



香港城市設計學會
Hong Kong Institute of Urban Design

Hong Kong Institute of Urban Design (HKIUD)

Public Affairs Committee

Comments on the Proposed Establishment of a Harbourfront Authority **Phase II Public Engagement**

I. Overview -

1. In general, we endorse the proposal of setting up a Harbourfront Authority (HFA). However, we consider that a cautious approach should be taken in the implementation, with enlightenment from experiences of other statutory authorities set up before. In gist, a balance is needed between operational efficiency / expedience and variety / sophistication on the one hand, and financial viability from the service provider side and affordability from the users end. Regarding its accountability, besides being expected to be responsible to the Director of Audit, the LegCo and to the public, as suggested in the PE document, the HFA should be people and market sensitive, and action oriented, i.e. its performance should meet social objectives instead of just financial pursuits.
2. Secondly, it is commonly noted that the current compartmentalized department structure often barred innovative and proactive efforts to energise our waterfront. The present Harbourfront Commission is mainly advisory and does not have executive power or resources. However, in tendering its advice, it follows the Harbour Planning Principles and Harbour Planning Guidelines. The HFA should make reference to these well-tried principles and guidelines, whilst it should aim at further possible enhancement. It is also expected to cut through red tapes and be more efficient by pooling different disciplines and talents together, it needs to be ensured that areas of responsibility would not overlap with or duplicate that of the original responsible department or board/committee.
3. Given likely constraints in financial resources, the HFA's structure must not be highly sophisticated / bureaucratic to become a burden in itself, and actions have to be prioritized. Under such light, we wish to see at its early stage, a comprehensive plan for the whole harbourfront and a strategy of implementation in order that we could move on sustainably under the general direction.
4. More detailed comments are elaborated below.

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II. Scope

5. Whilst we appreciate the importance of protecting, preserving and enhancing Victoria Harbour under the Protection of the Harbour Ordinance (PHO), the Ordinance is so rigid that even very minor but meaningful projects (e.g. one which would soften the hard edge of the shoreline) that touch on the water body cannot be implemented. This substantially constrained the potentials of the waterfront. We hope that one of the tasks that the HFA would undertake is to tackle this by spearheading a review to the PHO, to make the Victoria Harbour waterfront benefit this world city.
6. Different landuses and activities compete for the water front. In order that the HFA could suitably determine which are compatible with the others or to be relocated elsewhere, it needs an overall picture or Masterplan for the whole harbour. The HFA should also carry out a trawling exercise and strategic environmental assessment covering the whole waterbody within the Harbour limits to identify the potentials and constraints of all the areas. Functions of a “working harbour” and that of a “recreational harbour” are not entirely compatible, but both are important to Hong Kong. The HFA should consider readjusting the spatial distribution of these uses. It might probably have greater authority in dealing with Government owned land, properties and installations, but if private property is involved, it needs to review whether existing laws and measures are adequate and if not, how to enhance the mechanisms or even the need for new legislation.
7. The HFA should also be empowered to coordinate and administer water/ land interface developments and activities. This is where departmental and policy responsibilities are particularly unclear at present. For example, proposals of water sports, ferry and water taxi services which straddle several policy areas would easily be thwarted.
8. Whilst access to the harbourfront and pedestrian environment should be enhanced, Government should assist to provide /upgrade links from areas where more people reside, outside the boundary of HFA’s purview.

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III. Quality

9. The quality of the design and spaces at the harbourfront is even more important than the amount of open spaces so created. The Harbourfront Enhancement Committee (HEC) has already set out useful guidelines, under some 19 broad headings. All these (not just the section with the heading “urban design”) are relevant considerations conducive to good urban design, place making and quality public space. The HPP and HPG should be consolidated and enhanced as appropriate in HFA’s work.
10. Different stakeholders and users have different needs and aspirations. Harbour and harbourfront planning should not only be made for tourists. It should meet the needs of our community comprising people of different ages. For example, some of our younger members prefer to see a continuous cycle track on the north shore of Hong Kong Island, some other members would like to see the provision of more boating facilities. The common aspiration is to be close to the water. Thus, water quality and environmental protection should also be high on HFA’s agenda.
11. The waterfront space provides the setting for the activities, performances, exhibitions, etc. which add up and contribute to the quality of the space and quality of life. Some stakeholders like the place to be more vibrant, some may like to be more relaxed. The HFA should cater for both, through advocacy, sensitive designs and creative thinking.

IV. Knowledge and skills

12. Whilst the HFA board should be relatively small in size, it is important to have sufficient professional and technical support through the committees and a multi-disciplinary executive team, as well as partnering with professional institutes like the HKIUD.
13. Local talents and the community should be engaged and encouraged to participate in design and operations. Instead of applying a standard design throughout, the local knowledge and culture may be a useful resource to inspire the designs to give meaning and uniqueness to different parts of the harbourfront, adding to possible choices and vibrancy.
14. To encourage innovation, emphasis should be given to originality and creativeness as against the factor of tender prices in tendering procedures. Ideas competitions and design charrettes should also be organized.

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V. Land and Financial matters

15. We agree that HFA should not be allowed to sell off any land vested to it. As regards which parts should be vested to HFA, we have no objection to the proposed vesting in general and consider that it is a matter of priority, taking into consideration their relative constraints. Pending the actual start of permanent development on vested sites, which may have to take into consideration a possible Master Plan or strategic plan for the whole harbourfront, some temporary or quick-win projects can be undertaken on these sites - at least to mitigate some current environmental nuisances or further deterioration.
16. Working with the District Councils and the community, local action area plans, could be devised to put a marker down for certain stretches of the harbourfront for projects utilizing the 'signature project' scheme funding.
17. The HFA should not be under pressure to increase commercial elements to break even at the expense of public benefits. Whilst commercial uses including cafés boutique shops, galleries, etc. may be incorporated, their purpose should be to serve and be part of the variety of activities adding to the vibrancy appropriate to the harbourfront. The HPP and HPG guidelines should apply as well in that massive buildings of excessive height and dimensions at the waterfront hindering air ventilation and visual permeability shall be avoided.
18. The overall enhancement of the harbourfront would add value to the city as a whole and financial benefits to sites near the waterfront. Additional property and rates tax revenues would accrue to Government though they are not directly ploughed back to HFA.

VI. HFA's roles -

19. In some instances, HFA may act like a developer and a "land owner" (though the land is vested to it specifically for harbourfront related projects and cannot be sold to others). In some other instances, HFA may act like a regulator and "gate keeper" on projects submitted by other parties within its vested land. In yet other instances, HFA might wish to express its views on projects on land adjacent to itself. There thus appears to be some potential conflict of interest.

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20. To alleviate these concerns about possible “conflict”, first of all, HFA should not be taking over the statutory planning role of TPB. HFA would have to act like other stake holders and developers on an equal basis. The present HC has a “role” of providing “advice” to TPB, but HFA would have to make “representations” under the Town Planning Ordinance if it does have dissenting views. The decision on each application case rests with the TPB like before anyway. Vice versa, other parties could make representations against planning applications that HFA submit to TPB.
21. For project proposals from other parties within HFA’s vested land, HFA could make decisions as long as it is within its remit, but if planning permission is required, it would still have to go through the statutory planning process. In order to facilitate HFA’s development and operation, it may be useful to consider giving a comprehensive zoning to the vested sites with sufficient flexibility to minimize the steps of planning applications in future. To alleviate possible distrust, this should be preferably done after a comprehensive Masterplan has been made public.
22. It is also obvious that there is no need for retaining the HC when the HFA has been set up, to minimize duplication of effort.
23. All in all, it is good to have a devoted body to cut across different disciplines in dealing with the highly complex harbourfront issues. Nevertheless, there may also be a need for a suitable check and balance mechanism at the same time, e.g. an independent appeal board, etc. to see that fairness and justice is done, particularly there appears to be concerns about HFA’s roles in being “developer” and “gate-keeper” at different times.

ENDS

HKIUD-PAC
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