

保 護 海 港 協 會

Society for Protection of the Harbour

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25th November 2009

The Honourable Chief Executive,

**Re: Central Reclamation – Questions for Government
Response to Government’s Press Release dated 17th November 2009**

We respectfully draw your attention to our enclosed Letter to the Editor which was published in the South China Morning Post yesterday and by which our Society questioned the new plans for the Central Reclamation recently announced by the Secretary for Development (“the Secretary”).

It is only fair for us to mention that our present letter is made public with copies being sent to the editors of newspapers in Hong Kong and to concerned organizations and institutions as our response to the Government’s recent Press Release issued by the Secretary. In the Press Release, the Secretary had accused our Society of publishing an inaccurate publication (“非常失實”), being irresponsible (“不負責任”) and misleading the public (“令到我們的市民覺得被人騙了”).

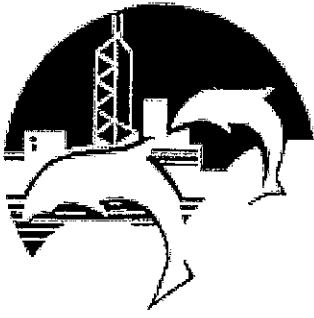
We enclose herewith a copy of the publication of our Society she referred to and reiterate that every single plan, date, figure, word and statement in our publication is accurate and supported by legal and official documentation. Her accusations were serious and unjustified. Unless the Secretary can point out any one inaccuracy in our publication, she owes our Society an apology.

The Government’s following actions since the enactment of the Protection of Harbour Ordinance (“the Ordinance”) in 1997 gives our Society no reason for confidence in the Government:-

1. Despite enactment of the Ordinance, the Government nevertheless gazetted four new reclamations totalling 394 hectares (42,388,096 sq. ft.).
2. Despite protestations by our Society over many years, the Government still sought to proceed with such reclamations and was only stopped because of court orders and judgments obtained by our Society including a Judgment of the Court of Final Appeal.

Harbour Manifesto: To protect and preserve the harbour and enhance the harbour-front to provide a healthy environment and a good quality of life for the people of Hong Kong

維港宣言: 保護及保存維港, 並優化海濱, 為香港市民, 提供一個健康及優質的生活環境



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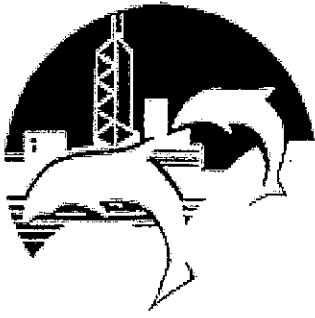
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3. The Government had supported and approved a private reclamation project for commercial interests to build a cruise terminal at Oil Street, North Point.
4. The Government had supported and approved a private reclamation project for commercial real estate development at Yau Tong Wan.
5. Even just last year, the Government had sought to circumvent the Ordinance by the excuse that the proposed reclamations in Wanchai and Causeway Bay were merely “temporary” and was only stopped by a High Court judgment obtained by our Society.
6. The new plans for the Central Reclamation recently announced shows that the Government is still pursuing the policy of selling land reclaimed from the harbour to raise revenue despite the adverse impact of the proposed office and commercial developments on traffic conditions and air quality.
7. The new plan for the Central Reclamation now proposed by the Government disregards and/or contravenes the following:-
 - (a) The reason for the Central Reclamation given by the Government to the public and the law courts, namely, to relieve traffic congestion;
 - (b) The Government’s own Policy Statements “to beautify the harbour” and “to reserve the harbourfront for public enjoyment”;
 - (c) The Vision Statement of the Town Planning Board;
 - (d) The Harbour Planning Principles promulgated by the Harbourfront Enhancement Committee; and
 - (e) The Hong Kong Planning Standard and Guidelines issued by the Government.

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By reason of the above, our Society remains rightly concerned over the protection and preservation of the harbour. Whereas the five gazettals of reclamations pursuant to the Foreshore and Sea-bed (Reclamations) Ordinance remain legally effective, the statements of Government policy and promises by Government officials are not legally binding and can be changed at any time.

For example, the 40 hectares of public park on the West Kowloon Reclamation approved by the Town Planning Board in 1995 has now being rezoned for development and no longer a public park.

Government's Press Releases are important and should have a high degree of credibility. Our Society therefore expects that, in the exalted position as the Government of Hong Kong, the Government will give this matter its prompt attention and will provide our Society and the Hong Kong public a proper response.

Yours faithfully,

Winston K.S. Chu,
Adviser

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