

## THE HONG KONG URBAN DESIGN ALLIANCE - VIEWS ON THE HARBOUR RECLAMATION QUESTION

*The Hong Kong Urban Design Alliance (UDA) is composed of the two founding Professional Institutes in Hong Kong, the Institute of Architects, and the Institute of Planners. Representatives from both Institutes sit on the Standing Committee of the Alliance and all members of this have contributed to these following views.*

*The UDA has adopted a number of specific objectives, including promoting the importance of urban design as a means to deliver better and more sustainable environment, and enhancing the public's understanding, awareness and perception of urban design issues. In adopting these objectives it seeks to enhance the public realm of Hong Kong through urban design, and elevate its status as a world city.*

*In the wake of the Interim Injunction decision on the Central Reclamation, we feel that this is an opportune time to make our views known.*

### The Central Issue

**Too much of the current emotional debate has concentrated on 'saving' or 'preserving' the harbour, rather than enhancing its attributes for the good of Hong Kong – its community, visitors and tourists. In fact the potential to create a vibrant and people-friendly waterfront represents a remarkable and almost unparalleled opportunity, given to few cities at any time in their history, to facilitate properly considered design initiatives for the benefit of the people. Reclamation needs to be viewed in a positive light.**

This involves a number of important considerations which we address below. These need to be considered in the context of improving the environment of the city as a whole.

### What Reclamation Must Accomplish

The harbour is a major amenity and the need for reclamation must not only be proven, but its emphasis must be on works that enhance the overall environment of the waterfront, and return it to the people by developing:

- a continuous pedestrian environment which allows easy access to and from surrounding districts; and
- a range of leisure, recreational, and well designed and integrated commercially operated attractions – outdoor cafés, festival markets, kiosks, shaded sitting areas, cultural facilities such as a maritime museum, and other water-related uses and features.

To accomplish this need not involve large amounts of land – the intention is to achieve linked areas of interest, character and contrast, not featureless open areas.

**There is, first and foremost a need to establish public trust. This is a significant factor in Hong Kong at the present time – and perhaps not without reason. With regard to the case in point there are various needs that must be resolved:**

#### *A Need for Urban Design to take priority over Short-Term Expediency*

- Reclamation in recent years has been very poorly handled. Engineering expediency and 'land sales' criteria have tended to prevail over good urban design. Pedestrian access to the waterfront is very limited, and is generally overwhelmed by the priority given to traffic circulation. Landmark buildings of outstanding design may enhance the city image if they are placed in carefully selected locations where their masses can complement the overall city form. However, in Hong Kong over-scaled tall buildings have been allowed to be built in juxtaposition with the waterfront, which overly-dominate the harbour, and serve to obliterate the important backcloth of the Victoria Peak natural ridgeline against which the harbour is set.

**There is a need to consider some new form of control for harbour development, possibly a Harbour Authority similar to that operating in Sydney, that can control overall design and implementation, and ensure that public values are not overwhelmed by pro-development and expedient policies.**

#### *A Need for Better Public Information and Consultation*

- There is a strong sense in the community that, despite some public consultation, the consultative process on planning matters is largely window dressing. While the public are becoming more environmentally aware, community values are inadequately sustained. The alarmist declarations of the 'Protection of the Harbour' lobby are itself reflective of a lack of clear communication of government plans and intentions to the wider public. It is also due to inadequate involvement by the community in the planning process, since the credibility of any plan

depends on its acceptance by the people. However this works both ways. If the public's views are to have real meaning and value, then it is surely disingenuous of the Protection of the Harbour Lobby to claim a 'people's mandate' which is based on outdated and misleading information, seeking to create the impression that government is actively planning to reduce the harbour to a narrow channel. These views also appear to reflect something of a 'conspiracy theory' that the plan has been driven by an undeclared intention to ultimately develop space on any new waterfront for intensive development. To this end, the government has declared that this is not the case.

**There is a need for government to commit itself to a comprehensive harbour policy – to produce plans and proposals that are in line with its 'world city' objectives. The public should be given the widest possible opportunity to participate.**

#### *A Need for Clarification of 'Tests' to justify Reclamation*

- Under clause 95 of the 48-page judgement the court has outlined three clauses that it argued should be applied as 'tests' to assess the justification for reclamation. These comprise: Compelling overriding and present need; No viable alternative; and Minimum impairment

**The problem with the 'tests' is that they are very difficult to apply, are too difficult to evaluate in terms of 'quality', and lean towards projects that are infrastructure led. Thus, instead of providing meaningful guidance on the legal status of harbour reclamation the court decision has created further confusion which needs clarification in the forthcoming judgement by the Court of Final Appeal.**

#### *A Need for Credibility in Relation to Proposals*

- There is too often a lack of clarity in government thinking as it is transmitted to the public and even to professional bodies. There is therefore a significant 'credibility' gap between a stated 'intention', and how this might work in practice. Even to professional planners, architects and urban designers there is often confusion as to government decision-making, (or lack of it) with regard to reclamation sites. We have two recent examples that continue to cause confusion and controversy – the proposal to put a government office complex on the Tamar site, and the indeterminacy with regard to the West Kowloon Competition Site.

**There is a need for a greater consensus-building process when dealing with important harbour front sites, and clarity of thought and commitment in developing specific proposals.**

#### *A Need for More Refined Design Tools*

- Government's planning tools are crude in terms of setting out clear urban design intentions. They are also too often target rather than quality oriented. Even detailed urban design studies which are imaginatively prepared as part of multi-disciplinary studies are translated by government into Outline Zoning Plan frameworks according to a limited range of zoning categories, so that the three-dimensional and spatial characteristics effectively disappear. Under the current process there are no means of controlling the development outcome to creatively achieve the underlying design intention.

**There is a need for more responsive planning and urban design mechanisms that can properly convey wide design and environmental dimensions so that their full potential can be recognised and understood by everyone.**

#### *A Need for Considered Interpretation of Legislation*

- There is a need for a more considered and thoughtful interpretation of those Ordinances that have a strong *qualitative* aspect requiring careful consideration, so that *all* rather than *some* criteria are met. Whilst the Protection of the Harbour Ordinance and the Environmental Protection Ordinance were passed by Legco for the right reasons, they have both led to poor interpretation.

**There is a need for a greater degree of collaboration between all parties and interests in evolving comprehensive proposals for a harbourfront that reflects sustainable priorities. While government procedures as we have set out above need a radical overhaul, there is a need for positive ideas that can genuinely provide for a better, more useable and more accessible harbourfront.**