

Infrastructure for Sustainability **Policy Address Submission 2008**

The Conservancy Association



長春社 Since 1968

The Conservancy Association

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Introduction

1. The Chief Executive's 2007 Policy Address was entitled "A New Direction for Hong Kong". The crux of the Policy Address was to undertake "10 Major Infrastructure Projects for Economic Growth":

- The South Island Line
- The Shatin to Central Link
- The Tuen Mun Western Bypass and Tuen Mun-Chek Lap Kok Link
- The Guangzhou-Shenzhen-Hong Kong Express Rail Link
- Hong Kong-Zhuhai-Macao Bridge
- Hong Kong-Shenzhen Airport cooperation
- Hong Kong-Shenzhen Joint Development of the Lok Ma Chau Loop
- West Kowloon Cultural District
- Kai Tak Development Plan
- New Development Areas

2. With one year having elapsed in the HKSAR's third term, it is fair for the community to ask: How far have we traveled in the New Direction of the Chief Executive? Where is it leading us? What is the destination, and what is there along the way?

3. The Conservancy Association has commented on some of these projects. We do not necessarily agree with all of them but we shall continue to contribute our views in a constructive manner. The over-riding question, however, is not of individual projects but whether taken together, these are going to take us to the "New" Hong Kong which the CE is leading us to.

4. The Chief Executive has promised a "New Era" with "sustained prosperity and progress". To lead Hong Kong people along a New Direction to a better Hong Kong is a laudable goal. However, with what has been presented before us, we have not had the assurance that there is indeed a better Hong Kong in the horizon. Will Hong Kong be a better place, with better governance, a better environment, a more prosperous economy, and a more harmonious society? In short, is the CE's New Direction making us all more "enriched" socially, economically, environmentally, culturally and spiritually?

5. We believe that it takes much more than what is put forward in the last Policy Address to set us on course for this "New Direction" towards a better Hong Kong. Putting our criticism aside, the ten infrastructure projects represent only the physical side of what is needed for our future. Hong Kong needs another set of infrastructure – the long-lasting institutions within society – to support our aspirations towards sustainable development. The 2008 Policy Address would be a good opportunity for the CE to make, and take, decisions on these important "sustainability infrastructure" projects.

6. In this Policy Address submission, we propose Ten Sustainability Infrastructure Projects which we believe will help the CE and the HKSAR move along the New Direction – not a New Direction that leads to an uncertain future, but a path towards

sustainability and a better Hong Kong which we can be proud of. The Ten Sustainability Infrastructure Projects are as follows.

- I. Setting up the Conservation Trust
- II. Reform of the Town Planning Ordinance
- III. Reform of the Antiquities and Monuments Ordinance
- IV. Designating the Old City of Hong Kong
- V. A Low-Carbon Declaration and formulating the HKSAR Climate Change Programme
- VI. Developing a territory-wide Electronic Road Pricing system
- VII. Forming a Pact with Guangdong on developing the Circular Economy
- VIII. Fast-tracking the Harbour Area Treatment Scheme
- IX. Enacting a Tree Ordinance
- X. Formulating a Sustainable Development Bill

I. Conservation Trust

7. A Conservation Trust should be established along the lines of the National Trust of the UK. It should cover both nature and heritage conservation. A major task of the Trust should be education but it should also be able to acquire and manage land and properties of ecological and heritage value. The Trust should be established as an independent statutory body, with its legal and institutional status provided for under a Conservation Bill.

8. The government should provide an initial funding of \$3 billion for the Trust. It should also receive funding from the private sector under the private-public partnership approach of the government's conservation policy; in other words, all the conservation projects proposed by the developers, with the associated financial commitment from the developers, should be entrusted to the Conservation Trust. Similarly, the government should entrust the Trust with maintenance of heritage buildings now under government ownership, with the present recurrent funding earmarked for this purpose being channeled to the Trust.

9. It was eight years ago when the Conservancy Association proposed the idea of a Conservation Trust in the Association's policy submission on Hong Kong's conservation policy. To have the Trust materialized will be a true legacy of the Chief Executive, an essential infrastructure for Hong Kong's sustainability.

II. Town Planning Ordinance

10. If there are still many aspects of Hong Kong which the community is proud of, town planning is not one of them. Instead it has been the subject of increasing distress and conflicts. This is because when the economy, society and political systems have all progressed into the 21st Century, Hong Kong's town planning regime is still lagging behind, literally, in the 20th century.

11. The cause of the woeful state of urban planning is the failure of the government and the Legislative Council to adopt the Town Planning Bill drafted in 1999. If the Bill

had been passed, we would now have a Town Planning Board with much greater legitimacy. We would have new statutory planning tools such as Special Design Area (SDA), Environmentally Sensitive Area (ESA) and Designated Developments (DD), with which the overwhelming consensus of professional bodies is that they would improve our town planning and help make our city more sustainable.

12. Our town planning system is malfunctioning, but there is still an opportunity for the government to make up for it. It only has to implement the part of the original bill which the previous government (when the present CE was Secretary for the Administration) had agreed to in 2003 but failed to deliver – the Phase II amendments of the then three-stage plan to reform the Town Planning Ordinance. At the time, the community grudgingly agreed to split the amendments into three phases; the first phase was then presented to the Legislative Council accordingly in 2003, with the promise that the second stage would be implemented in 2004. This was one on which the government has not “get its job done”. It should now be made good.

13. The importance of the town planning regime cannot be emphasized enough. It is one of the most critical infrastructure for a sustainable society. All that needs to be done now is to for the Chief Executive to direct the Administration to present the original “Phase II” amendments – which had undergone thorough consultation – to the Legislative Council.

III. Antiquities and Monuments Ordinance

14. Right after the 2007 Policy Address, the Secretary for Development announced the government’s heritage policy. The Conservancy Association does not opposed to the measures announced there; however, it is obvious that those are stop-gap measures, but not a serious heritage conservation policy. In which world city would the Antiquities Authority be the minister in charge of construction?

15. We accept that the present arrangement may serve some useful purpose of expediency, but it is clearly not sustainable – even the government’s own policy paper last October acknowledges that the Antiquities and Monuments Ordinance has not been totally effective. We still lack the institutional infrastructure for heritage, and to have a complete and effective Antiquities and Monuments Ordinance would be essential.

16. Again, this is not a Herculean task, nor is the government unprepared. Through the earlier consultation on heritage policy and the experience of the past few years of community participation, the necessary changes to the Ordinance are already crying out for attention:

- revamp of the Antiquities Advisory Board and the Antiquities and Monuments Office, into a system with structure and operation more closely resembling the Town Planning Board;
- inclusion of intangibles as part of heritage;
- the establishment of Heritage Impact Assessment system;
- consequential changes in the Building Ordinance to provide for special Regulations for heritage buildings.

IV. The Old City of Hong Kong

17. To designate the “Old City of Hong Kong” would be another important mark of the CE’s legacy, as the government is contemplating the re-branding of Hong Kong. The label “Asia’s World City” is not getting anywhere. By contrast, the Old City of Hong Kong will re-focus the community over who we are and how this proud city stood, and will continue to stand, between East and West and from the past to the future.

18. It takes only an administrative decision to designate the Old City of Hong Kong. A boundary can easily be drawn up – and will probably invite some healthy controversy – but the important point is the message that the most essential infrastructure is our city and heritage, Hong Kong’s very being itself. The institutional arrangements could come later – a heritage regime from the reformed Antiquities and Monuments Ordinance, new planning control tools from the reformed Town Planning Ordinance, or even a possible Commission for the Old City. Even before then, the mere declaration that Hong Kong has an Old City which we care about, will bring immediate benefits to the tourism sector, to society, to our social and national identity, to constructive community participation, to good local governance, and to a more productive and effective urban renewal strategy.

V. A Carbon Declaration

19. It was a proud moment when Hong Kong joined the C40 Cities Climate Leadership Group but since then Hong Kong has embarrassingly little to deliver. Granted that it takes time for the global warming message to be disseminated – which green groups like the Conservancy Association will spare no effort in promoting – it is fair to expect Hong Kong to do better.

20. The CE did announce a few measures in the last Policy Address which we welcomed, but again those are sporadic projects rather than part of a comprehensive plan. It is already consensus that the future challenge for global cities is that of the carbon challenge. When Hong Kong joined C40, it was understood to be a gesture to the rest of the world that we are getting real. We should not let it remain just a gesture. We should get real, and get to the top.

21. Clearly an overall strategy is needed, and we would advise the CE that it does not have to go about painstaking studies or consultations. There are already plenty of tried and tested strategies, policies, measures and projects which CA would be able to share from our involvement in civil society and in various global forums (the Earth Summit of 1992, the World Summit of Sustainable Development in 2002, and the various Conference of Parties of the Framework Convention on Climate Change). Even the Mainland government has formulated its own National Climate Change Programme last year.

22. We look to responsible and insightful political leaders to build up a “Zero carbon society” for the 21st century. A HKSAR Climate Change Programme is therefore another important sustainability infrastructure for Hong Kong. As a first step, we urge the Chief Executive to make a Low-Carbon Declaration, to challenge Hong Kong to

aspire to become a carbon-neutral city. This should be a vision statement guiding the climate change policies, and a statement commensurate with our status among the C40 Cities.

VI. Territory-wide Electronic Road Pricing

23. One of the CE's ten sustainability infrastructure projects should be on sustainable transport. We have commented previously on the railway system and emission-free vehicles. In this submission we propose that the CE institute a major "alternative" transport infrastructure, namely, establishing a territory-wide Electronic Road Pricing (ERP) system.

24. The ERP system should be designed with differential pricing based on engine/fuel type, number of axles/length, and time/road section used. This will allow Hong Kong to price polluting vehicles, and to keep buses and trucks away from pedestrian-dominated roads and junctions. It would also help Hong Kong prepare for the inevitable pressure and reality that quota restrictions on border crossings will be lifted in future. Moreover, ERP would become an important part of what should become the emerging infrastructure for sustainable transport, which should include, apart from the rail network, a road system that is favourable to emission-free vehicles such as electric vehicles.

VII. Hong Kong-Guangdong Pact on Circular Economy

25. In our last Policy Address submission we proposed that the government "take the leadership and turn the waste issue around from a *problem* for Hong Kong to an *opportunity to create a circular economy*. The emphasis should be on integrating the citizen-wide practice of reduce, re-use and recycle, with the emerging job-creating industries of waste management and recycling." The magnitude of our waste problem is so big that without a "circular economy" in genuine working order, the chance of our meeting the challenge of the Waste Reduction Framework Plan is quite remote.

26. The circular economy is, of course, not one of Hong Kong's own but a circular economy of the Greater Pearl River Delta region, given Hong Kong's integration with the Pearl River Delta. The recent joint announcement between the CE and the Party Secretary of Guangdong Province Mr Wang Yang over the "Green PRD" concept is an encouraging one which the HKSAR should take further. We suggest that the CE should, riding on the Green PRD concept, seek to enter into a bilateral Pact with Guangdong Province on jointly developing the circular economy. In sustainability terms, the success of such an environmental pact would far outweigh the benefits from any trade agreement.

VIII. Harbour Area Treatment Scheme

27. One of the lasting legacies of Napoleon Bonaparte to whom the French people were grateful was – not the military legacy, but the sewer system of Paris, a sustainability infrastructure. The Harbour Area Treatment Scheme could be such a sustainability infrastructure and we urge the CE to implement it, and implement it right.

28. According to the present plan, the so-called Stage 2B of HATS would not be reviewed until 2010/11. That means there will not be secondary biological treatment of sewage for another six to seven years – as the facilities take time to build. This is contrary to the recommendations of the International Review Panel eight years ago, which concluded that secondary treatment would be needed. To delay an accepted environmental project for 14 years should not be the mark of a government which prides itself on getting things done.

29. The Conservancy Association urges the CE to commission the full Stage 2 of HATS immediately. To split it into two stages (Stages 2A and 2B) with a commitment to carry out only the substandard Stage 2A, is not befitting of a world city which prides itself on quality delivery. We re-iterate our view that Hong Kong needs, and can afford, secondary (and in some cases tertiary) treatment for our sewage.

IX. Tree Ordinance

30. As one of the most densely populated cities of the world, Hong Kong is extraordinarily blessed with endowments of nature. Among them trees must be the one the ordinary public is most closely associated with. The lack of a Tree Ordinance is hence a curious omission in our sustainability regime. Not that it would be difficult to do – there are already well-established principles with much consensus from various stakeholders, such as the six principles of a Tree Ordinance developed by the Association after extensive stakeholder dialogue. Accordingly, we urge the CE and the government to enact a Tree Ordinance for Hong Kong.

X. Sustainable Development Bill

31. The idea of a Sustainable Development Bill was put forward by the CA as early as the 1997 Handover. Like the Bill of Rights which provides the legal basis for the protection of human rights, a Sustainable Development Bill is to provide a legal basis for sustainable development, so that developments can take place with full regard to the sustainability and long term development needs of the territory in an integrated manner. By facilitating socially and environmentally acceptable development, a Sustainable Development Bill should, by nature, facilitate the sustainable development of Hong Kong.

32. The Conservancy Association has stated more than once, and would state once again: sustainable development is not one of the development options for Hong Kong; it is the only viable mode of development for Hong Kong in the globalising world. The CE – and the Hong Kong SAR as a whole – will display real leadership by beginning the formulation of a Sustainable Development Bill. This will truly make Hong Kong a leader of sustainable development in the region.

Conclusion

33. Infrastructure projects are never easy, especially infrastructure projects that are not of the brick and concrete type. But we truly believe that the Ten Sustainability

Infrastructure Projects we proposed will help the CE build the basis for a better Hong Kong.

34. In 2002, following the World Summit on Sustainable Development, we have titled our submission on the Policy Address “Asia’s World City and a Model of Sustainable Development – Hong Kong Can Do It!!” The Chief Executive can lead Hong Kong in a New Direction along the path to make Hong Kong a Model of Sustainable Development. We hope he will.