

立法會 *Legislative Council*

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Panel on Development

Meeting on 25 November 2014

Updated background brief on the proposal of establishing a harbourfront authority

Purpose

This paper provides background information on the proposal of establishing a statutory harbourfront authority and summarizes the views and concerns expressed by Members on the subject at the meetings of the Legislative Council ("LegCo") and its committees since the 2010-2011 legislative session.

Background

2. Victoria Harbour is Hong Kong's precious natural resource. In recent years, there has been a growing concern for the protection of the harbour and enhancement of the harbourfront to make it more accessible and attractive for public enjoyment.

Harbourfront Enhancement Committee

3. After a spate of litigation against reclamation in Victoria Harbour and in view of the heightened public aspiration to protect the harbour, the Administration established the Harbourfront Enhancement Committee ("HEC") in May 2004 to advise the then Secretary for Housing, Planning and Lands on the planning, land uses and developments along the existing and new harbourfront of Victoria Harbour. HEC drew up 22 action areas¹

¹ These action areas are: Kennedy Town, Sai Wan, Sai Ying Pun, Sheung Wan, Central, Wan Chai West, Wan Chai East, Hong Kong Island East, Lei Yue Mun, Yau Tong, Yau Tong Bay, Kai Tak, To Kwa Wan, Hung Hom East, Hung Hom West, Tsim Sha Tsui East, Tsim Sha Tsui West, West Kowloon Cultural District, Yau Ma Tei, Western Harbour, Tsuen Wan and Tsing Yi.

on both sides of Victoria Harbour which set the agenda for action by relevant Government departments to enhance the harbourfront. It concluded its six years of service on 28 February 2010.

4. The Task Group on Management Model for the Harbourfront ("TGMMH") of HEC released its report² in January 2010 recommending the establishment of a non-statutory, advisory Harbourfront Commission ("HC") to replace HEC in advising the Administration on harbourfront planning, design, management and other related matters with the objective of fostering and facilitating the development of the Victoria harbourfront. TGMMH recommended to work on the basis of the then institutional, policy and resource framework, under the championship of a non-executive HC, backed up by high-level steer and resolve within the Administration to bring about holistic, integrated and responsive changes to the management of the harbourfront.

5. However, TGMMH suggested that in the long run, to enhance public involvement, vibrancy and timely response to public needs, the Administration could establish an independent, statutory authority with its own executive and dedicated funding for harbourfront planning, design, operation and management.

Harbourfront Commission

6. Upon the recommendation of TGMMH, the Administration established HC in July 2010 to succeed the former HEC. At present, HC has 22 non-official members and eight official members. The terms of reference of HC are in **Appendix I**. Four task forces, namely Task Force on Harbourfront Developments on Hong Kong Island; Task Force on Kai Tak Harbourfront Development; Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing; and Task Force on Water-land Interface, have been established under HC to assist it in carrying out its functions.

The proposal of establishment of a statutory harbourfront authority

7. Over the years, the Panel on Development ("DEV Panel") and its predecessor, the Panel on Planning, Lands and Works, have all along been monitoring issues relating to the planning and development of the harbourfront, as well as the associated projects. At the meeting of DEV

² TGMMH's report can be downloaded at the following link:
http://www.harbourfront.org.hk/hec/eng/meetings/doc/agenda100218/Paper3_2010.pdf

Panel on 25 November 2008, members agreed to form the Subcommittee on Harbourfront Planning ("the Subcommittee") to monitor and study the planning, land use and related issues in respect of the harbourfront areas on both sides of Victoria Harbour. The Subcommittee studied various models of harbourfront development and management authorities through conducting researches and an overseas visit to Boston, New York and Vancouver in April 2011.

8. Drawing reference from overseas experience, including the functions of the statutory authorities responsible for waterfront planning and development in Singapore and Sydney, and the authorities developing and managing large-scale harbourfront projects in New York, the Subcommittee supported the establishment of a statutory body to oversee harbourfront development and implementation of projects in Hong Kong with the necessary legal power, financial support, strong leadership, adequate expertise and effective coordination among stakeholders³. Members of the Subcommittee requested the Administration to study the issues relating to the establishment of a statutory harbourfront authority, including its legal power (in particular whether it would have the statutory power to resume land for harbourfront enhancement), the timetable for setting up the authority, and the jurisdiction of and funding for the authority.

9. The Administration responded that it kept an open mind on the establishment of a statutory harbourfront authority and would explore the proposal with HC, with a view to formulating a framework in 2012 as a foundation for further work. It stressed that it adopted an open attitude towards suggestions on the authority's jurisdiction, management and financing models; and if it was decided that the authority would be established, a relevant bill would be introduced to LegCo for scrutiny.

10. At the Council meeting of 14 July 2011, a debate was held on a motion on perfecting harbourfront planning and management in all districts of Hong Kong, including establishing a statutory harbourfront body and recruiting professionals to coordinate and implement strategic harbourfront development. The motion moved by Prof Hon Patrick LAU as amended by Hon WONG Kwok-hing, Hon KAM Nai-wai, Hon IP Kwok-him and Hon Tanya CHAN was passed. The wording of the motion passed is in **Appendix II**.

³ Details about the deliberations of the Subcommittee are available in its report to DEV Panel at the following link: http://www.legco.gov.hk/yr11-12/english/panels/dev/dev_hfp/reports/dev_hfpcb1-59-e.pdf

11. In studying the proposal of establishing a statutory harbourfront authority in Hong Kong, HC had asked the Harbour Business Forum⁴ to conduct a research on overseas waterfront management authorities to better understand the success factors of these authorities and the challenges they faced. On 4 June 2012, HC released a press release⁵ expressing firm support to the proposal to establish a dedicated statutory harbourfront authority to design, develop, operate and manage harbourfront projects in a holistic manner with a creative mindset, flexible framework and entrepreneurial culture.

12. The Chief Executive announced in the 2013 Policy Address that the Administration welcomed HC's proposal for setting up a dedicated statutory harbourfront authority. The Development Bureau would collaborate with HC in conducting public consultation on the proposal. If the proposal was supported by the public, the Administration would take forward the legislative work and provide the financial support.

Public Engagement Exercise

13. The Development Bureau collaborated with HC to launch a two-phase Public Engagement ("PE") Exercise to gauge public views on the establishment of the harbourfront authority. The Phase I PE was launched between October 2013 and January 2014 to understand the public's aspirations towards the Victoria harbourfront; whether the existing harbourfront development and management model could meet their aspirations; whether a dedicated harbourfront authority should be set up; and if so, which model was more suitable for Hong Kong.

14. During the Phase I PE, DEV Panel was consulted on the subject at its meeting held on 22 October 2013. Members of the Panel expressed support for the establishment of a statutory harbourfront authority. Nevertheless, they were concerned about the terms of reference, institutional setup, financial arrangements and composition of the authority. They also enquired about the delineation of the responsibility of the harbourfront authority and other Government departments/statutory bodies, and the harbourfront sites to be put under the management of the authority.

⁴ Launched in June 2005, the Harbour Business Forum is a business alliance with more than 120 business members and functions primarily as a research driven think tank with an aim to promoting harbour development.

⁵ The press release can be downloaded at the following link:
<http://www.info.gov.hk/gia/general/201206/04/P201206040469.htm>

15. The Administration responded that it did not have a pre-determined position on the detailed framework of the authority at that stage. It would listen to public views before putting forward concrete proposals for further discussion in the Phase II PE. Regarding the sites to be allocated to the harbourfront authority, the Administration considered that a gradual approach was preferable, as this would help build up the authority's experience and win the public's trust, and the new Central harbourfront might be a starting point for the work of the authority.

16. After the completion of the Phase I PE, the public views received were consolidated. According to the Administration, the views collected indicated that the existing harbourfront development and management model was inadequate in delivering the public's aspirations and the agreed vision for the Victoria harbourfront. There was also general support to establish a dedicated harbourfront authority, though different views were expressed on the exact model to be adopted. For example, there were diverse views on whether the proposed harbourfront authority should be supported by an independent executive arm or a multi-disciplinary Government office⁶.

Latest development

17. The Development Bureau and HC jointly launched the Phase II PE Exercise on 25 September 2014. It will last for three months until 24 December 2014. Public views are sought on the vision, objectives and functions of the proposed harbourfront authority, allocation of harbourfront sites to the authority and its financial arrangements.

18. The Administration will report to DEV Panel on 25 November 2014 the results of the Phase I PE and consult members on the detailed proposal of establishing a harbourfront authority.¹³

Relevant papers

19. A list of relevant papers with their hyperlinks is in **Appendix III**.

Council Business Division 1
Legislative Council Secretariat
21 November 2014

⁶ Sources: The Government's press release issued on 25 September 2014 (<http://www.info.gov.hk/gia/general/201409/25/P201409250711.htm>) and the Phase II PE Consultation Digest

Terms of reference of the Harbour Commission

The Harbourfront Commission is set up to:

- (a) play an advocacy, oversight and advisory role in the envisioning, planning, urban design, marketing and branding, development, management and operation of the harbourfront areas and facilities on a continuous and ongoing basis;
- (b) exercise overall coordination and monitoring role of harbourfront planning, urban design, development and management to ensure effective integration of these major aspects; and
- (c) foster and encourage the development, management and maintenance of the harbourfront through a wide range of contractual entrustment/partnership arrangements with the private sector (including the community, social enterprises and non-governmental organisations).

Source: http://www.hfc.org.hk/en/terms_of_reference/index.html

(Translation)

**Motion on
"Perfecting harbourfront planning and management
in all districts of Hong Kong"
moved by Prof Hon Patrick LAU Sau-shing
at the Legislative Council meeting of Wednesday, 13 July 2011**

**Motion as amended by Hon WONG Kwok-hing, Hon KAM Nai-wai,
Hon IP Kwok-him and Hon Tanya CHAN**

That, given that Hong Kong's harbourfront development strategy always plans only one step ahead, and government departments follow different policies on the use of harbourfront land, displaying a lack of foresight and failing to progress with the times, this Council urges the Government to adopt the following measures to perfect harbourfront planning and management in all districts of Hong Kong:

- (a) to make reference to appropriate overseas experience to formulate a forward-looking and comprehensive strategic harbourfront development policy, a development plan and a timetable for implementation with the objective of harbourfront beautification and greening;
- (b) to establish a statutory body and recruit professionals to co-ordinate and implement strategic harbourfront development; formulate harbourfront development master plans for all districts of Hong Kong; organize open competitions on harbourfront design; construct harbourfronts of different styles by integrating the special features of various districts and dovetailing with community characteristics, and undertake a comprehensive planning for the provision of convenient, easily accessible and three-dimensional harbourfront connective networks, so as to link up fragmented harbourfronts and connect them to the communities in the vicinity;
- (c) through the public-private partnership approach, to proceed with continuous monitoring, public engagement and private development throughout the process from strategy formulation and design concept to operational management; encourage public engagement in the planning consultation for harbourfront community construction, and

provide public space in private development projects, with a view to providing local community residents with harbourfront community facilities that suit their needs;

- (d) to support tourism-based harbourfront development, provide high quality tourism facilities that are convenient and attract visitors, including various forms of water transport, and promote diversified leisure water sports, for example, the provision of vessel berthing spaces, water sports rafts, hydroplane and seafood restaurants, etc.;
- (e) to fully utilize harbourfront resources for holding a diversified range of tourism, recreational and festive events, such as international or local mega events such as dragon boat races, boat shows and cross-harbour swimming competitions, etc., with a view to boosting local community economy;
- (f) through harbourfront improvement plans, to revitalize and develop afresh decommissioned old piers and support the development of the local community economy;
- (g) with a view to dovetailing with the plan of harbourfront beautification and greening, and optimizing the precious natural endowment of Hong Kong's harbourfront, the top echelons of the Government should co-ordinate various government departments as early as possible to expeditiously formulate planning and make proper arrangements for the various existing waterfront urban public environment facilities, so as to turn negative factors into positive factors, and in turn revitalize to the fullest extent the various existing public facilities to dovetail with the new strategic development of the harbourfront; and
- (h) to manage harbourfronts with sustainable modes of financial operations;
- (i) when adopting the public-private-partnership approach for putting harbourfront construction and management under private development projects, to ensure that harbourfronts are accessible, and the public can freely enjoy harbourfronts without unreasonable restrictions; and
- (j) to expeditiously resolve the problem of harbourfront areas being used by public facilities or falling within privately-owned land, so that more harbourfront lands can be linked up to form harbourfront promenades for public enjoyment;

- (k) in the spirit of 'Harbourfront for the People', to build the two sides of the Victoria Harbour into a world-class harbourfront area, give a makeover to the shorelines of Hong Kong Island and Kowloon Peninsula on the two sides of the harbour and energize community connections for showing the distinctive vitality and scenery of Hong Kong's Victoria Harbour; and
- (l) under the people-based principle, to construct a harbourfront promenade stretching from Kennedy Town to Chai Wan, and build infrastructures along the harbourfront promenade, including revitalizing Western Wholesale Food Market, preserving Fenwick Pier in Wan Chai, developing Causeway Bay Typhoon Shelter and connecting it with Victoria Park, constructing a cycling park at North Point Ferry Pier, building a cultural and recreational district in Quarry Bay, revitalizing Shau Kei Wan Wholesale Fish Market and the shipyards nearby, constructing a water sports centre in Chai Wan, and constructing a 'new harbourfront promenade in Kowloon' linking up Lei Yue Mun, Kai Tak, To Kwa Wan, Hung Hom, Tsim Sha Tsui as well as Sham Shui Po and cutting through the West Kowloon Cultural District;
- (m) in the course of harbourfront planning and management, to give appropriate consideration to the needs of the shipping, cruise and ferry industries, so as to take advantage of the harbour;
- (n) to provide appropriate ancillary facilities for the public to make good use of harbourfronts for conducting various community recreational activities; and
- (o) to perfect effluent treatment and sewage systems, so as to improve the water quality of the harbour and harbourfront views.

Appendix III

The proposal of establishing a harbourfront authority

List of relevant papers

Meeting/event	Date	Paper
Council meeting -- a motion on "Perfecting harbourfront planning and management in all districts of Hong Kong" was debated and passed	14 July 2011 15 July 2011	<p>Hansard (14 July 2011) (p. 14466 - 14487) http://legco.gov.hk/yr10-11/english/cou_nmtg/hansard/cm0714-translate-e.pdf</p> <p>Hansard (15 July 2011) (p. 14493 - 14538) http://legco.gov.hk/yr10-11/english/cou_nmtg/hansard/cm0715-translate-e.pdf</p>
The Subcommittee discussed with the Administration the progress of the harbourfront enhancement initiatives and the way forward	19 July 2011	<p>Administration's paper on "Update on Harbourfront Enhancement Initiatives and the Way Forward" (LC Paper No. CB(1)2726/10-11(01)) http://legco.gov.hk/yr10-11/english/panels/dev/dev_hfp/papers/dev_hfp0719cb1-2726-1-e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)2926/10-11) http://legco.gov.hk/yr10-11/english/panels/dev/dev_hfp/minutes/hfp20110719.pdf</p>
The Subcommittee submitted its final report to the Panel on Development	14 October 2011	<p>Subcommittee Report (LC Paper No. CB(1)59/11-12) http://legco.gov.hk/yr11-12/english/panels/dev/dev_hfp/reports/dev_hfpcb1-59-e.pdf</p>

Meeting/event	Date	Paper
The Subcommittee submitted its report on its duty visit to study the experiences of Boston, New York and Vancouver in harbourfront planning and development to the House Committee	21 October 2011	Subcommittee Report (LC Paper No. CB(1)80/11-12) http://www.legco.gov.hk/yr11-12/english/hc/papers/hc1021cb1-80-e.pdf
Council meeting	26 October 2011	Hansard -- written question (No. 9) on "Development of Harbourfront Promenades" (p. 571 - 574) http://legco.gov.hk/yr11-12/english/coumtg/hansard/cm1026-translate-e.pdf
Harbourfront Commission's press release on the proposed establishment of a harbourfront authority in Hong Kong	4 June 2012	Press release http://www.info.gov.hk/gia/general/201206/04/P201206040469.htm
Council meeting -- The Chief Executive delivered the 2013 Policy Address	16 January 2013	2013 Policy Address http://legco.gov.hk/yr12-13/english/panels/1213policy-e.pdf
Panel on Development	22 October 2013	Administration's paper on "Proposed Establishment of a Harbourfront Authority -- Phase I Public Engagement Exercise" (LC Paper No. CB(1)65/13-14(04)) http://www.legco.gov.hk/yr13-14/english/panels/dev/papers/dev1022cb1-65-4-e.pdf Minutes of meeting (LC Paper No. CB(1)352/13-14) http://www.legco.gov.hk/yr13-14/english/panels/dev/minutes/dev20131022.pdf