both the Ordinance and the Vision. The 30-plus non-official members overwhelmingly supported the concept of the Harbour Park.

- The Harbour Park will be the “gem” of the whole Central and Wanchai waterfront plan.
- It will be a fulfillment of the Board’s vision of the harbour as “a harbour for the people and a harbour of life”
- It enables the TPB’s goal to “bring the people to the harbour and the harbour to the people”, to be met.
- It is an innovative idea developed in the best interest of Hong Kong.

The Focus: The Harbour is for Hong Kong people

If we look at the Ordinance carefully: “The harbour is to be protected and preserved as a special public asset and a natural heritage *of Hong Kong people*, and for that purpose there shall be a presumption against reclamation in the harbour.”

- The purpose of the Ordinance is not to sterilise the harbour, but to “give it back to the people of Hong Kong”.
- That means we do not just want to prevent it from reclamation and development, but we want it to be “owned” and enjoyed by ordinary people. To enjoy the harbour should not be the privilege of a few people, but ordinary people should be able to enjoy it from *within* the harbour too – hence the harbour park.
- In developing our Harbour Vision, the TPB shares the same wish with LegCo and District Councils in making Victoria Harbour a harbour *of Hong Kong people*.
- For the latter purpose, sometimes some reclamation is needed. Nobody will object to building the harbour front promenade, for instance.
- The harbour front promenade is a good thing but it is a different experience from being *inside* the harbour. The Harbour Park provides just that.

Fulfilling the Ordinance’s requirement

The Society for the Protection of Victoria Harbour has developed a set of criteria for justifying reclamation under the Ordinance, namely, that:

- The reclamation must be for public benefit.
- It must be essential.
- There must be no reasonable alternative.
- It must not be excessive.

While we agree broadly with the above, it must be borne in mind that these criteria represent *an interpretation of the Ordinance, and are not the law itself*. There is an arbitrary element in such an interpretation, e.g. in how to assess “essential”, “reasonable” and “excessive”.

Even so, we believe the Harbour Park can fulfil these criteria.

- *The reclamation must be for public benefit*: That is evident. There must be no development on top of the Harbour Park other than simple, essential facilities for the public.
- *It must be essential*: The Harbour Park is as essential as, if not more essential than, the promenades which are being built on both sides of the Harbour. Without the Harbour Park, the existing breakwater represents a barrier to the harbour. By turning it into a Harbour Park as we proposed, it will become a focus of life in the harbour.
- *There must be no reasonable alternative*: Where else in the central harbour, except this place lined by an existing breakwater, can a Harbour Park be built?
- *It must not be excessive*: The Harbour Park is only slightly wider, perhaps twice the width, of a decent promenade.