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Panel on Development

Meeting on 22 October 2013

**Background brief on the proposal of
establishing a statutory 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 the Subcommittee on Harbourfront Planning under the Panel on Development ("the DEV Panel") since the 2009-2010 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 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 report¹ in January 2010 recommending the establishment of a non-statutory, advisory Harbourfront Commission ("HC") to replace HEC to advise the Administration on harbourfront planning, design, management and other related matters with the objective of fostering and facilitating the development of the Victoria harbourfront.

5. According to TGMMH's report, the Task Group recognized that a major challenge in harbourfront enhancement work at the time lied in the effective resolution of conflicts among various government objectives and mandates. Another challenge was the incompatible land uses of harbourfront sites inherited from the past, including some in private ownership. In view of these two considerations, 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. However, TGMMH suggested that in the long run, the Administration could establish an independent, statutory and dedicated authority 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. HC has 20 non-official members and six official members. The terms of reference of HC is at **Appendix I**. Four task forces, namely the 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 set up to propose short, medium and long-term enhancement options for the action areas² and Victoria Harbour in general.

¹ TGMMH's report can be downloaded at the following link: http://www.harbourfront.org.hk/hec/eng/meetings/doc/agenda100218/Paper3_2010.pdf

² The 22 action areas on both sides of Victoria Harbour 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.

The proposal of establishment of a statutory harbourfront authority

7. Over the years, the DEV Panel and its precedent, 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 DEV Panel meeting on 25 November 2008, members agreed to form the Subcommittee on Harbourfront Planning ("the Subcommittee") to monitor the Administration's work in harbourfront planning and to study planning, land use and related issues in respect of the harbourfront areas on both sides of Victoria Harbour. The Subcommittee has studied various models of harbourfront development and management authorities through various researches as well as conducting 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 have requested the Administration to study the following issues during the preparation for setting up the statutory harbourfront authority:

- (a) whether the authority would have adequate legal power to undertake its work, in particular whether it would have statutory power to resume land for harbourfront enhancement;
- (b) the timetable for setting up the authority;
- (c) the jurisdiction of and funding for the authority;
- (d) the authority must set up concrete objectives to convince LegCo Members and the public that its establishment would bring substantive benefits to the development of the harbourfront.

9. The Administration responded to the Subcommittee 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

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

framework in 2012 as a foundation for further work. It stressed that it adopted an open attitude towards suggestions on the authority's jurisdictions, 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**.

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.

Latest development

13. The Administration launched the Phase 1 public engagement exercise for the proposed establishment of a harbourfront authority on

⁴ Harbour Business Forum was launched in June 2005. It is a business alliance with more than 120 business members and functions primarily as a research driven think tank with aims to promote harbour development.

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

4 October 2013 for three months and will consult the DEV Panel on the subject at the meeting on 22 October 2013.

Relevant papers

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

Council Business Division 1
Legislative Council Secretariat
17 October 2013

Appendix I

The terms of reference of the Harbour Commission are:

- (i) to 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;
- (ii) to exercise overall coordination and monitoring role of harbourfront planning, urban design, development and management to ensure effective integration of these major aspects; and
- (iii) to 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 organizations (NGO)).

Source: Website of the Harbourfront Commission:

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.

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List of relevant papers

Date of meeting	Event	Papers/Minutes of meeting
2 July 2010	The Subcommittee discussed with the Administration the progress of the harbourfront enhancement initiatives and the way forward	<p>Information paper on Harbourfront Enhancement -- Concluding Past Experience and Charting the Way Forward (LC Paper No. CB(1)2367/09-10(01)) http://legco.gov.hk/yr09-10/english/panels/dev/dev_hfp/papers/dev_hfp0702cb1-2367-1-e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)2775/09-10) http://legco.gov.hk/yr09-10/english/panels/dev/dev_hfp/minutes/hfp20100702.pdf</p>
14 July 2011 15 July 2011	Legislative Council meeting -- a motion on "Perfecting harbourfront planning and management in all districts of Hong Kong" was debated and passed.	<p>Official Record of Proceedings (14 July 2011) (pps.14466 - 14487) http://legco.gov.hk/yr10-11/english/counmtg/hansard/cm0714-translate-e.pdf</p> <p>Official Record of Proceedings (15 July 2011) (pps.14493 - 14538) http://legco.gov.hk/yr10-11/english/counmtg/hansard/cm0715-translate-e.pdf</p>

Date of meeting	Event	Papers/Minutes of meeting
19 July 2011	The Subcommittee discussed with the Administration the progress of the harbourfront enhancement initiatives and the way forward	<p>Information paper on an 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>
21 October 2011	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	Subcommittee Report http://www.legco.gov.hk/yr11-12/english/hc/papers/hc1021cb1-80-e.pdf
14 October 2011	The Subcommittee submitted its final report to the Panel on Development	Subcommittee Report http://legco.gov.hk/yr11-12/english/panels/dev/dev_hfp/reports/dev_hfpcb1-59-e.pdf
26 October 2011	Legislative Council meeting -- a written question on development of harbourfront promenades	Official Record of Proceedings (pps. 571 - 574) http://legco.gov.hk/yr11-12/english/counmtg/hansard/cm1026-translate-e.pdf

Date of meeting	Event	Papers/Minutes of meeting
4 June 2012	Harbourfront Commission's press release on the proposed establishment of a harbourfront authority in Hong Kong	Press release http://www.info.gov.hk/gia/general/201206/04/P201206040469.htm
16 January 2013	Legislative Council meeting -- The Chief Executive delivered the 2013 Policy Address	2013 Policy Address http://legco.gov.hk/yr12-13/english/panels/1213policy-e.pdf