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Citizen Envisioning @ Harbour

November 16, 2005

Panel on Planning, Lands and Works
Legislative Council
Legislative Council Building
8 Jackson Road
Central, Hong Kong
(Fax: 2869-6794 / email: cshiu@legco.gov.hk)

Re: Future development on the Tamar site

Honorable Chair and Members,

In your deliberations over the development of Tamar we urge you to consider the study presented by the Transport Department to the Expert Panel Forum convened by the Harbour-front Enhancement Committee, as well as report from the Expert Panel following consideration of all the data and input from various members of the public and professional bodies.

Their report is available on-line:

http://www.harbourfront.org.hk/eng/content_page/doc/report_of_the_expert_panel.pdf

Based on all the data, including that the Gloucester Road/Connaught Road, the new P2 and the Central Wanchai Bypass, will reach capacity or a v/c ratio of 0.9 in 2016. Some of the junctions will face severe congestions by then. With the presumption against reclamation we face an absolute constraint on adding further road capacity along the North shore.

The conclusions of the Expert Panel, which we fully endorse, include the need for 'sustainable transport planning', 'integrated land and transport planning' and 'stemming of development' to ensure sustainability of HK's urban environment. One of the key elements for a sustainable transport solution is the reduction of development density along Hong Kong Island North shore, including that at the Tamar site.



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We believe that the plans for Tamar should be re-thought in the light of the need for a “Sustainable Transport Solution”. Adding peak-time traffic without a thorough understanding of the long-term impact of current developments, and the consensus for a sustainable transport and urban plan for Central and Wanchai will work against the precautionary principle in sustainable development.

Indeed, the conclusion of the Transport Expert Panel is consistent with the Independent Panel report of the Citizen Hearing conducted by us in December 2003. We would like to refer you to Principle No. 1 in Section 4 of the attached report, which set out the need for a sustainable transport solution beyond more road-building.

We urge the Legislative Council to request the Administration to conduct a review of the plans for the Central and Wanchai harbour-front (including the Tamar site) under the framework of a Sustainable Transport Solution PRIOR TO committing to the proposed development for Tamar.

Herewith we so submit for your consideration,

Yours sincerely,

A handwritten signature in black ink that reads 'Albert Lai'.

Albert Lai

Convenor, Citizen Envisioning @ Harbour

CC:

Chair and Members of Harbour-front Enhancement Committee
Chair and Members of Town Planning Board
Chair and Members of Eastern District Council
Mr. Bosco Fung, Director of Planning Department
Mr. Patrick Lau, Director of Lands Department



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The Hong Kong Institute of Architects;
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Save Our Shoreline

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CITIZEN HEARING

Report of the Independent Panel

A. Introduction

This report was compiled jointly by the four members of the Independent Panel [see Box 1] who are invited by the organiser, Citizen Envisioning @ Harbour, to host the Citizen Hearing held on December 7, 2003 at Hong Kong University. The Citizen Hearing was open to the general public and a total of 28 verbal presentations and 12 written submissions were received by the Panel prior to December 15, 2003.

Box 1: Members of Independent Panel

Professor Lee Chack Fan, Pro-Vice Chancellor and Chair Professor in Geotechnical Engineering, Department of Civil Engineering, University of Hong Kong

Professor Lam Kin Che, Chair of Department of Geography and Resource Management, Chinese University of Hong Kong

Mr Albert Lai, Chairman, Hong Kong People's Council for Sustainable Development

Ms Kay Ku, Business Director, International & Regional Networking, Hong Kong Council of Social Service

The objective of the Citizen Hearing is to allow members of the public and all stakeholders, government and non-government alike, to have an equal opportunity to air their considered views on the issue of harbour reclamation which has become a subject of debate in the community in recent months. Participants were encouraged to address three focus questions related to harbour reclamation [see Box 2] but they were free to address any relevant issues. Prior to the Citizen Hearing, an information exhibition and a charrette were held at Victoria Park on November 30, 2003 to allow participants to fully appreciate the history and the influencing factors of the subject matter.

Box 2: Focus Questions for Citizen Hearing

Question 1: Given that the primary justification for the Central Phase III reclamation is the construction of the Central-Wanchai bypass road, would you:

- (a) accept the government's proposed scheme to reclaim 23 hectares of land for the construction of Central-Wanchai bypass; or
- (b) reject the government's proposed reclamation plan and accept the consequences of traffic management measures such as electronic road pricing when congestion becomes too acute.

Question 2: Given that an alternative justification for the Central Phase III reclamation is to provide a waterfront promenade and amenities for the public, if the current scheme of reclamation for 23 hectares is rejected, would you:

- (a) accept only minimum reclamation of much less than 23 hectares for the primary purpose of providing a waterfront promenade and public amenities (but not sufficient for building the Central-Wanchai bypass); or
- (b) reject any reclamation and accept relatively limited waterfront promenades and public amenities through redesigning landuse patterns for waterfront sites owned by the government.

Question 3: Given that the current controversy has a high socio-economic cost for the society at large, in order to avoid similar controversies in future, would you:

- (a) support the continuation of the current town planning, transport planning and development control mechanism but improve it through only gradual changes in accordance with the town planning amendment bills proposed by the government; or
- (b) support the set-up of a Harbour Authority with equal decision-making powers by representatives from government, business and civil society groups to take charge of planning, execution and management of waterfront areas; or
- (c) support the enactment of a statutory shoreline so that any future reclamation beyond an agreed shoreline will be prohibited by law; or
- (d) all or none of the above.

B. Observations

From the presentations and submissions it received, the Independent Panel made the following observations which, within limitations of the reach of the Citizen Hearing, may reflect the value of a wide spectrum of community members:

1. There is a strong desire to protect the harbour from disruption. This desire arises not just from the rational calculation that the harbour is a precious physical asset for the future development of the City, but also the sentimental value attached to the harbour – a sense of history, a sense of ownership and a sense of belonging for many members of the community. The community desire to protect the harbour is expressed in two facets: a wish to minimise disruption to the existing shoreline, and a wish to increase amenity value of the harbour to the people through better water quality and more accessible harbour front facilities.

2. Although the desire to protect the harbour can be differentiated into quantitative (whether the harbour will shrink because of reclamation) and qualitative terms (whether people can enjoy the harbour more because of better water quality and more accessible harbour front facilities for community use), these two aspects are invariably linked. To a limited extent, there is an acceptance for discernible trade-off between the quantitative and qualitative value of the harbour provided that the overall “protection level” of the harbour is not perceived to have suffered.
3. There is recognition that traffic congestion problems in Central, as it appears or may appear in future, need be tackled although there is no general consensus that the present traffic situation is indeed unacceptable. There is perceived mistrust about government claims that increase in traffic volume will render the congestion level unacceptable very shortly, or that the Central Wanchai Bypass is the only viable solution among all traffic management measures available.
4. Despite government assertion that Central Reclamation Phase III and Wanchai Development Phase II will be the last reclamation on the northern shores of Hong Kong Island, there is mistrust as to whether future governments will honour such undertaking. In particular, there is a community perception that a vicious cycle is in place: more reclamation – more development – more traffic – still more reclamation required for road building. The lack of any credible alternative measure to avoid building more roads beyond the current proposal exacerbates the concern about the need for further reclamations when traffic situation becomes critical again in the next cycle. In other words, the uncertainty about the sustainability of the present government proposal to resolve both present and future traffic problems makes the government’s claim of “no more future reclamation” less credible in public eyes.
5. Government intention to provide more accessibility and more public amenities on the harbour front is generally welcome and supported by the public. However, there is mistrust about government’s ability to deliver the planning gains and stated outcome in its reclamation plan. Poor track record and the lack of a single government agency to take full responsibility from planning, execution to facility operation on newly reclaimed lands exacerbate such community concern.
6. There is concern that local community groups have not been given sufficient opportunities to participate in the urban design of the waterfront, whether along new or existing shorelines. In particular, there is perception that the needs of residents in old or disadvantaged communities are consistently ignored in the proposed design, which is focussed on serving tourists, business and high-end users.

C. Constraints and Opportunities

From the hearing and the submissions it received, the Independent Panel identified the following constraints that need be taken into account when reaching any conclusion, as well as opportunities that are available to provide more freedom for action:

1. The Central Reclamation Phase III and the Wanchai Reclamation Phase II are both continuation of previous reclamation plan. There is significant sunk costs in the physical infrastructure already constructed in the past years, especially those related to the road construction linking into the proposed Central Wanchai Bypass.
2. The physical constraints imposed by the design, construction and operational requirements of roadwork, seawall and cooling pump facilities will need to be taken into account in finding the most optimal solution. The pattern of traffic demand, such as those arising from the two IFC buildings, may also limit the range of solutions available to resolve potential traffic congestion problems.
3. Alternative traffic management measures, such as electronic road pricing or government acquisition of Western Harbour Tunnel, have been proposed. However, the uncertain response from the business sector and the community at large to these alternative measures, and the likely cost of delay in pursuing these options, are factors that need be considered.
4. The justification for Central Wanchai Bypass is based on government projections of long-term traffic flow, traffic pattern and other undisclosed underlying assumptions. The potentially large margin of error in long-term projections and its resulting implications on actual cost-benefit of the Central Wanchai Bypass could be significant.
5. No non-government organisation has so far produced any alternative design for reclamation, or alternative scheme capable of resolving potential traffic congestions comparable in detail to the one produced by the government. The fact that no detailed design data has been released by the government has probably rendered such exercise by non-governmental organisations impossible, even if they have the resource to do so.
6. The presentations by professional bodies and by charrette groups have demonstrated the improvement potentials and community gains that are possible through land-use changes and innovative urban design on government-owned sites along the waterfront, whether new or existing.

D. Conclusions and Recommendations

On the basis of the imposed constraints and available opportunities, the Independent Panel concluded that the strong community value could be distilled into four Sustainability Principles as guidance for sustainable development:

Principle 1: <The QOL Principle>

A quality-of-life approach, instead of a utilitarian approach, shall be adopted in devising any reclamation plan or harbour front design.

A reclamation plan is only acceptable if its sole purpose is to enhance quality of life of the community at large, such as a more accessible harbour front, better public amenities or higher water quality in the harbour. Any other commercial needs, infrastructure needs, direct or indirect schemes with a view to increasing public revenue should be rejected as justifications for reclamation.

In particular, reclamation must not be regarded as a default option to solving traffic problems. A sustainable solution to traffic congestion, which does not rely on building more roads on reclaimed land, is essential. New traffic routes through reclaiming more land should have no place in any transport planning. The Central Wanchai Bypass, if given the go-ahead, should be taken as a final exception because of its sunk costs and physical constraints imposed on society by misguided planning in the past.

Principle 2: <The Fair-Gains-For-All Principle>

The planning gains to be achieved through urban design of the harbour front should be fairly distributed to the entire spectrum of the community.

Being a precious asset for all Hong Kong people, the harbour and harbour front should be designed as a platform for all members of society to enjoy. The target users should thus cover the full range of community members, whether local or overseas, business or casual, young or old, rich or poor. In particular, community members from neighbouring old districts and disadvantaged communities must not be deprived of equal opportunities to enjoy the planning gains in reclamation or in the redesign of harbour front because of their traditional mode of usage or their lack of ability to pay.

Principle 3: <The Public Participation Principle>

A public participatory process should be established in parallel with the administrative process and the legislative process as triple safeguard to the integrity and functionality of the harbour shoreline.

Mistrust on the “no-more-reclamation” undertaking by this and future governments can best be removed through a transparent process, allowing the public to have access to decision-making on the future shoreline, if it is ever to be changed again. New mechanisms for public participation should be developed to gauge prevailing community value in conjunction with a legislative process for shoreline protection and an administrative process for harbour front planning.

To enhance credibility and effectiveness, the public participatory process should be conducted as a separate institution whilst incorporating appropriate interface with the administrative and legislative processes at

critical decision points. Innovative processes such as charrettes and citizen hearing should be adopted as mandatory in strategic development proposals.

A multi-stakeholder platform involving civil society organisations, business and government shall be an effective tool to allow members of the public, beyond networked professionals, to have access to participation in urban planning and design. It is important that all stakeholders and concerned members of the public be accorded equal access to participation in these processes.

To complement the participatory process, a new and higher standard of information disclosure should be adopted by government departments to satisfy the needs for informed participation by the public, civil society organisations as well as non-government professionals.

The new standard of information disclosure should simultaneously satisfy two different needs: (a) alternative options such as engineering schemes or traffic management schemes and their pros and cons should be widely disseminated to the public in easily understood format prior to any government recommendation; (b) technical data in sufficient details should be made available for public access at all times so that civil society-led alternative designs can be produced, if it is so desired, for timely comparison with government-recommended design.

Principle 4: <The Single Accountability Principle>

Either a government executing agency or a coordinating office should be presented to the public as a single accountable body to take full responsibilities for the planning, design, execution and operation of any project involving new reclamations or renewal of harbour frontage.

The delivery of any planning gain for reclamation or harbour front renewal must be backed up by strong institutional arrangements, which are credible and accountable to the public. This is essential to removing the public mistrust on government's ability to deliver the planning gains or achieve the planning intention declared at the outset of a project. If a harbour authority with integrated responsibilities is not feasible in the near term, interim institutional arrangements modelling on the airport project or early new town developments should be considered.

The Independent Panel recommended that the Four Sustainability Principles be applied in reaching any decision on harbour reclamation.

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Organizers, Citizen Envisioning @ Harbour Events

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The Chinese University of Hong Kong;
Centre of Urban Planning and Environmental Management,
The University of Hong Kong;
Hong Kong People’s Council for Sustainable Development;
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Hong Kong Council of Social Service;
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