



香港建築師學會
The Hong Kong Institute of Architects

Our ref. : BLA/HK/AF/cw/1412

By Post

24 December 2014

Mr Nicholas Brooke
Chairman
Harbourfront Commission
17/F, West Wing, Central Government Offices
2 Tim Mei Avenue
Tamar
Hong Kong

Dear Mr Brooke

**Phase II Public Engagement Exercise for the
Proposed Establishment of a Harbourfront Authority**

The Hong Kong Institute of Architects welcomes the initiative by the Government to establish a new administrative framework for managing Harbourfront planning matters in a holistic manner under the proposed Harbourfront Authority.

The Institute generally agrees with the proposed Key Objectives and Functions of the proposed Harbourfront Authority as listed out in the Stage II Public Engagement Digest, but the Institute sincerely requests the Government to further consider and clarify the issues as detailed in the enclosed paper.

Yours sincerely

Ada Y S FUNG JP FHKIA RA APEC Architect
President

Encl



香港建築師學會
The Hong Kong Institute of Architects

Written Submission on Phase II Public Engagement Exercise for the Proposed Establishment of a Harbourfront Authority

The Hong Kong Institute of Architects (HKIA) welcomes the initiative by the Government to establish a new administrative framework for managing Harbourfront planning matters in a holistic manner under the proposed Harbourfront Authority (HFA).

The HKIA generally agrees with the proposed Key Objectives and Functions of the HFA as listed out in the Stage II Public Engagement Digest (PE Digest), but would require the Government's further consideration and clarifications on the issues below :-

1) On Definition of Victoria Harbour Front

The definition of Victoria Harbour Front in the PE Digest shall be more definitive including extent of how far inland that HFA may have authority on or whether HFA can work on projects that encompass the "Harbour" itself. The HKIA believes that harborfront is comprised of two parts – land and sea. Both are indispensable. No one can design one without consideration of the other. It would not be conceivable that the future HFA would only have jurisdiction on the land part and not the immediate adjacent sea part.

2) Golden Opportunity to Clarify on Reclamation

Ever since the enactment of the Protection of Harbour Ordinance, reclamation has been a delicate issue clouded with much confusion and skepticism amongst the legal professionals and public officers, especially after the ruling of the Supreme Court in 2003. For a full decade, waterfront development has been severely stifled. Victoria Harbour and Harbourfront belongs to all Hong Kong people and shall not be "dictated" by a small group of people. If the HFA were to be established with a corresponding new Ordinance, it would be a golden opportunity to put things right. Reclamation should be defined in a much clearer manner and any bona-fide marine needs and utilization should be taken into consideration. Harbour and Harbour Front are seamlessly connected, any plans along the Harbour Front should be considered along with the water adjacent to it. We believe Harbour Front plans are doomed to fail if the water body or possible structures within the water body are inadvertently ignored.

3) On Mechanism to select projects and contents of the projects

HKIA believes that at the onset of setting up of HFA, there should be a very clear project selection mechanism, in order to strike a fine balance between public interest, financial viability, urban design, socio-economic spatial equity and environmental sustainability. We believe that whenever there are land parcels allocated to the authority, there should be a process of inviting public views on desirable functions, technical studies on diverse options by professionals and further public consultations on option review and selection before a project is finalized for development, as well as the time-frame for development because public views and sentiment may change over a period of time.

Though HKIA champions the need for HFA to listen to public demands, we strongly believe that the HFA need to exercise its professional judgment and not be led by petite populism or political agenda. How this professionalism could be effectively upheld and not be compromised for other non-professional considerations might have a bearing on the composition of the HA Members/Directors and other working committees. We welcome the suggested Board Composition in the PE Digest to include "Professionals" and urge that these professional members should be relevant to HFA's objectives, should not be a minority and that the selection process be transparent.



香港建築師學會
The Hong Kong Institute of Architects

Written Submission on Phase II Public Engagement Exercise for the Proposed Establishment of a Harbourfront Authority (cont.)

4) On Harbourfront Design and Diversity

HKIA welcomes the initiative set out in PE Digest that there should be a balance of portfolio of projects that may be able to generate income while others may have minimal or no commercial elements which could be financial draining. We believe diversified activities are essential for a vibrant Harbour Front; as such, every sizable project should have a balance of commercial and civic activities and for enjoyment of multiple sectors of the society. We do not see the advantage of splendid segregation by having some purely commercial-centric projects while others are purely civic that would add financial burden to the public purse.

We also welcome the initiative that sites allocated to HFA should not be privatized while sub-letting and sub-leasing are allowed. We, however, urge that the “planning and design” process should be more aptly placed under the ambit of HFA rather than resting on the prospective operators as in the traditional “Build, Operate and Transfer” models. It is essential that the “design” elements be controlled by HFA in order to achieve better integration for the multiplicity and balance in commercial and civic activities as mentioned above.

5) Other Industry Aspirations and Inter-departmental Hierarchy and Relationships

Apart from formulating the new Ordinance for the proposed HFA, it will be important that existing practices by other Authorities would also be reviewed in a holistic manner at a policy level. For example, whether cycling should be encouraged at the waterfront; whether waterfront promenade should be accountable for means of escape and prescribed window calculations for the adjacent private developments; and whether more retail elements should be encouraged to provide utility and amenity to the waterfronts. Only then would a Water Front be truly vitalized and rationalized for the enjoyment of the public.

One central question the PE Digest has failed to address is the inter-departmental hierarchy and relationships. On waterfront matters, apart from the proposed HFA, there are the usual stakeholders (DLO, LCSD, District Councils, TD, CEDD, etc.). While the proposed HFA is aimed to devote itself to the betterment of the Harbour Front designs, HKIA is concerned that the same noble objective might not be of prime concern of other administrative departments, which may result in inter-departmental bottlenecks and/or miscommunications. As such, it is of paramount importance to clearly lay down the mandate and scope of responsibility in an administratively efficient, holistic and effective manner.