Reclaiming Hong Kong

The Central & Wan Chai reclamation controversy from an Actor-Network perspective

Joeri Nortier
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Author
J.A. Nortier
joerinortier@hotmail.com

Utrecht University
Prof. dr. T. J. M. Spit
Professor in Urban & Regional Planning

City University of Hong Kong
dr. B. Wissink
Visiting Assistant Professor
Department of Public & Social Administration

*RE*SPACE 2011 - Debating Hong Kong
Oisín Devlin
Syd Jordaan
Anne Sanders
Jessie Vols

Cover Photo: Central phase III Reclamation under construction in september 2010. Source: Stanley_Wong < http://www. flickr.com/photos/stanley-wong/4982125563/>

When I started my Master of Urban & Regional Planning at Utrecht University in September 2011, I had no idea that I'd be finishing my thesis about harbour reclamation in Hong Kong exactly one year later. In fact, I was gearing up for a master thesis about a planning subject in The Netherlands, combined with an internship at a municipality or private company. But then, after just one week of lectures, something special came along; I was introduced to the RESPACE project 2011, taking place in Hong Kong.

I had heard about this research project before. A small group of students would, together with project coordinator and Utrecht University teacher dr. Bart Wissink, visit an Asian city to research these changing urban environments. This year, the focus would be on urban conflicts in Hong Kong and 5 students would be able to enrol. Such a research project would fit perfectly with what I was and still am interested in; contemporary issues in large urban areas, urban planning's increasing difficulty to deal with a fast-changing civil society and the extremely fast growth of Asian cities. It didn't take long me for to decide that I wanted to enrol in this project.

A few months later, in February 2011, I landed in Hong Kong with 4 fellow Utrecht University students. Within 4 months, we had to gather as much information as possible about my research subject, the Central & Wan Chai reclamation scheme. So the next few months were all about gathering a large number of newspaper articles, papers and governmental plans and combining them into a first draft of an empirical description so we could slowly start to understand what our projects were about and how Hong Kong is changing. And to complement this information, a number of key people had to be found and interviewed. In the end, it was mostly interviewing key people that really introduced us to how urban planning really works in Hong Kong. Combined with a number of excursion in Hong Kong and the surrounding region, this gave me the feeling that I got to know Hong Kong and that I was slowly starting to understand how the city works.

Time flew fast and before I knew it, I was back in The Netherlands. It was now time to combine all the information I had collected in Hong Kong into one thesis and to find an answer to the main question. Something that proved to be harder than I thought; hours worth of interviews had to transcribed, hundreds of newspaper articles had to be read and all this had to be written down with a very interesting but difficult theory on how the social world is being created.

And now, as I'm writing this preface, this project has come to an end. It completely blew away my expectations and it has taught me a great deal. Not just how research should be done (or how not), but also about urban planning in general. Witnessing how an urban planning system is actively changing due to societal changes has made me think about the future or urban planning. And even though Hong Kong's urban planning can hardly be compared to urban planning in the Netherlands, it has made me wonder if both would be able to learn something from each other. Both are struggling with an increasingly ineffective urban planning systems and both rely heavily on large infrastructural projects to keep the economy in a healthy state. And throughout this project, it continued to strike me that what is happening in Hong Kong right now, looks very much like the social processes that changed society and thus also urban planning in the 1960 and 1970's in Western Europe and North America. It will be interesting to see how urban planning will develop in Hong Kong during the next decennia.

However, before we move over to the first chapter of this thesis, I would like to get rid of the impression that this thesis is solely my own work. I couldn't have done this without the support of a lot of people. First of all, I'd like to thank dr. Bart Wissink for giving me this opportunity, for helping me getting my thesis on the right track and for showing me what great place Hong Kong is. Next, I would also like to thank the students who joined me in Hong Kong (Jessie Vols, Syd Jordaan, Oisín Devlin and Anne Sanders) for their help in this project, all the people in Hong Kong who were so patient to be interviewed by me and the KF Hein Foundation for their financial support. And finally, I would like to thank my mother and my girlfriend for their support and their love, even while I was almost on the other side of the world.

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[INTRODUCTION]

1.1 Researching Urban Conflicts

Since the 1970's, urban planning has been in a bit of a slump. Grand plans of new cities, infrastructure projects and urban redevelopments are still being made, but the implementation of these plans has become an ever growing problem. There has been a widening gap between wishes and reality [Van der Cammen, 1986]. Scientists often blame this gap on the individualization and the emergence of the network society, in which public action could no longer be legitimated by a universal centre of shared values [Castells, 1996, Boelens, 2009]. Urban controversies sprang up, as people contested the government's planning ideals and no longer cooperated with the government. The old modernist idea of the malleable society no longer holds true and since the 1970's, urban planning has been struggling to reposition itself in this changing world.

This modernist planning was based on using scientific knowledge and reason in urban planning to construct a better world; society could, according to modernist planning, essentially be moulded into a more perfect form [Healey, 1992]. Within this planning theory, planning itself was seen as an activity for national governments. Governments did include other actors in the planning process, but in the end, the government was in control of the whole process; the government organized the society [McLoughlin, 1969]. In post-war Europe and North-America this view gained a strong foothold as it *'presented planning as a progressive force for economic and social development in a world where democracy and capitalism were seen to co-exist in comfortable consensus'* [Healey, 1992].

However, from the 1970's and onwards, this modernist view of planning became increasingly controversial. Neo-Marxists concluded that this form of planning only led to a power hegemony of capitalists, while others concluded that they could not deal with the problems of an increasingly heterogeneous society, the so called 'wicked problems', and that planning had lost its touch with society [Healey, 1992, Rittel & Webber, 1973, Salet, 1983]. New forms of planning emerged to combat the growing ineffectiveness, such as communicative or interactive planning, in which the government became more of an actor in the world instead of a director of the world and in which public participation received more attention [Innes, 1995].

But on the other hand, these urban controversies also relate to a more specific concept, which Peter Hall (1980) dubbed the 'Great Planning Disasters' [Hall, 1980]. In this book, Hall describes a number of projects from the 1960 and onwards which cost a lot of money to plan or to execute and to which, after the project had been finished or sometimes even cancelled, the general consensus was negative. Regarding these controversial projects, Hall makes a distinction between 'negative disasters', the projects that were substantially modified or even cancelled, and 'positive disasters', the projects that were realized, even though they were heavily criticized [Hall, 1980]. Hall also describes why these projects became a disaster and who, in his eyes, were responsible for this. Firstly, even though the projects researched were all very costly, the eventual costs of the projects were all severely underestimated, either by lack of knowledge or by the long delays that governments encountered during realization of the plans [Hall, 1980]. This underestimation of costs was later confirmed by Flyvbjerg et al. (2004) in a study which pointed out that in 9 out of 10 infrastructure projects the costs were underestimated and

that *'cost underestimation cannot be explained by error and seems to be best explained by strategic misrepresentation, i.e. lying'* (Flyvbjerg et al., 2004). A second reason had to do with changing public opinion and public wishes, for which the projects, often multi-year projects, were not prepared (Hall, 1980). The third reason for these planning disasters was the ego of decision makers; they often were more occupied with prestige, ego and politics then with realistic planning (Hall, 1980). In the end, three sets of actors could be blamed for these 'disasters': the bureaucracy, for being possessed *'with a massive inertia … in the absence of real demand'*, the activist pressure groups, which caused sizeable delays and were not representative of the masses and the politicians, for *'striving towards dominant but mostly unstable coalitions'* (Hall, 1980, Boelens, 2010).

This difficult position urban planning is now situated in, is especially clear when looking at the planning of urban megaprojects, such as new public transport infrastructure, new airports, large-scale urban redevelopments and in some cases even entire new cities. These projects often have a powerful symbolic and practical appeal as they can influence the development of a city or region immensely, but they also carry huge risks (Szyliowicz & Goetz, 1995, Flyvbjerg, 2007). They are risky, because they can take a long time to realize, because they involve a large number of actors and because governments carry large financial risk when starting them (Flyvbjerg, 2007). However, in a diversifying and changing society, these projects now often become heavily criticized by a large number of actors who believe that the projects are not in the best interest of the citizens of a city or urban region. This often leads to lengthy delays due to uncooperative actors and consequently large cost overruns, which make these megaprojects even more controversial. It is thus in these megaprojects that the gap between wish and reality that plagues urban planning becomes increasingly visible and in which urban controversies are the most intense.

It is thus in the light of the growing awareness of the urban planning's *'failure to cope with change'*, the growing criticism on modernist planning approaches and the impact of the 'great planning disasters' on the urban planning system, that these urban conflicts should be seen (Cullingworth, 1997).

1.2 The Role of Controversies

However, researching these urban controversies isn't just interesting because of their prevalence around the world and because of their huge impact on urban planning, politics and the economy of a region. It is also interesting to research them, because it is during these controversies that we can see how the world we live in is being constructed. It is during these controversies that the power relations between different factions come to light and new rules and values are being created. These are things that cannot be seen when there are no conflicts as we can then only see how the world is. This is basically the same as looking at the façade of an office building and guessing what happens inside. Researching controversies shows us how the world becomes; it removes the façade of the office building and gives us a clear view of what is happening inside.

But in order to accurately research an urban controversy, one needs a research framework that can explain these conflicts and help with giving a thorough and complete description. For various reasons, which will be explained further on in this thesis, the Actor-Network Theory (ANT), developed

in the 1980's by Bruno Latour, John Law and Michel Callon, will be used as a theoretical framework. This theory postulates that the social world is created by a large number of associations (or networks), each consisting of an even larger number of actors. Actors are constantly in the process of creating new networks to further their goals and when they are successful, they become institutionalized. An important aspect of this theory is that these actors can be both human and non-human; both can influence the social world and both can create associations.

ANT also stresses the importance of controversies, as a controversy remains the best way to 'observe social world and its making of' [(Venturini, 2010)]. It is during a controversy that we see which actors are involved, how networks are formed and in the end, how the world is changing. It is thus not only because of the actuality of the urban conflicts, but also because of their explaining power that this research is focussing on urban conflicts.

1.3 Researching Urban Conflicts in Hong Kong

Within recent years, these urban conflicts regarding megaprojects have also reached the Asian city of Hong Kong. Up until the beginning of the 1990's urban planning was a rather straightforward business in Hong Kong; the government could enact its plans without much opposition. Just as in the Western world before the 1970's, the gap between wish and reality was minimal in urban planning. But from the middle of the 1990's, the number of urban conflicts increased dramatically. There have been conflicts regarding the demolition of the Star Ferry Pier, the harbour reclamations, the West Kowloon Cultural District, Government Hill, the high-speed train between Hong Kong and Guangzhou, urban renewal projects for Lee Tung Street, the Graham Street Market, the Soho Police Station and the discussion over the effects of new residential towers in the Mid-levels. And these are just the most prominent controversies. Apparently, the existing decision-making models and urban planning systems are not capable to cope with today's challenges in Hong Kong. And even though media coverage of these projects has been widespread, there has been very little research into these conflicts and their effect on urban planning in Hong Kong.

That is why in 2011, the RESPACE project visited Hong Kong to study these urban conflicts. This research project was started in 2004 by dr. Bart Wissink and studies the relationship between emerging urban spaces and social networks in five Asian city-regions: Bangkok, Hong Kong, Tokyo, Mumbai, and Guangzhou. Since 2004, each of these cities has been studied during multi-month projects. It focusses on Asian cities because it is in the highly dynamic urban regions that changes in the urban form and the urban planning system become the most visible. And it is by studying these cities, that we can learn how today's cities are changing and are influenced by both global and local factors.

The aim of the RESPACE project in 2011, called Debating Hong Kong, was to study 5 urban conflicts that have been very active in the last few years. These projects are:
• Residential density in Mid-Levels
• Lee Tung Street Redevelopment
• High Speed Raillink between Hong Kong and Guangzhou
• West Kowloon Cultural District

The last project is the Central & Wan Chai reclamation, the subject of this study. This project was started in the 1980's, because the government of Hong Kong needed more land to accommodate urban growth. The whole project seemed to well, until people started to oppose further reclamation in the harbour in the middle of the 1990's. This public outcry led to a new law, prohibiting further reclamation. However, over the years, the conflict escalated when the government tried to continue with the reclamation; mass-demonstration, court cases and a growing public aversion to harbour reclamation were the result.

The Debating Hong Kong project starts from the observation that in Hong Kong, urban development projects increasingly result in long-lasting controversies, such as the ones mentioned above. It studies how different actors fight over specific places. It also studies the history of the conflict, the process of coalition building between groups, and the outcomes of the conflict. The institutional structure of Hong Kong played an important role as the background of these projects, but it also wanted to take other factors into account. The central research question is: *which mechanisms structure the development of urban conflicts in Hong Kong*?

In order to answer this central research question, the history and effect of each controversy had to researched. This led to the following research question for this study:

How did the urban controversy regarding the Central & Wan Chai Reclamation project evolve and how has this case influenced the structure of decision-making regarding urban development in Hong Kong?

This means that this study has two goals. First of all, it intends to give a complete description of how the controversy started, how it evolved and who were involved in it. Secondly, it will try to extract from this comprehensive description if and how this controversy changed the structure of decision-making regarding urban planning in Hong Kong. Not that the word 'planning system' is not used in the main question, as this study doesn't just want to know what happened to the institutionalized set of rules that compromise a planning systems, but also what happened to the systems and habits in Hong Kong's urban planning that are not officially documented but still have a profound impact on planning. This study isn't just interested in what happened to how planning should work, but more in what happened to how planning works in reality.

To answer this question, four sub questions will be presented in each of the following chapters. They will help in finding and structuring the necessary information to answer the main question. These sub questions are:
1. What role does land reclamation play in Hong Kong's urban planning system?
2. Which theoretical framework should be used to study the controversy regarding the Central & Wan Chai reclamation?
3. How should this theoretical framework be used to study the controversy regarding the Central & Wan Chai reclamation?
4. How did the Central & Wan Chai reclamation evolve?

Now why should someone research urban conflicts regarding land reclamation in Hong Kong's Victoria Harbour? First of all, just as with the other subjects of this year's RESPACE project, there has been very little research into this subject. This means that there is still a lot to discover and learn from studying these conflicts. And because urban conflicts still play a large role in Hong Kong today, more information about this subject is absolutely necessary. Secondly, this controversy is fairly new and has received a lot of attention from the media. This means that there is a wealth of information available, which makes researching such a new and unexplored subject even more interesting. Lastly, studying a conflict like this and investigating how it changed the way planning works in Hong Kong can also lead to conclusions that are applicable to other controversies or research into these controversies. As stated before, urban conflicts have plagued urban planning in other regions of the world for years and are still a 'hot topic'. And because they often lead to delayed projects and cost overruns (which are often financed with public money), more information to understand how they emerge and what their effects are, can only help to alleviate the problems they produce. Perhaps this research can thus come up with conclusions that help with bringing wishes and reality back together in urban planning.

Hong Kong Quick Facts

Area: 1104 km²
Number of islands: 200+
Coastline: 733 km
Highest Point: 958 m

Inhabitants: 7.122.508
Density: 6480 people per m²
GDP (per capita): $31.590
HDI: 0.862

Established: 1842
Handover to China: 1997
Government Type: Limited Democracy
Chief Executive: Donald Tsang
Currency: Hong Kong Dollar

Source: CIA World Factbook

1.4 Structure of This Thesis

In order to answer the research question, theoretical and methodological issues will have to be dealt with first. Chapter 2 will focus on the theoretical background, providing some important information about the subject of this study. The first paragraph will give an overview of how reclamation is described in scientific literature and its connection with urban planning. This is followed by three paragraphs about Hong Kong in which its history, its urban planning system (including non-institutionalized habits and customs) and the history of reclamation will be discussed.

The third chapter of this thesis will focus on the theoretical framework of this study. In its first paragraph, the epistemological and ontological basis of the study will be discussed. This is followed by an overview of why relative and relational space should be used for this type of research. It will also present two possible frameworks for this research, the actor-approach and the institutional approach. However, in paragraph 3.3 the Actor-Network Theory will be presented as a framework that would suit this research even better. How this theory was formed and its main concepts will also be explained in this paragraph. Chapter 3 will end with an overview of the implications Actor-Network Theory has for this research.

Chapter 4 will deal with the methodology behind this research. The first paragraph will describe how one should research a design with Actor-Network Theory as a framework and will end with a number of important point a researcher should keep in mind when describing his case. In the next paragraph, choosing a good case study will be described and it will be explained why the Central & Wan Chai

reclamation is a good case. This will be followed by paragraph 4.3 in which a 7-step description of how this research was done will be given. This methodological chapter will end with presenting three limitations to this study.

The next chapter, chapter 5, the core of this thesis, will be entirely devoted to the description of the Central & Wan Chai reclamation controversy. It will give an Actor-Network description of how the government founded this project in the 1980's, how it became a controversy and how this controversy evolved over the years. Each paragraph will deal with a specific period in the evolution of this conflict. Only the last paragraph, 5.8, will be different, as this paragraph will give a short overview of the whole conflict.

This thesis end with chapter 6, in which the main research question is answered. But this chapter also presents some methodological conclusions in paragraph 6.1 and a number of lessons planners and researchers can learn from the results of this study in paragraph 6.3.

Figure 1.1 (Above, Right) Location of the Hong Kong Special Administrative Region. Source: Wikimedia.org
Figure 1.2 (Centre, Right) Hong Kong from 90 km. Source: Google Earth
Figure 1.3 (Bottom, Right) Victoria Harbour (in the middle), Kowloon (top) and Hong Kong Island (bottom). The Central & Wan Chai Reclamation can be seen on the central part of Hong Kong Island's northern shoreline. Source: Google Earth

[RECLAMATION & HONG KONG A STRONG ALLIANCE]

Before moving on to the theoretical background of this research in chapter 3, the research methodology used in chapter 4 and the empirical findings regarding the Central & Wan Chai reclamation scheme in chapter 5, this chapter will first provide some background information of the most important aspects of the research question introduced in the previous chapter. This background information is presented to give the reader of this thesis a better understanding of the main concepts that will be explored more deeply in the empirical chapter. The main question in this chapter is *'what role does land reclamation play in Hong Kong's urban planning system?'* To clarify, this chapter will therefore first introduce the concept of reclamation of land in urban areas, as this is an important concept and studying this will reveal an interesting aspect on how the scientific community sees land reclamation. It will then continue with a description of Hong Kong's history, its urban planning system and land reclamation's position in this urban planning system throughout the last 200 years.

2.1 Reclamation in Urban Areas

Since this research deals with a controversial reclamation project in Hong Kong's Victoria Harbour, it is vital to first describe what exactly is meant by 'reclamation' or even 'land reclamation' and how the scientific community describes this concept. Regarding the meaning of the of the word 'reclamation' or the concept of 'land reclamation', the Oxford English Dictionary gives two definitions; 1) to '*retrieve or recover (something previously lost, given or paid); obtain the return of'* and 2) to *'bring (waste land or land formerly under water) under cultivation'* (Oxford Dictionaries, 2011). It is especially the second definition that fits neatly with the type of reclamation that is being researched in this study. The Protection of the Harbour Ordinance, an important piece of legislation In Hong, enacted in 1997, has a more specific definition of land reclamation, which largely follows the second definition of the Oxford Dictionary. It states that 'reclamation' means *'any works carried out or intended to be carried out for the purpose of forming land from the sea-bed or foreshore'* (Department of Justice, 2011). It is this definition that will be used in this research.

The scientific community seems to follow this technical description of what reclamation is. The majority of publications regarding land reclamation in urban areas deal with more technical subjects. These publications fall into roughly three categories. First, the biggest category contains publications that deal with the (mostly adverse) environmental impact of land reclamation, Examples include a study of the impact of reclamation on the groundwater flows in Tsueng Kwan O in Hong Kong and a study of the impact of reclamation on the morphology and ecology of Quanzhou Bay in China (Jiao et al., 2001, Wu et al., 2011). Secondly, there are studies or books that deal with how reclamation should be executed, for example in a study which recommends giving more attention to the ecological characteristics of a site in order to make sure the reclamation becomes successful (Bradshaw, 1984). The last category deals with publications focussing on the history of reclamation in a certain area, for example a study about the history of reclamation in Japanese ports or in the estuary of the river Shannon in Ireland (Takeshi, 2003, Healy & Hickey, 2002).

Even though most of the publications that fall into the above-mentioned categories look at reclamation from a very technical and static point of view, there are also some studies that look at land reclamation

from an urban planner's point of view. Reclamation in Singapore, for example, has received some interest from planners, which led to publications comparing its urban development to Hong Kong and Macau or which assessed how the waterfront developments in the city evolved [Glaser et al., 1991, Chang & Huang, 2011]. Another reclamation project, IJburg, near the city of Amsterdam, also attracted the attention of urban planners and led to, for example a study about how inhabitants of this new neighbourhood on reclaimed land gave their neighbourhood a meaning by the process of 'place-making' [Lupi, 2008].

Yet even these more planning oriented publications do not deal with planning controversies regarding the reclamation projects. Lupi (2008) does mention that during the development of IJburg there were problems with how the developers, the (future) inhabitants and the municipality of Amsterdam felt the design of the neighbourhoods should be, but once again, these discussions mainly related to technical aspects of urban planning and not to the kind of urban controversies that this study is focussing on. It seems that only literature relating to the Central & Wan Chai reclamation scheme, for example by Ng (2008), deal with the possibility of urban controversies changing the decision-making process of urban development in cities. It is therefore that we turn to how urban planning and this controversy have been described.

2.2 A History of Hong Kong

The development of the Central & Wan Chai reclamation scheme controversy should be seen in light of the unique context that Hong Kong offers. That is why this and the next two paragraph will be devoted to how Hong Kong came to be the city it is now, how it's urban planning and decision making system evolved and how reclamation played an important part in Hong Kong's urban development. These descriptions will also show how urban controversies and space in general are being described and they will show that these kind of descriptions are not adequate to answer the main question of this thesis. But first a short historical overview of the city's development should be given, as this will explain how the urban planning system developed.

Even though the territory that now encompasses Hong Kong has been settled since prehistoric times, it wasn't until the Imperial China Era that a real settlement could be identified. Already during the Han dynasty (206 BC – 220 AD) did the Hong Kong region serve as a pearl hunting harbour and it became an even more important port for the increasingly richer Guangdong province in the centuries that followed. This all changed when the first Europeans arrived in the 17th and 18th century; villages were moved inland to limit contact between the two cultures and trade was restricted and strictly controlled by the Chinese government. The British East India Company was one of the more successful companies in the region, as they were able to set up a trading post in the 18th century and started importing tea from the settlements in the Hong Kong region and exported luxury goods to the Chinese mainland. In the beginning of the 19th century the British and Chinese were confronted with a growing British trade deficit and illegal opium smuggling. Tensions rose as the British sought to expand their trading options in the region and this eventually led to the first Opium War between 1839 and 1842. The British won this war and imposed the Treaty of Nanking in which the Chinese ceded the island of Hong

Kong to the British crown. After the Second Opium War, a few years later, the British could also add the southern part of Kowloon to their territory. The last addition consisted of the New Territories, which the British leased from the Chinese in 1898.

After gaining their first foothold in the region in 1842, the British quickly developed Hong Kong into an entrepôt handling Chinese goods to be exported to European and American markets and vice versa (So, 2004). As a result of this entrepôt function, in the following 100 years Hong Kong developed a *'sophisticated institutional framework of commerce and finance'*, its population grew to more than half a million and it became a *'typical British colony'* in which *'the government was dominated by expatriates … its economy was dependant on entrepôt trade … with little manufacturing [and] its residents were mainly immigrants'* (So, 2004). Demographically, Chinese immigrants soon outnumbered Europeans, but both groups lived segregated and most immigrants did not plan on settling in Hong Kong for a very long time (Tsang, 2004).

After Hong Kong had been liberated from Japanese occupation in the Second World War and control over the colony was given back to the UK, it didn't take long before Hong Kong's economy faced another large blow. With the Chinese Communist Party victorious in 1949, over a million refugees fled from mainland China to Hong Kong and the city was quickly losing its mainland market; the economy was a wreck (Goodstadt, 2005). But the large influx of refugees turned out to be a boon for the economy. A large number of refugees had an industrial background, especially the textile manufacturers that fled from Shanghai, which meant that in the 1950's a large number of small industrial businesses were set up, So, as So (2004) stated, *'this particular conjecture of refugee capital, refugee labor and pre-existing entrepôt trading networks provided the impetus for Hong Kong's export-oriented industrialization in the 1950's'* (So, 2004). The manufacture-based economy continued to grow, fuelled by foreign companies setting up their business in the city and a new influx of cheap labour from China after the failure of the Great Leap Forward and the Cultural Revolution, and Hong Kong quickly became a regional economic powerhouse.

The success of Hong Kong's economy is attributed to its lassez-faire style of government, in which state officials had a 'deep reluctance' in getting involved with social and economic development and overall believed the mainly Chinese society of Hong Kong should develop by itself (So, 2004, Goodstadt, 2005). To further enhance he growth of the economy, the administration became heavily involved with business and professional classes (Goodstadt, 2005). Politically, there was hardly any opposition. The largest part of Hong Kong's population, the immigrant workers, were *'generally satisfied with Hong Kong's labor situation'* and *'were more interested in making money for their families than in political participation'* (So, 2004). In Hong Kong, *'conflicts latent in most societies were absorbed and resolved through he process of market competition'* (Goodstad, 2005). So, for the majority of Hong Kong's inhabitants, making money was the top priority and since they didn't plan to leave once they had enough money, politics, and in the end also urban planning, just didn't matter.

From the 1970's onwards, two major changes affected Hong Kong. First of all, the global economic downturn meant that Hong Kong's economy had to change from an production-oriented one to a service-based economy, as production was out-sourced to regions with cheaper labour. This move was facilitated by the second major change, China's new open-door-policy. This kick-started a process of economic integration, that started with a large number of Hong Kong based manufacturers moving their production facilities to the new special economic zones in China, especially in the Pearl River Delta. In turn, to facilitate this economic growth of mainland China, as well as other Asian countries, Hong Kong turned into a regional hub for the economic powerhouse that the Pearl River Delta was starting to become and a global city as it attracted more and more international financial firms or other service-based companies [So, 2004]. At the same time, this economic shift caused land prices to sky-rocket and made real estates into a cornerstone of the economy. Hong Kong had thus grown from an entrepôt for trading with China into an affluent world-class city with over 7 million inhabitants, a high standard of living and important economical basis [Wissink, 2007].

The successful economic growth of Hong Kong attracted the interest of China. The British lease of the New Territories would end in 1997 and during negotiations about a new lease, China informed the UK that they wanted to take back Hong Kong. The negotiations ended with the UK agreeing on handing over Hong Kong to China on July 1st, 1997, which would then become a Special Administrative Region within China under its 'Two Systems, One Country' ideology. Furthermore, China promised *'not to change the political institutions … that had emerged'* [Wissink, 2007]. But before the UK handed over Hong Kong to China, the Hong Kong government initiated some important projects. First of all, democratization was accelerated, secondly, *'massive state expenditures'* were unveiled, including a new airport and thirdly, to enhance confidence, a large number of families were offered the *'right of abode in Britain'* [So, 2004].

In the years after the handover, Hong Kong's economy continued to grow even though it encountered more and more competition from fast-growing cities in the Pearl River Delta, such as Shenzhen and Guangzhou. To keep Hong Kong a world city, especially after the Asian Crisis in the late 1990's showed how vulnerable Hong Kong's dependency on finance and property was, the government took on a much more active role in the management of the economy and the integration with mainland China [So, 2004].

At the same time, societal changes were also visible in Hong Kong. Whereas Hong Kong used to a be a place for immigrants to earn money and move on to another place to live, the city was now one of those places where people would settle and live. This meant that it was not just about labour and short-term strategies anymore, but also about the future of Hong Kong and about the quality of living, of the environment and also about the planning of the city. People, especially the younger generation, became more outspoken and organized, started demanding more public participation and in some cases, even organized large-scale demonstrations, which became clear when more than half a million people took to the streets in 2003 to demonstrate against the controversial Article 23 of the Basic Law.

2.3 Urban Planning in Hong Kong

The formation of an urban planning system in Hong Kong started as soon as the British received control over Hong Kong Island in 1842. One of the first systems set up by the British was a lease-hold system, in which the colonial government owns all the land and leases it to individuals, thus ensuring a *'powerful control of individuals' land use right'* [Lai, 1998]. With every new lease, the government can regulate the use of its leased plots by using development covenants, which indicate how a plot of land should be used or what its restrictions are. Furthermore, apart from the profit gained from leasing the land, the government is entitled to a land premium every time a change is made to the use of a plot of land [Wissink, 2007, Poon, 2005]. All this means that over 25% of the government's revenue comes from land leases or land premiums [Wissink, 2007]. Up to now, this system is still in effect and every year, tracts of land are leased to highest bidder by the government.

However, apart from the leasehold system, the government extended it laissez-faire policy for the economic development of the city to the urban planning and government interference with planning was thus very low. This all started to change though, at first gradually, when the enactment of the Town Planning Ordinance in 1938 meant that the colonial administration would now monitor the urban development of the city more closely. But the influx of a large number of migrants from mainland China and the economic growth in the 1950's and 1960's led to an abandonment of the laissez-faire policy regarding urban planning. In 1972 the governor of Hong announced that the government would be *'committed to providing every household in the with a basic shelter … assisted by the state via a Housing Authority if necessary'* [Lai, 2002]. They also wanted to *'reduce central-area congestion, reduce inner-city overcrowding and to provide better housing and environmental conditions for the working class'* [So, 2004]. This kick-started the development of about 8 government-planned new towns, mostly situated in the New Territories and consisting of a large number of social housing blocks, which would eventually house almost half of Hong Kong's total population [Jim, 1994, Lai, 2002].

From the 1980's onwards, government intervention in the urban development of Hong was further intensified as the administration was *'forced by public pressures'* to curb speculation and control the property market [Lai, 2002]. Furthermore, it tried to strengthen its position as a world city by initiating a number of large projects, such as a high-tech centre called Cyberport, a new airport in front of the island of Lantau and new infrastructural projects to better connect Hong Kong with the Pearl River Delta and the rest of mainland China [So, 2004]. All this was clearly visible in growing number of plans for the urban development of the city, such as the Metroplan, the Port and Airport Development Strategy, the Territorial Development Strategy, the Hong Kong 2030 plan and a large number statutory plans. This meant that the government of Hong Kong, by the turn of the century, had transformed from a government that was hardly preoccupied with urban planning, to a g with an active policy for the urban planning in the city.

But the government isn't alone when it comes to urban planning. In this, they are joined by a very powerful group in Hong Kong; the property developers such as Henderson and Sun Hung Kai. Their wealth comes from a *'50 hectare a year land supply ceiling'* which, combined with a growing economy

and a growing population, made land one of the most expensive products in Hong Kong [Poon, 2005]. These developers, controlled by a few influential families, control a large number of companies, making up almost 30.5% of the Hong Kong market in 2002, and thus play an influential role in the urban development of Hong Kong [Poon, 2005]. Their power in urban planning comes mainly from the large amount of land they lease from the government; for example, in 2002, Sun Hung Kai's land bank consisted of more than 6.5 million m² and Henderson's land bank consisted of more than 3.7 million m². It is thus *'no secret that government policies have most of the time favoured large developers'* [Poon, 2005].

Nonetheless, the government still controls the urban development in Hong Kong. This is done via a decision-making system that is largely the same as it was during British rule and traces back its roots to the Town Planning Ordinance enacted in 1938. In this system (see figure 2.1), executive power lies with the Chief Executive who is assisted in governing the city by a number of bureaucrats. Because bureaucrats play in important role *'in shaping the development agenda and controlling and allocating resources'* Hong Kong's administration is often seen as an 'executive-led government' [Ng, 2006]. Policy proposals are sometimes put out for public consultation and are discussed by the Legislative Council, the only high-level body which is partly elected by Hong Kong citizens, but in the end, the Executive Council, including the Chief Executive, will have final say. Urban planning policies are formulated by the Development Bureau, led by a Secretary, who in turn is led by Chief Secretary for Administration, one of the bureaucrats assisting the Chief Executive. The Development Bureau is tasked with *'managing population growth and creating industries which will lead to increased employment and better quality of life'* [Development Bureau, 2011].

The urban planning policies formulated by the Development Bureau are implemented by the Planning Department. This department is *'responsible for the preparation of various types of town plans to guide the proper use and development of land'* [Planning Department, 2011]. It is split into two sections, one responsible for territorial plans and one for district-level plans. In addition, the Planning Department also houses the Town Planning Board. This statutory board, on which all members are appointed by the Chief Executive, reviews plans and policies which deal with urban planning and also has the ability to hear appeals by citizens involved in such plans [Town Planning Board, 2011].

Plans in Hong Kong are organized through a three-tier hierarchy [Ng, 1999]. First of all, there are the strategic Territorial Development Strategies (TDS), which deal with the long-term development of Hong Kong. Secondly, there are the sub-regional development strategies, which are more specific on how to translate the goals of the TDS to a regional context. Thirdly, there are the statutory Outline Zoning Plans (OZP), which *'serve to reflect existing land uses, planning intentions of future development, and special development needs'*, and Development Permission Area's, which are detailed plans for areas that are not yet covered by an OZP [Ng, 1999]. Both of these detailed plans are handled by the Planning Department.

The above-mentioned institutions and plans form the current decision making mechanisms for urban planning in Hong Kong. This paragraph was meant to give only a short description of how it works and most of the institutions and plans will be mentioned again in chapter5 as they played an important role in the Central & Wan Chai reclamation controversy.

**ORGANISATION CHART OF
THE GOVERNMENT OF THE HONG KONG
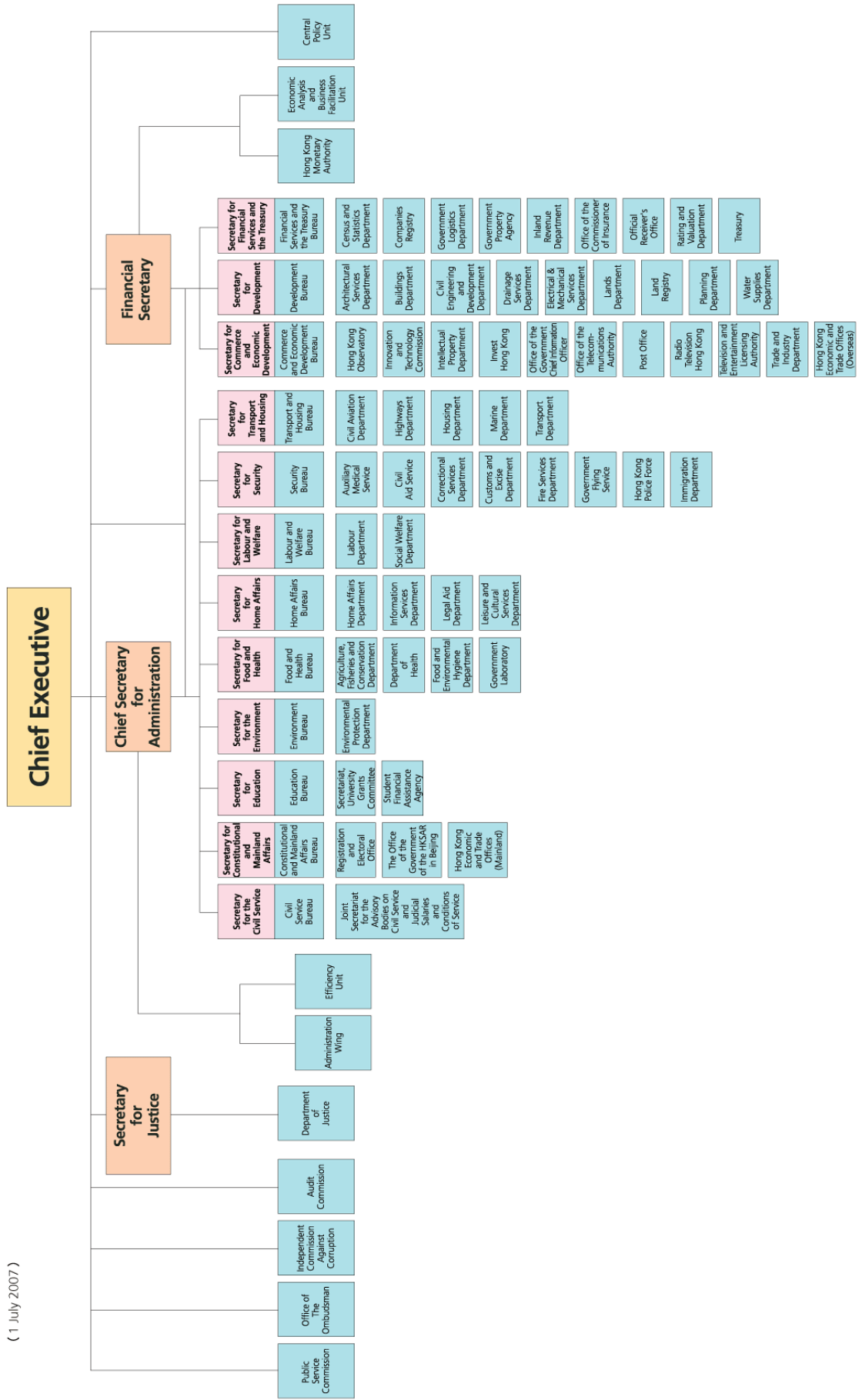SPECIAL ADMINISTRATIVE REGION**

(1 July 2007)

Figure 2.1 Organization Chart of the HK Government. Source: http://www.gov.hk/en/about/govdirectory/govchart/index.htm

2.4 Reclamation in Hong Kong

An important aspect of urban planning in Hong Kong has been the reclamation of land from the sea to accommodate urban growth (see figure 2.2). This already started in the years just after Hong Kong became a part of the British Empire, when private companies extended their land into the shallow water on the northern side of Hong Kong Island. By 1855, almost the entire shallow water zone had disappeared and numerous warehouses occupied this new land [Glaser et al, 1991]. The businesses at that time had no other choice but to reclaim land, as a large part of the flat land on the northern side of Hong Kong Island was designated as military property; the only option left was to go northwards, into Victoria Harbour [Standard, 18-04-1999]. These 2.8 hectares of reclamation were done in a very piecemeal manner and to bring some order to the reclamation, Governor Bowring announced in 1885 plans to reclaim more of the harbour and to align the shoreline [Ng & Cook, 1997]. This plan was heavily criticized by owners of the waterfront lots and was eventually put on hold. Still, reclamation continued, which led to another 3.4 hectares of uncontrolled reclamation by 1868 [Ng & Cook, 1997]. Once again, plans were made by the government for a grander reclamation scheme, but before work could start, the owners of the seaside lots won a court case which stated that no reclamation was to be allowed in front of their shoreline [Ng, 2008]. Still, during the 1880's, more than 20 hectares of Victoria harbour outside of the city centre were reclaimed by both the government and private parties [Glaser et al, 1991].

Hong Kong's growing population and the overcrowding that was caused by this, created a new opportunity for a central reclamation in the 1880's. Initiated by businessman Paul Chater, the Praya Reclamation scheme, completed in 1904, added some 26 hectares the Central part of Hong Kong. It was this project, completed by both private parties and the government, that established reclamation as a way to enable urban expansion and it established a *'mutually beneficial relationship between land developers and the government'* [Ng & Cook, 1997, Ng, 2008]. On the other side of Victoria Harbour reclamation was also underway and by 1945, more than 600 hectares of land were added to the Kowloon peninsula [Glaser et al, 1991]. Reclamation was mainly done private parties, but the government controlled the layout of the buildings on these new plots of land.

After WWII, the influx of a large number of migrants from mainland China and the economic growth, created even more demand for land for residential, industrial and infrastructural developments. Up to 1984, almost 2800 hectares were reclaimed in Kowloon, with the northern part of Hong Kong Island following suit, with some major reclamation along the shore [Glaser et al, 1991]. But it was the decentralisation of housing and the plans for New Towns in the New Territories that led to the largest reclamation in the history of Hong Kong. To accommodate almost 2.5 million people, some 3000 hectares of sea were reclaimed [Glaser et al, 1991].

From the 1970's onwards, Hong Kong's economy slowly started to change from a manufacturing-based economy to a service-based economy. This mean that economic activity moved to the central areas and land around Victoria Harbour become very scarce and very valuable. Reclamation in the New Territories dropped significantly and at the end of 1970's new plans were made for large-scale reclamation projects in the central parts of Victoria Harbour [Ng & Cook, 1997]. How these plans evolved will, however, be described in chapter 5.

Figure 2.2 Hong Kong's long history of reclamation. Source: Ng, 2006

2.5 Conclusions

What this chapter has shown us in the first place is an answer to the question of what land reclamation's role is in Hong Kong's urban planning system. It has shown us that land reclamation has been performed ever since Hong Kong became a part of the British Empire and that its importance has grown considerably since then. Under an urban development ideology in which land scarcity is actively being constructed and in which the government has had a strong control of land since the beginning of the 20th century, land reclamation quickly became one of the most important methods to accommodate urban growth. Whenever new residential zones, industrial complexes or large infrastructural assets were needed, land reclamation would create the land for these developments. It has thus been an important concept for Hong Kong's economic development and has had a major impact on Hong Kong's urban form.

The reason why reclamation was so widespread was because of the scarcity of land in Hong Kong. But, as Poon (2005) and Wissink (2007), concluded, this scarcity is constructed by actors that profit from this. Land reclamation and thus *'urban development in Hong Kong is guided by an 'urban development ideology' that depicts high densities and thus high land prices as a necessity'* (Wissink, 2007). And because a large number of important actors accepted this constructed scarcity, reclamation was seen as the only way to help the city grow. The government still benefits from this scarcity, because they can lease the reclaimed land for high prices and the big developers can gain a lot of profit if prices remain high (Poon, 2005, Wissink, 2007). This made reclamation a very popular strategy, compared to building in the New Territories.

On a more theoretical side, this chapter has also shown us how reclamation and its role in urban planning in Hong Kong have been described. Land reclamation is mostly described by engineers or scientists from the realm of the natural sciences. Hardly any studies relating land reclamation to urban planning can be found and apart from studies dealing with the subject of this thesis, none of them deal with urban controversies. The studies describing urban planning in Hong Kong and the role of reclamation in this system mostly show how things are and not how they became or how they change the social world. These studies give an excellent overview of Hong Kong and help in answering the sub question of this chapter, but they hardly give any attention to the controversies regarding land reclamation, how urban planning and the social world is changing and which processes influence these changes. So none of these studies offer a framework that can be used to answer the main question of this thesis, even though they provide some excellent information. Only Wissink's (2007) study of the urban development ideology and the constructed scarcity of land, shows us that a more relational view on society and space can lead to interesting conclusions on how an urban planning systems is constructed. With this in mind, we move over to the next chapter, which deals with the selection of a theoretical framework that is able to answer the main research question.

[THE ACTOR-NETWORK THEORY]

3.1 Searching for a Theory

Now that the main subject of this research, the controversy regarding the Central Wan Chai reclamation in Hong Kong, has been presented in the first chapter, background information to this controversy and its location have been given in chapter 2, along with a conclusion that hardly any of the previous studies offer a suitable framework, this chapter will now turn to the problem of how to study this conflict. The sub question of the chapter will be *'which theoretical framework should be used to study the controversy regarding the Central & Wan Chai reclamation?'* In order to answer this question, this chapter will start with a description of a suitable epistemology and ontology. After that, the concepts of relative and relational space will be explained. This chapter will end with a description of the Actor-Network Theory and its implications for this research.

As with every research question, a specific framework is need in order to fully understand the research findings. As Bryman (2008) states: *'Theory is important to the social researcher, because it provides a backcloth and rationale for the research that is being conducted. It also provides a framework within which social phenomena can be understood and the research findings can be interpreted'* (Bryman, 2008).

Finding a suitable theory also means dealing with epistemological and ontological issues. Epistemology, which deals what is or should be regarded as 'acceptable knowledge' and ontology, which deals with the nature of the subject to be researched, both have a profound influence on the type of research and the methodology used to gather data. Regarding the epistemological foundations of a study, one could choose a positivist (modernist) or a interpretivist (post-modernist) epistemology. Within the positivist realm of science, the methods of the natural sciences are applied to study the social world. This means that knowledge is only true if it is confirmed by our senses, theory is used to form hypotheses that are subsequently tested, knowledge should be the basis for scientific laws and science as a whole should be objective and without normative statements (Bryman, 2008). One could say that the studies mentioned in paragraph 2.1 are clear examples of positivist research. They show that a positivist epistemology is perfectly fine for a technical subject such as land reclamation.

However, this research is dealing with a very complex situation in which many organizations and individuals are involved and in which human action, which can be both objective and subjective, plays a very important role. It is thus not adequate to simply describe what one person is doing in this controversy and how the government reacts to this in order to fully understand a conflict; one also needs to understand the subjective meaning of social action, or, as Max Weber (1947) said, one should strive to come to an *'interpretive understanding of social action in order to arrive at a causal explanation of its course and effects'* (Weber, 1947). This interpretivist epistemology means that it is important to understand how people view the world and the social actions in this world and to *'see things from that person's point of view'* (Bogdan & Taylor, 1975). And since this research is also mainly focussed on human social action, an interpretivist epistemology will be more fitting to the research question than a positivist one.

Issues dealing with the ontological basis of a research focus on the 'nature of social entities', and thus, in a way, the objects of our research (Bryman, 2008). On the one hand, there is an objectivist realm of thinking, in which scientists state that social phenomena are external facts that are independent of social actors; they just exist and people live with them. (Bryman, 2008). An objectivist approach to planning in Hong Kong would be to state that the Hong Kong planning system, the urban development ideology and eventually also the urban form of the city is a given, something which is just there and which is produced by something that is beyond our grasp to change. But in reality, these phenomena are hardly ever pre-given and are constantly being constructed by a number of different actors. In order to fully understand the controversy regarding land reclamation in Hong Kong and the phenomena that structure this conflict, one will have to adopt a more constructionist (or constructivist) ontology, in which *'social phenomena and their meanings are continually being accomplished by social actors'* (Bryman, 2008). Constructionists would thus look at the planning system of Hong Kong and conclude that it is not a pre-given system but more like a 'negotiated order' which tends to work mainly on 'general understandings' between a number of different actors in Hong Kong (Strauss et al., 1973). Regarding the urban form and the urban development ideology, a constructionist approach would have to conclude that these too are not pre-given and are also a product of social processes (Wissink, 2007). And finally, regarding culture as a whole, constructionist scientists would conclude that *'people create culture continuously'* (Becker, 1982). It is thus clear that a constructivist ontology fits this kind of research better than an objectivist one, especially, since the main question of this research is to find out how a conflict, which is also a social process, influences the planning system.

However, even though this study has indicated that an interpretivist epistemology and a constructionist ontology are best suited for this research, it still does not form a solid theoretical foundation which can be used to develop a research strategy and methodology. A number of important questions are still left unanswered. First there is the question of space. Constructionism indicated that social processes are constantly being constructed by social actors. Is this the same for space? Should we see space as an absolute concept in which it is a container in which social processes play out or is it a more relative or relational concept, in which it is constructed by a number of actors? And what about conflicts in urban planning, an important concept in this study? How should we research them and what role do they play in constructing space? Paragraph 3.2 will deal with the notion of space, while paragraph 3.3 will present a theory that will combine the notions of interpretivism, constructionism, space and conflicts and which will be used to study the conflict regarding the Central & Wan Chai reclamation.

3.2 Absolute vs. Relative Space

Because this research deals with a geographical subject, the reclamation of land in Hong Kong's Victoria Harbour, special attention should be given to the concept of space. Especially since the ontology of constructionism has indicated that the social world is actively being constructed, one could argue that this is also the case with space.

For many years, space was seen as a neutral stage on which all social action played out; it was something static and pre-given. Scientists adhered to Euclidian and Cartesian conceptions of space in

which space only had three dimensions. This modernist way of thinking fit perfectly with the modernist planning (see paragraph 1.1) as it confirmed and ameliorated the idea that society could be moulded into a specific shape. For planners, it meant that they adhered to a *'reductionist assumption that cities and places can be considered unproblematically as single, unitary, material objects, to be addressed by planning instruments'* and that space '*acts as little more than objective external containers on which human life is played out'* (Graham & Healey, 1999). In the end, planners *'treated space as the domain of the dead, the fixed, the undialectic, the immobile - a world of passivity and measurement rather than action and meaning'* (Soja, 1989).

This absolute conception of space became increasingly contested from the 1970's onwards as a number of authors questioned this conception and called for a more relative conception of space in which space is not just a static container but a product of social relations (Giddens, 1979, Gregory & Urry, 1985, Urry, 1995, Castells, 1996, Graham & Healey, 1999). This process started with post-structuralist sociologists stating that *'meaning and identity arise from interactions between system-wide relations and divergent 'readings' of those relations'* (Pile & Keith, 1997). And thus, as Massey (1991) stated, *'if it is now recognized that people have multiple identities, then the same point can be made in relation to places'* (Massey, 1991). These post-structuralist theories were developed further by people such as Lefebre, who also stated that space is a social product and who developed the concept of the 'spatial triad', by Thrift (1996), who argued that space is a *'socially produced set of manifolds'* and introduced the 'non-representational theory' and finally by Doel (1999), who argued that space is a noun and that *'spacing is an action, an event, a way of being'*. (Lefebvre, 1974, Thrift, 1996, Crang & Thrift, 2000, Doel, 1999). Castells also emphasized the fact that space is being made by stating that *'space is an expression of our society … since our societies are undergoing structural transformation, it is a reasonable hypothesis to suggest that new spatial forms and processes are emerging'* (Castells, 1996). He further stated that *'space is not a photocopy of society, it is society'* and that the current world is made up from a space of flows and a space of places (Castells, 1996). This shows that space is not absolute, but that it is actively constructed by a large number of actors. With this theoretical background, academics have, for example, concluded that the medieval city differs from modern cities because social relations have changed and that modern cities in Europe differ from cities elsewhere in the world because social relations and power structures also differ (Soja, 2000, Yurcenar, 2006). It is thus fair to state that space is Hong Kong is also being constructed, as has been shown, for example, Wissink and Ng (Wissink, 2007, Ng et al., 2010).

These theories, based on the assumption that space was actively constructed, eventually formed the basis of what has been dubbed as a 'new geography' or 'post-structuralist geography' (Asbeek Brusse, Van Dalen & Wissink, 2002, Murdoch, 2006). But apart from stating that space in being constructed, academics also state that space is relational: *'space is not made by (underlying) structures, but by diverse (physical, biological, social, cultural) processes; in turn these processes are made by the relations established between entities of various kinds'* (Harvey, 1996, Murdoch, 2006). Space is thus made by entities and processes, which combine in a multitude of relations. And since these relations essentially make space, space is consequently relational (Murdoch, 2006). Whenever these processes and relations stabilize, discrete spaces and places are formed, or, as Harvey (1996) states, 'permanences' come

into being ^(Harvey, 1996). However, these permanences are not permanent and continually change as spaces are open; relations meet and fight for supremacy and are always in the process of becoming. ^(Murdoch, 2006). And since these permanences change, space also changes, constantly.

It can thus be concluded that space is not a static, almost lifeless movie set in which we live and in which social action is set. Space is a movie set that is constantly changing, just as we are changing. And if we want to change this movie set, we engage in a multitude of relations to further our goal. But, as we try to change this movie set, other relations and entities in this movie set also change us, just as the current state of the movie set does. Everything in this set is connected to each other; everything is relational.

However, this conclusion that space is relational still does not provide a solid theoretical foundation on which the reclamation in Victoria Harbour can be studied. Some questions are still left unanswered. Who produces space? Is it everyone or just a number of influential actors? And how is space produced? Stating that it is produced by a multitude of relations is rather vague.

The actor-approach tries to tackle these questions. It states that individual actors have a number of goals that they want to reach and they engage in a number of relations with other actors to change space in a way that fits their wishes ^(Giddens, 1986). For example, in a large part of the western world, people want to live in a relatively large house with ample space in and around the house, which should be situated in a quiet neighbourhood. However, most of the time, people do not have the resources to build their own houses and they need to rely on other actors to build the house of their dreams. Real estate agents and project developers respond to this market demand by creating large suburbs outside the crowded city centres. This way, relations between a number of actors are formed, the so called networks, in which their goals are met and space is changed. Actors, such as humans and organizations thus have agency; they can produce and transform space ^(Giddens, 1986).

However, in reality, actors aren't entirely free to form networks and change space to their liking. On the one hand, there will always be networks of other actors, most likely with different goals that might be incompatible with other goals. This is where conflicts arise and where actors with the most resources will emerge victorious ^(Giddens, 1986). So while a number of actors might want to increase the number of suburban houses, another set of actors might want to save that suburban area for recreational or environmental purposes. On the other hand, actors are always structured in their agency by rules and resources which are embedded in practices ^(Giddens, 1986). This explains why, even though the demand for suburban living is large both in Europe and North America, the differences between cities in both regions are numerous. The rules and resources in both regions are different; land is more scarce in Europe and urbanization is consequently more restricted.

This is where the institutional approach should be used. This approach stresses the importance of 'institutionalized' rules and practices that define how, for example, urban planning works. They are the planning regulations that tell people what can and cannot be built on a certain location and they

are the rules that deal with property rights. But these rules and practices also form the 'urban development ideology' of a certain city; *'an organized collection of ideas, supported by a group of actors that constructs reality - i.e. space - in a specific light'* (Wissink, 2007). These rules and practices are often taken for granted but nonetheless have an important role in structuring actors and the production of space (DiMaggio, 1988). So in order to understand how space is formed, it is also important to take into account the institutional approach, although as DiMaggio (1988) noted such an institutional approach will have to stress the importance of action (or agency) by actors and keep in mind that institutions and urban development ideologies are also changed by society and by space (DiMaggio, 1988). We are, after all, living in relational space.

What is useful about this theory is that it shows that even though some actor's goals might be the same in different places, the results for urban planning and eventually for space itself might be very different due to varying local context such as rules and practices. It shows once again that space is indeed relational. Unfortunately, these theories only vaguely show how actors produce space and the rules and practices that structure the productions of space (such as the urban development ideology) in these localized contexts. They also give hardly any attention to the role of conflicts in urban settings, an important concept in this research. And lastly, almost no account of the role of non-human objects is given, even though, for example, Hong Kong's mountainous surface has influenced it's urban morphology and urban planning (Wissink, 2007). To tackle these problems, another theory, which incorporates a number of aspects mentioned above, will be presented in the following paragraph: the Actor-Network Theory.

3.3 The Actor-Network Theory

The Actor-Network Theory (or ANT) was developed in the 1980's by sociologists Michel Callon, Bruno Latour and John Law. It builds on post-structuralism, as described in the previous paragraph, and the sociological analysis of people like Foucault, who in his analysis of a prison illustrated *'the crucial role that space plays in the construction of power relations and the crucial role that power relations play in the construction of space'* (Foucault, 1975, Murdoch, 2006). Latour build upon Foucault's analysis of power relations and the construction of space in the modern world by examining how Louis Pasteur became a 'great' and 'powerful' scientist. He concluded that Pasteur was successful, because he was able to enrol a number of allies and to build a solid network, which he could extend throughout society (Latour, 1984). These networks *'run across or through space and act to bind situated actors together…'* and they are 'heterogeneous', which means they are made of *'differing entities and resources'* (Murdoch, 2006). Latour (1984) thus showed us that *'power emanates from an ability to tie together actors … that enable [in Pasteur's case] scientific facts to travel far and wide'* and that *'if networks function correctly and if all the enrolled entities remain faithful bearers of the facts and artefacts, then authority flows back up the network to the scientist'* (Latour, 1987, Murdoch, 2006).

At the same time, John Law examined how technology gave Portuguese sailors an edge over other seafaring nations in the 15th and 16th century. He concluded that this was due to a *'relatively stable set of associated entities that achieved relative durability because together they were able to disas-*

sociate the hostile forces encountered without being disassociated themselves' [(Law, 1987)]. So, one of the reasons the Portuguese were successful, was because they had better cannons then everyone else. In a way, they enrolled the entity called 'cannon' better in their network, or as Law would say, association, then say, the Arabs. But as soon as the Arabs were able produce better cannons, their network which included the 'cannon' was disassociated. According to Law (1987), the Portuguese were 'heterogeneous engineers', who sought to *associate entities, that range from people, through skills, to artefacts and natural phenomena'* and they were successful only when *'the consequent heterogeneous networks [were] able to maintain some degree of stability in the face of attempts of other entities or systems to disassociate them'* [(Law, 1987)].

The third 'founding father' of ANT was Michel Callon, who examined, following Latour's accounts of how scientists reach their goals, how a number scientists tried to introduce a new way of growing scallops in St Brieuc Bay in France. With this account, he introduced the concept of 'translation', in which the scientists tried to associate all the needed actors, both human and non-human into an association that made it possible to attain their goals. Translation, as Callon (1986) stated, *'is the mechanism by which the social and natural worlds progressively take form'* and studying this process *'permits an explanation of how a few obtain the right to express and to represent the many silent actors of the social and natural worlds they have mobilized'* [(Callon, 1986)].

These three authors, along with their influential works, formed the basis of the Actor-Network Theory. The theory focusses on the ever present relation between human and non-human actors and how these actors actively influence the production of the social and natural world. The aim of the theory is *'to show why the social cannot be construed as a kind of material or domain and to dispute the project of providing 'social explanation' of some other state of affairs'* [(Latour, 2005)]. Instead of providing a regular social explanation, ANT wants to explain the world by looking at the associations of human and non-human objects that emerge. ANT wants to investigate *'the means by which associations between actors and entities come into existence and how the roles and functions of subjects and objects, actors and intermediaries, humans and non-humans are attributed and stabilized … they are interested in how these and other categories emerge from processes of network building'* [(Murdoch, 2006)]. It is these associations, that, once they have been established and accepted, constitute society and thus explain the world around us [(Latour, 2005)]. So social research, including research of geographical nature such as this one, will have to focus on the production and acceptance of these associations between human and non-human actors through a process of translation. To further explain ANT, a number of key concepts will be described below.

Agnosticism

Agnosticism means that the scientist is impartial towards the scientific and technological arguments used by the actors and he refrains from censoring them when they speak about themselves or their environment (Callon, 1986). This also means that the scientist shouldn't judge the actor's view of his environment and himself; what is important is to know how the actor constructs his social and natural environment, because this explains his actions when building an association.

Generalized Symmetry

When describing actors, the scientists should, according to ANT, use a single repertoire for both human and non-human actors [Callon, 1986]. This means, that, as stated above, both human and non-human actors should be included in a description of how associations are produced and accepted by society. In fact, an actor is *'any element which bends space around itself, makes other elements dependent upon itself and translates their will into a language of their own'* [Callon & Latour, 1981].

Free Association

The concept of free association means that the researcher, instead of *'imposing a pre-established grid'* on the phenomena he is analysing, he should *'follow the actors in order to identify the manner in which these define and associate the different elements by which they build and explain their world, whether it be social or natural'* [Callon, 1986]. So when studying the actors involved in building association, it should be about how the actors view the world. An observer *'must consider that the repertoire of categories which he uses, the entities which are mobilized and the relationships between these are all topics for actor's discussions'* [Callon, 1986]. Along with the concept of agnosticism, this is in line with the interpretivist epistemology mentioned in paragraph 3.1.

Translation

The process through which actors form associations and consequently become part of a actor-network, is called translation. According to Callon and Latour (1981), translation consists of all *'negotiations, plots, calculations, persuasions, and dominations that result in the authority of an actor to act as a spokesperson on behalf of other (human or non-human) actors'* [Callon & Latour, 1981]. It is in this process that actors either become intermediaries or mediators, the first group consisting of passive actors whose only role is to transfer power or knowledge through a network, the second group consisting of actors that actively influence this transfer.

Callon (1986) discerns four phases in the process of translation:

1. Problematization. In this first phase, an actor presents a goal that he wants to reach. This actor then determines '*a set of actors and [defines] their identities in such a way as to establish themselves as an obligatory passage point in the network of relationships they were building'* [Callon, 1986]. The actor thus becomes a focal actor and tries to persuade other actors (human and non-human) that his goals are also beneficial to the other actors. This phase *'describes a system of alliances, or associations, between entities, thereby defining the identity and what they 'want''* [Callon, 1986].

2. Interessement. In the second phase, allies are locked into a place that is beneficial for the focal actor. It is a *'group of actions by which an entity attempts to impose and stabilize the identity of the other actors it defines through its problematization'* [Callon, 1986]. Persuasion of other actors to stay put, is done by so called 'interessement devices', which can be anything that somehow persuades other actors. In the end *'social structures compromising both social and natural entities are shaped and consolidated'*, which makes it considerably harder for competing associations to finish their process of translation [Callon, 1986].

3. Enrolment. When interessement is successful, actors will be firmly enrolled in a network. They are now willing participants of the association and accept the focal actor as their spokesperson [Wissink, 2009]. Enrolment can thus be seen as a *'group of multilateral negotiations, trials of strength and tricks that accompany the interessements and enable them to succeed'* [Callon, 1986].

4. Mobilization: In this last phase the association is institutionalized and the focal actor becomes the official spokesperson. The whole association becomes a black box; it becomes unproblematic and certain [Latour, 1987]. Instead of space in the making, it becomes ready-made space [Latour, 1987]. At this moment *'only voices speaking in unison'* will be heard and a '*constraining network of relationships has been built*' [Callon, 1986].

Controversies

However, in reality, translation will never be as easy as described above. During the process, competing associations will try to reach their own goals and sabotage the translation. Enrolment might fail because of this, which ushers in a new phase of interessement. This cyclical process might go on for a long time before any focal actor successfully finishes a process of translation. On the other hand, once translation is complete, the resulting black box might be opened again; the consensus and alliances might become contested at any moment [Callon, 1986]. This is where space in the making stays space in the making or where the black-boxed ready-made space becomes space in the making once again.

When this happens, a controversy (or conflict) is born. According to Callon (1986) a controversy is *'all the manifestations by which the representativity of the spokesman is questioned, discussed negotiated, rejected, etc.'* [Callon, 1986]. It refers to *'every bit of science and technology which is not yet stabilized, closed or 'black boxed' ... a general term to describe shared uncertainty'* [Macospol, 2007]. In this case, 'science and technology' can be easily replaced by space. Quite simply put, a controversy refers to a situation where actors disagree, in the widest sense [Venturini, 2010].

Since ANT argues that the world is made up of a large number of associations and actor-networks, controversies are consequently numerous. Controversies exist in science, in business, in politics and also in urban planning. And even though controversies can be about a wide range of subjects, some features are common to all controversies [Venturini, 2010].

1. Controversies involve all kinds of actors, both human and non-human. They are the place where the most heterogeneous relations are formed and where boundaries between these actors fade [Venturini, 2010].

2. Controversies display the social in its most dynamic form [Venturini, 2010]. They display how dynamic the social can be and how the process of translation is ever-present

3. Controversies are reduction-resistant. They are impossible to reduce to a single resuming question, which makes them extremely difficult to solve.

4. Controversies are debated. They are discussions where *'more and more objects are discussed by more and more actors'* [Venturini, 2010].

5. Controversies are conflicts. It is a clash of conflicting worlds, where the distribution of power plays an important role and where people struggle to conserve or reverse social inequalities [Venturini, 2010].

The fact that, according to ANT, the world around is constructed by a large number of actor-networks and associations, makes controversies so interesting to study. As Venturini stated, *'to understand how social phenomena are built, it is not enough to observe the actors alone nor is it enough to observe social networks once they are stabilized … what should be observed are the actor-networks …'* (Venturini, 2010). And these actor-networks can best be observed during a controversy, as a controversy remains the best way to *'observe social world and its making of'* (Venturini, 2010). It is during a controversy that we see which actors are involved, how the process of translation evolves and in the end, how the world is changing.

3.4 Actor-Network Theory: Implications for This Research

Following the description of ANT given above, it can be concluded that this theory provides an adequate framework for this research into the controversy regarding the Central & Wan Chai reclamation. It combines a number of important aspects mentioned in paragraphs 3.1 and 3.2 and adds two important aspects to this set. ANT is interpretivist, because it stresses the need to follow the actors and let them do the talking. It is constructionist, because it stresses that the social world is being constructed by a multitude of actors. It is also relational, because all these actors engage in relations, or associations, and in this way, change the social world. It pays homage to the actor approach, as it points out that the world is formed by actors, and the institutional approach, as associations can become institutionalized and in this way, structure the social world. It adds to these concepts that ideas that non-human entities can also be actors and that controversies are where the construction of the social world is at its most visible. And because one of the main questions of this study is to find out if and how a controversy changed the urban planning system of Hong Kong, it can be concluded that ANT is a very useful framework to describe an urban controversy and its effects on the urban planning system of a city. Compare this to the research described in chapter 2, and it becomes clear that ANT, with its focus on how things become, can lead to a whole different kind of description of the world than non-relational studies.

Nonetheless, choosing ANT as a framework for this study, does have some implications for the way one should look at space. In ANT, space is constructed within networks that are made out of a multitude of actors. This means that the urban form but also the urban development ideology or urban planning systems are basically associations that are in some cases institutionalized or in other cases contested by other actors. So, according to ANT, the Central & Wan Chai reclamation is also part of one of the many actor-networks or associations that produce space in Hong Kong. And just as with any other association, it came into being though a process of translation and can become controversial once other actors start to disagree with this association. Should someone wish to study these associations or the effects of this association on the city, one should *'follow the networks in order to follow the processes that construct space'* (Murdoch, 2006).

In the end, ANT provides *'a single terminology (and a single methodology) for the study of space and spatial relations'* (Murdoch, 2006). But how this methodology will be used to study the Central & Wan Chai reclamation, will be discussed in the next chapter.

[4]

[RESEARCH METHODOLOGY]

The previous chapter introduced the Actor-Network Theory as a theoretical framework that is well-suited for studies such as these. Its relational view on space takes into account that the society and technology influence each other and it assumes human and non-human actors can have the same amount of influence in the associations build around an urban project like land reclamation. Furthermore, it also explains the rise and fall of these association and explains the role controversies play in in this complex process, which is exactly what this study aims to clarify in relation to land reclamation in Hong Kong. So, with these points and the information provided in chapter 3 in the back of our heads, it seems like a logical step to use the Actor-Network theory as a theoretical framework for this study. However, the Actor-Network theory is, as its name implies, mostly a theory. It provides researchers with a new way to look at how the urban form changes, but what it does not provide, is a clear-cut research methodology. Callon's (1986) study of the fisherman and scallops in St. Brieuc Bay and Latour's writings however, give some insight into what an ANT researcher should look for and what he should keep in mind when doing research. This chapter's aim is to present a clear description of how the empirical part of this project has been realized. The question to be answered in this chapter is *'how should ANT be used to study the controversy regarding the Central & Wan Chai reclamation?'.* The first paragraph will describe what a research strategy based on ANT would look like and the second paragraph will deal with choosing a case study. This chapter will end with a description of the steps that have been made to produce this thesis and with remarks on the limitations of this study.

4.1 Designing a Research Project with ANT

Before one can say anything about a research design, one should first think of a research strategy. These methodological issues mainly deal with choosing either a quantitative research strategy or a qualitative research strategy or sometimes a mixture between the two. The first is used to test theories, incorporates positivist practices and norms and has an objectivist approach to the nature of the research subject [(Bryman, 2008)]. The second one is focused on generating theories out of observation, incorporates practices and norms from interpretivism and has a constructivist approach to how one should see the objects of research [(Bryman, 2008)]. Seeing as how ANT is strongly situated in the realms of interpretivism and constructivism, as shown by key concepts such as 'follow the actors' and its relational approach to the social world, a qualitative research strategy appears to be the best option to answer the main question. This means that the data, or knowledge, in this research will be mainly presented with words instead of numbers. It will be mainly focused on telling a story instead of presenting a number of tables to back up a hypothesis.

The next question is what kind of design would answer the main question best. Since we're looking into how an urban controversy evolved and what kind of effect it had on Hong Kong's urban planning system, a case study would be the best option. Describing urban conflicts regarding harbor reclamation in general would be impossible, because ANT tells us that every conflict takes place in a unique set of associations, consisting of local actors who are often in the middle of a process of translation. So only when a researcher has studied a fair number of urban conflicts, can he say something about urban conflicts in general. The same thing also applies to urban conflicts regarding harbor reclamation in Hong Kong. This city has seen a lot of (unsuccessful) reclamation projects, of which a large num-

ber have been controversial, especially in the last 20 to 30 years. Before one can say anything about urban conflicts regarding harbour reclamation in Hong Kong, one would have to study every one of them. And since every conflict was, or still is, part of large number of associations with an even larger number of actors, this would amount to a monumental task. However, a case study consisting of just one case would fit the scope of a research project like this much better. The problem then comes down to choosing the 'right' case; the Central & Wan Chai reclamation project. Paragraph 4.2 explains how the Central & Wan Chai reclamation case was chosen.

Before that, this paragraph will explain what choosing ANT as a research framework means for this case study. To summarize, this research will search for controversies by tracing associations. This is the most basic way of explaining what this research is about, but it shows that two important aspects of Actor-Network Theory are at the foundation of this study. In the first place, it explains that this study is aimed at understanding the urban conflicts, the controversies in Actor-Network Theory, regarding land reclamation in Hong Kong. This study isn't just aimed at providing the reader with a solid list of all the conflicts about the reclamation in, for example, Victoria Harbour or an overview of how these conflicts played out. It is aimed at providing the reader a more deeper understanding of these conflicts, why these conflicts emerged, who participated in them, why some people participated in them, why some people did not and how these conflicts changed Hong Kong's urban planning regime and ultimately its (future) urban form. These are just examples of questions one could ask about the controversies surrounding land reclamation, but they show that there is a lot to research about these conflicts than just their prevalence and the way in which they were handled.

Why search for controversies in this case study? As Venturini (2010) noted, controversies are debates about 'space in the making'. They show the process of translation at its best and thus show how space and the social world are being made. Consequently, they also show how an urban planning system is made or even changed, which is exactly what this research is about. Studying and describing controversies means understanding how and why the world is changing.

These controversies will be described by using the four steps of translation as described by Callon (1986). This means that the controversies which have been found will be described as a process of four steps, which, if the translation is successful, will lead to the formation of an institutionalized association (also known as a black box). By identifying these four steps in the controversies to be described, it will be possible to accurately point out which associations have been formed, how these associations have acted in the steps described, which actors have been involved and the roles they played in the process of translation and finally what the results of the processes of translation were. In the end, this will lead to a greater and more accurate understanding of the urban conflicts surrounding harbour reclamation and ultimately to a better understanding of role these conflicts play in the changing urban planning system of Hong Kong.

But the controversies and the people and objects involved in them, aren't always easy to find. This is where the tracing of associations comes into play. As Latour (1987) stated, in order to understand controversies and the urban form, we should 'follow the actors' (Latour, 1987). By following the actors and the associations they build around them, we can identify more controversies and understand them more accurately. This means that in order to understand the controversies surrounding land reclamation in Hong Kong, one should look for the important actors at play and their actions in these controversies. One should ask themselves what their role is, why and how they became a spokesperson for their group or for their cause, which associations they formed and what influence they have and have had on the process of (re)structuring Hong Kong's urban form. And by studying, or following, as Latour stated, these actors, they will reveal more controversies and will lead to an even deeper understanding of the urban conflicts in Hong Kong.

However, when describing this controversial case study by using the 4 steps of translation, special attention should be given to the key concepts of ANT. They are what makes ANT special and why ANT leads to a better understanding of how conflicts evolve and change the social and natural world. Without them, the description given in chapter 5 would be more like an actor approach or institutional approach than an Actor-Network Approach. This means the following points should be kept in mind when describing this case study.

1. Be agnostic; let the actors speak for themselves and describe how they construct their own reality. Follow the actors to learn more about their world and consequently how they are changing it.
2. Include both human and non-human actors in the description and describe them in the same way. Both have the ability to construct and change space and both can become a part of an association. Keep in mind that human actors often think that they are spokespersons for non-human actors; they develop so called speech prosthetics to let non-human actors speak (Callon, 1986, Latour, 2004).
3. Try to identify these spokespersons (even when they're spokesperson for other human actors) and try to find out how they became a spokesperson (often through another process of translation), what their interests are and if these are backed up by other actors
4. Focus on the controversies when describing a case study, because this is where the social world (and also space) is at its most dynamic form (Venturini, 2010).
5. Describe how actors, groups, identities and interests are constructed by other actors.

If the above is taken into account, it means that, by studying the controversies regarding land reclamation in Hong Kong and the most important actors at play, this research will get to a deeper understanding of the role these controversies play in Hong Kong's changing urban regime. It will try to find out how these new associations, formed by the new social groups and social identities, changed Hong Kong's urban planning system.

4.2 A Case Study Revealed

To bring the theoretical ideas stated in chapter 3 and in the previous paragraph into practice, a case study should be selected. Without this, the connection between the abstract Actor-Network Theory and the reality of Hong Kong's urban regime will be impossible to research.

Choosing a 'good' constroversy, however, isn't as simple as it sound. Fortunately, Venturini (2010) provides a list with recommendations for choosing a controversy. According to Venturini, a researcher should:

• Avoid cold controversies; some action or debate must be going on
• Avoid past controversies; the controversy and the translation it is part of should still be active. There should be space in the making and no ready-made space
• Avoid boundless controversies; the controversy shouldn't be too complex and should, in the best cases, be restricted to one subject
• Avoid underground controversies; the controversy should be open to public debate.
• Favour controversies regarding scientific or technical issues.

If one ignores all these reccomendations, a substantial description of the urban controversy would be near to impossible and drawing conclusions about Hong Kong's urban regime or urban conflicts would not render any useful information.

With these recommendations in mind, only one case seems to be adequate for this research; the Central and Wan Chai Reclamation project. This large reclamation project was officially started in the 1990's after a planning phase that started somewhere in the 1970's and has since then not only been under construction, but also under heavy fire and scrutiny from different protest groups and individuals. The many controversies surrounding this project, its large scale and the fact that is now partly under construction and partly in a planning phase, make this project and excellent case study for this research project. Furthermore, this project is currently the only reclamation project which is under construction, with only a few other projects that are in their planning phase, such as the old Kai Tak airport and its surroundings.

This means that the theoretical framework Actor-Network Theory provides will be projected on a real world project, in this case the Central and Wan Chai Reclamation project. The core values of Actor-Network Theory will be used to accurately describe the history of this project, the controversies encountered, this people and groups connected and the possible effects all this had on changing Hong Kong's urban regime.

4.3 Seven steps to knowledge

Now that the theoretical framework behind this study has been explained and the case study to be researched has been revealed, it is time describe how all this will be put into practice. This paragraph will thus deal with the practical sides of this study; how will the information be found and how will this information be processed to reveal the 'hidden' information that is needed to answer the question asked in chapter 1. Seven steps will be described in this paragraph that explain how this research is executed and will eventually lead to an answer to the main question.

Step 1: General information

Before one can get started and before one can describe the outcomes of a research project to their readers, one needs to find and write down general information about the research subject. In this case, this means searching for and writing down information about land reclamation, urban controversies and the historical and urban development of Hong Kong and its land reclamations. The results of this study can be found in chapter 1 and 2 and provide a general background to this study.

Step 2: Creating a theoretical framework

The next step concerns creating a theoretical framework for the empirical research. For this part of the study, a framework will have to be selected for describing and understanding the processes of land reclamation in Hong Kong and its effects on the urban planning system. This means that in this step, relative and relational thinking about space, the Actor-Network Theory and their most important concepts will have to be described in great detail. It also means that the reasons for choosing this framework will have to be explained. This information can be found in chapter 3. Finally, a description should be given of the way in which the theoretical framework will be put into practice and the methods that will be used to gather information and find the answers to the main research questions. This can be found in chapter 4.

Step 3: Finding information about the case study in archives.

After this mainly theoretical work has been finished, the empirical part of this study can begin. Now that the case study has been selected, information should be gathered. Firstly, information about the main aspects of the project should be gathered. Government-made plans, scientific literature (books and papers) and web-based information can give a good insight in this kind of information. The goal of this first phase is to write down an accurate description of the current and former plans on the reclamation in the southern part of Victoria Harbour and to give a general historical overview of how this project evolved over the years.

The second part of this phase deals gathering information about the project in the different media outlets active in Hong Kong, such as the South China Morning Post or the Hong Kong Standard. These sources contain a lot of information about how projects evolved and how people thought of these problems years ago. Especially the SCMP is very useful in this research, because it has a large archive of news articles available on the internet. Archives such as these will be searched for relevant articles and the information in these articles will be used to complement the information found in the first part of this step and to add different views on the projects to this study. Furthermore, the news articles are a good source of relevant spokespersons, because it is mainly these people that are featured in interviews or whose quotations are used. By combining the official information provided by the government, the scientific literature and the information found in news articles, a preliminary historical description along the lines of Callon's four step will be made. And it is this preliminary description that will form the basis of the next steps.

Step 4: Selecting spokespersons

It is in the next two steps that Latour's 'following the actors' will be put into practice. It will start by creating a comprehensive list of relevant actor and spokesperson who are, or have been, connected to the case to be researched. The information found in step three will greatly help with this task, because the official documents, the scientific literature and the news articles will provide the researcher with a wide range of actors who are somehow connected to the project. What has to be done next, is compiling a list of actors found in these sources, selecting the most important actors, divide them into different categories (such as spokesperson of environmental, civil rights or heritage groups, government officials, scientists and journalists), collecting general information about them and finally, collecting their contact information. With this information, these persons can be contacted directly or the organization or company they are working for can be contacted and they can be asked if they are interested in an interview about this subject.

An important thing to remember in this step, is that interviewing just for the sake of interviewing is not what this research is about. When selecting the spokesperson to be interviewed, one should consider if the information this person is likely to give will really add something to the information already gathered in step three. If this is not the case and the person will probably add no new information, then he or she should not be interviewed. In the end, it is not about the quantity of the interviews but about the quality of the information they provide.

Step 5: Interviewing spokespersons

After selecting the most important spokesperson in step four, the next step is actually interviewing them. The spokespersons will be contacted and an appointment will be made for an interviews. In these interviews, questions will be asked about the project itself (for example, how it evolved over the years), the spokespersons role in this project and their thoughts on the project, how it evolved and the role the government and other important actors played. Especially these last questions, where the personal opinions and views of the spokespersons will be revealed, are what makes these interviews an essential part of this research. The questions will have to explain how these actors became involved, or became part of the actor-network, in this project, how they constructed their own networks and associations to become powerful actors and how they handled and viewed the controversies of the project.

The interviews will be recorded in a digital format and will be transcribed shortly after they have been held. The transcripts will stay in the property of the Repace Project and will not be used for other purposes. The documents containing the transcribed interviews and the historical description made in step three, will form the basis of the next step.

Step 6:Combine information

In this step the information gathered in step three and five will have to combined into one historical account of how the Central and Wan Chai Reclamation project evolved over the years and how the controversies surrounding this project were handled and changed the urban regime of Hong Kong. All this will have to be done by taking into account the theoretical framework the Actor-Network Theory provides and as has been described in the previous paragraphs and chapter three.

The last step of this research project will be using all the information gathered and processed to answer the main questions of this study. This will be done in chapter 6.

4.4 Limitations: Why Not Even This Study Is Perfect

As much as this study aims to be comprehensive and objective, there will always be limitations to these two very important aspects of a scientific research project. It is important to mention these limitations to this study, because they can have a substantial impact on the conclusions drawn, even though everything will be done to limit the effect of these limitations as much as possible.

One of the first limitations is caused by cultural differences. This study is written by a researcher who grew up in a Western European culture, so it will be almost inevitable that the collection and interpretation of the collected data will be done with a Western European view on Hong Kong and it's urban regime. This could mean that certain important aspects will be missed or interpreted in a different way as, for example, a researcher from an Asian culture would do. This doesn't have to mean that the results will be wrong or incomplete, it will just mean that the results and conclusions drawn can differ from how local people would see it.

The second limitation of this study deals with the sources used in this study. As has been stated in the previous paragraph, this study will rely heavily on third party sources and interviews. This means that truly objective information will be hard to find, especially when dealing with 'hot topics' such as the controversies surrounding land reclamation. On the one hand, this 'subjective information' is part of this research, because it explains how associations are formed, maintained and broken down, but on the other hand it could also lead to 'coloured information' seeping in this research. So with every piece of information, one should keep in mind that the information provided might be coloured of might ignore certain aspects of the 'truth'.

And lastly, the third limitation deals with the research design. As Bryman (2008) stated, *'one of the standard criticism of the case study is that findings deriving from it cannot be generalized'* [Bryman, 2008]. This is also true for this research. In the best case, this case study is both a representative case and a revelatory case. It could show on the one hand that what happened in the Central & Wan Chai reclamation case, also happens in other controversial reclamation cases in Hong Kong and the findings from this study can be used in other (future) reclamation cases. But on the other hand, the fact that every controversy is part of a unique set of associations and is formed by a large number of actors, could also imply that this case is unique and that only some very general lessons can be learned from studying it.

Nevertheless, the limitations above do not mean that this case study won't be able to show how a controversy evolves and how this controversy and all the actors that are part of it, can change the social and natural world. It is now time to find this out.

[5]

[THE CENTRAL & WAN CHAI RECLAMATION]

5.1 Introduction

In this empirical chapter, the controversies regarding the Central & Wan Chai Reclamation will be described. The description will start with the first plans made by the government of Hong Kong in the early 1980's and will span the period up to now (2011) in which the first plans were enacted, the first controversies arose and in which these controversies reached highpoints and were subsequently resolved in a number of different ways. The description will focus on the most important controversies, being the size of the reclamation, the Protection of the Harbour Ordinance and the Bypass. By describing these controversies with an Actor-Network terminology, this description will show how these controversies evolved, how new and important groups, such as the Society for the Protection of the Harbour and the post-80's generation were formed and gave themselves or were given an identity and finally, in what manner urban planning has changed and how this was set in motion and handled by the different parties and actors involved. The theoretical framework and research design set out in chapters 3 and 4 will be guiding in how this description will be made. The four steps of translation as identified by Callon (1986) will be used to structure the description of the complex conflicts on land reclamation and they will help in understanding how the discussion progressed and what, if any, effect it had on urban planning Hong Kong.

The main question to be answered in this chapter is *'how did the Central & Wan Chai reclamation controversy evolve?'* This chapter will start with a historical overview of how the plans for reclamation were started and evolved in the first years. The following paragraphs will be devoted to describing how controversies were born, how they were handled, which parties were involved and which arguments were used by these different parties. The chapter will end by looking back at the events that took place since the first plans for the Central & Wan Chai reclamation were made and how this changed the urban regime of Hong Kong.

5.2 Gentle Translation: A New Scheme Is Planned

As was stated in chapter 2, land reclamation in Hong Kong has, for a long time, been a much-used strategy to cope with urban growth and problems associated with a growing city. It is exactly because of these reasons, a growing economy and consequently a growing need for land for urban development, that new plans for reclamation in Victoria Harbour were envisioned in the beginning of the 1980's. A new phase of translation thus started, in which the government build an association that could reclaim a large tract of new land in the Central and Wan Chai areas.

The first phase of translation started with a problematization by the central government at the end of the 1970's and the beginning of the 1980's. First, a problem was identified. Rapid development in the 1970's, such as the building of extensive 'new towns', new container terminals, the expansion of the now abandoned Kai Tak International Airport and major investments in new infrastructure, led to the wish for a new plan for long term development (Planning Department, 1995b).

The government responded to this problem in 1981 by starting the process of developing a new long-term development plan, which would act as a *'broad planning framework for sub-regional and*
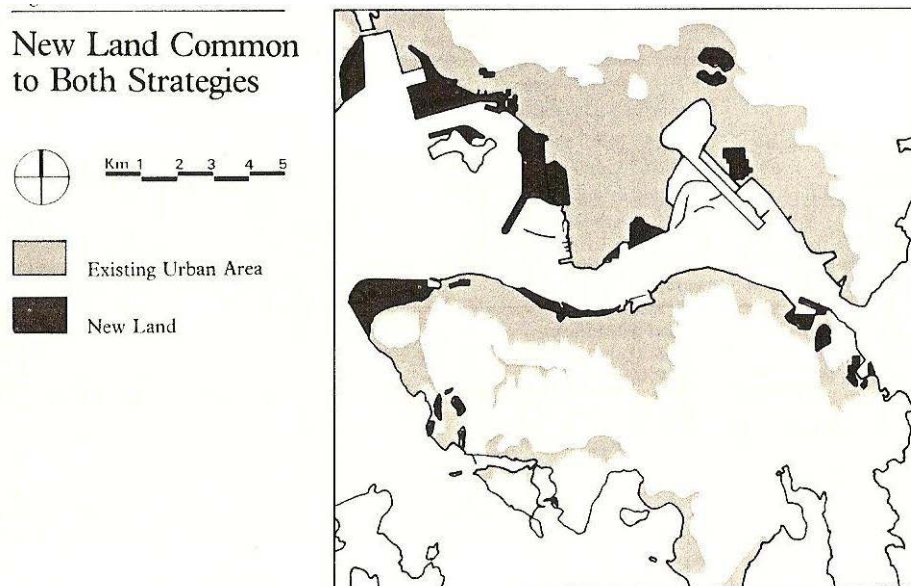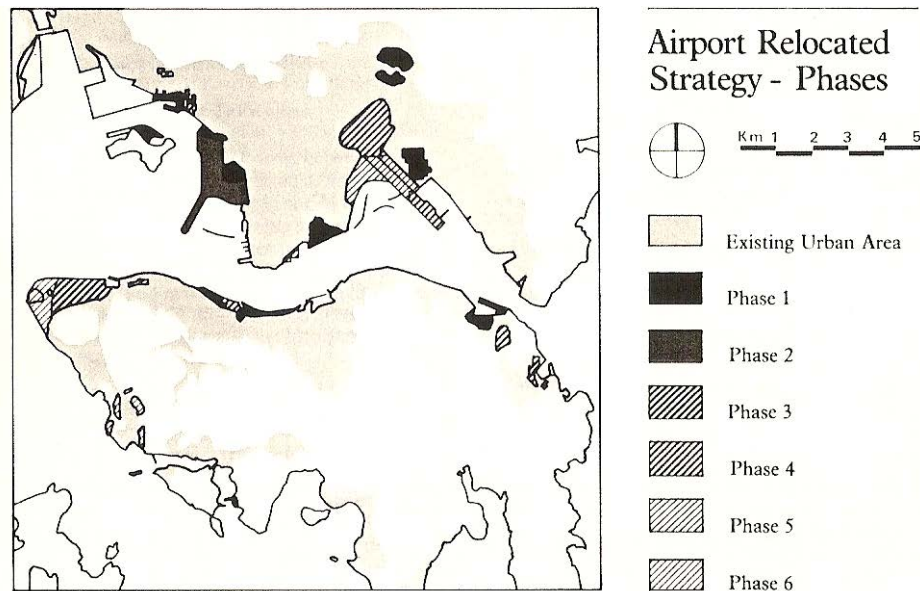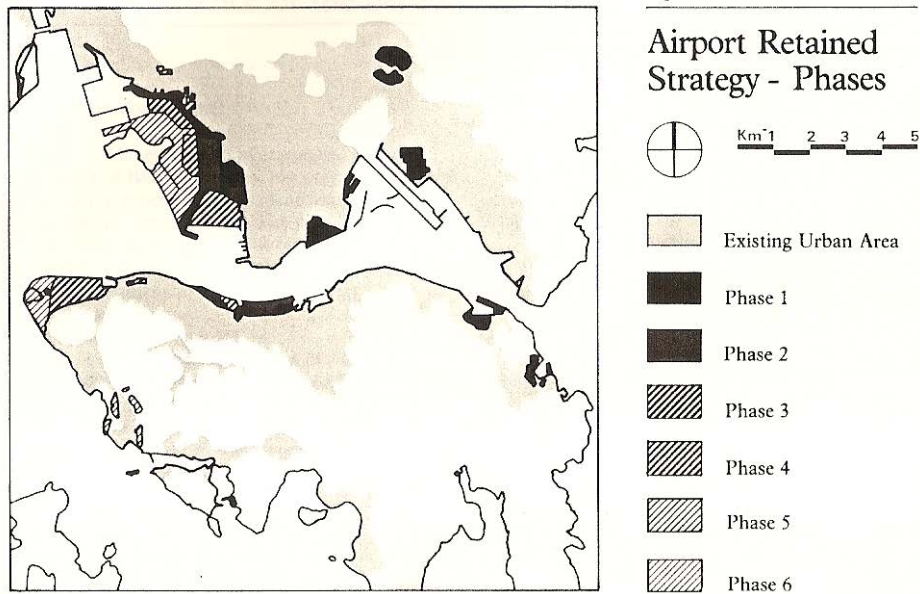
district plans', the Territorial Development Study (TDS) [San, 1998]. This TDS was based on several sub-regional studies, which were combined into one plan after their completion. Several options were laid out, but uncertainty over the development of a new international airport or the upgrading of the old Kai Tak airport led to a *'prudent course of action'* in which *'common components'* of several options were combined [Planning Department, 1995b]. One of those 'common components' were a number of harbour reclamations, of which a large-scale reclamation in the central area of the Victoria Harbour was one option.

One of the sub-regional plans that formed a basis for the TDS was called the Study on Harbour Reclamation and Urban Growth (SHRUG). This study was started in 1981, completed in 1983 and focused on the urban area surrounding Victoria Harbour. In this study, the Lands Department started with the assumptions that the concentration of urban activities is *'not without disadvantages'* and that there are *'... some widely held beliefs ... that there is no more scope for extensive reclamations in the harbour ...'* [Lands Department, 1983]. Despite this last assumption, they continued their conclusions by presenting two strategies; one in which the international airport was moved to another location and one in which the airport was retained at Kai Tak (see figure 5.1). In both cases, it was concluded that *'extensive reclamations are feasible in the harbour...'* without these reclamations increasing the tidal flows, deteriorating water quality and constraining port activities [Lands Department, 1983]. They further concluded that improved living conditions *'... may be best secured by controlled expansion rather than by isolation from new development'* [Lands Department, 1983]. The study presented three preferred strategies, two based on the different futures of the airport and one in which land reclamation *'common to both strategies'* was presented. In all the three options, a substantial reclamation on the northern shore of Hong Kong Island was proposed (see figure 5.1 - 5.3).

The first version of the TDS, including the results from SHRUG, was published in 1984. The primary goal of the TDS was *'to select from a range of alternatives a long-term development strategy which will satisfy predicted land use and transport needs and produce a satisfactory physical social and economic environment'* [Lands and Works Branch, 1985]. Changing outlooks and the economic development of China, forced the government of Hong Kong to review the TDS several times, with the last one taking place in 1998 [Planning Department, 1995a, Shan, 1998].

As stated before, SHRUG was one of the studies that stood at the basis of the first TDS. The most important conclusions were therefore incorporated in the TDS, which meant that reclamation in Victoria Harbour became part of an official long-term development strategy in Hong Kong. The TDS thus earmarked the future Central & Wan Chai reclamation area as a strategic growth area which could house up to 90 000 people and which could also be used for office and cultural functions [Ng & Cook, 1997].

With the adoption of the first TDS, with SHRUG at its basis, the first phase of the process of translation was finished. The government identified a problem (a lack of space for development) and then identified a solution for this problem (several reclamations, including one in Central and Wan Chai). In line with the urban planning of that period, in which a strong association between the government, developers, the harbour and other actors involved in urban planning combined with a *'general political apathy of the people'* were the norm, the government identified itself as the focal actor and mediator in the association

Figures 5.1 (top), 5.2 (middle) and 5.3 (bottom): Proposed reclamation in the SHRUG. Source: Lands Department, 1983.

which had to take care of the reclamation in Central and Wan Chai [Wissink, 2007, Interview Mee Kam Ng, 2011]. Meanwhile, the other actors accepted their role as intermediaries and quietly followed the government in their process of translation. Because of this strong association and the general agreement between these actors, interessement and enrolment were hardly needed and the government could thus move on to the mobilization of its 'allies'. So in order to complete this reclamation scheme, the government just had to mobilize several parties to design and execute the plans for reclamation and they had to prove and justify the need for reclamation even further.

Apart from starting a new process of translation, this period also saw the construction of the concept of reclamation and the identity of the harbour, which would later be on the forefront of the controversy. As stated above, reclamation was needed to give Hong Kong more room for development and therefore reclamation was constructed by the Territory Development Department as *'the last opportunity to upgrade the existing metropolitan area and redress the shortage of community facilities, as well as help to reduce overcrowding and generally improve living conditions'* [TDD, 1989] and later by the Planning, Environment and Lands Branch (PELB) as *'an ongoing planning process'* which was meant to improve urban living conditions and to *'meet the evolving needs both of this community and the pressures arising from economic growth in the wider region of South China'* [PELB, 1995a, PELB, 1995b]. Victoria Harbour was seen as a *'land bank from which sites can be released in a timely way to meet the needs of the community'* [PELB, 1995a].
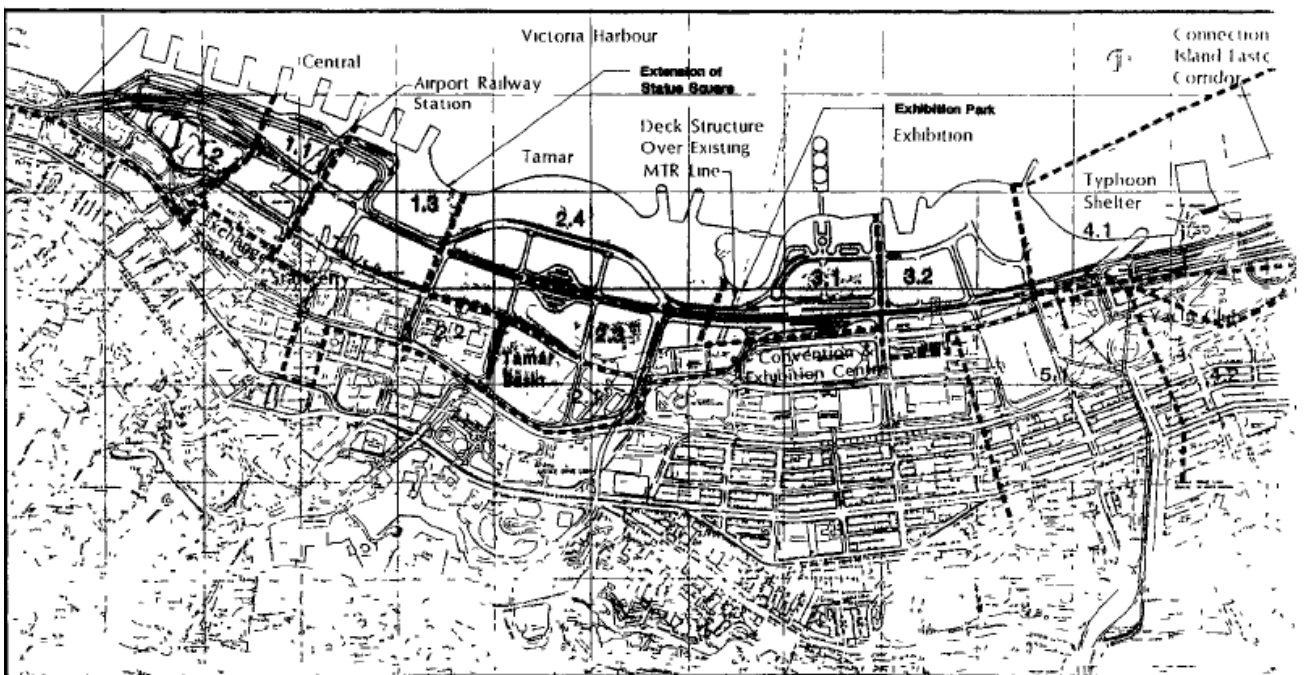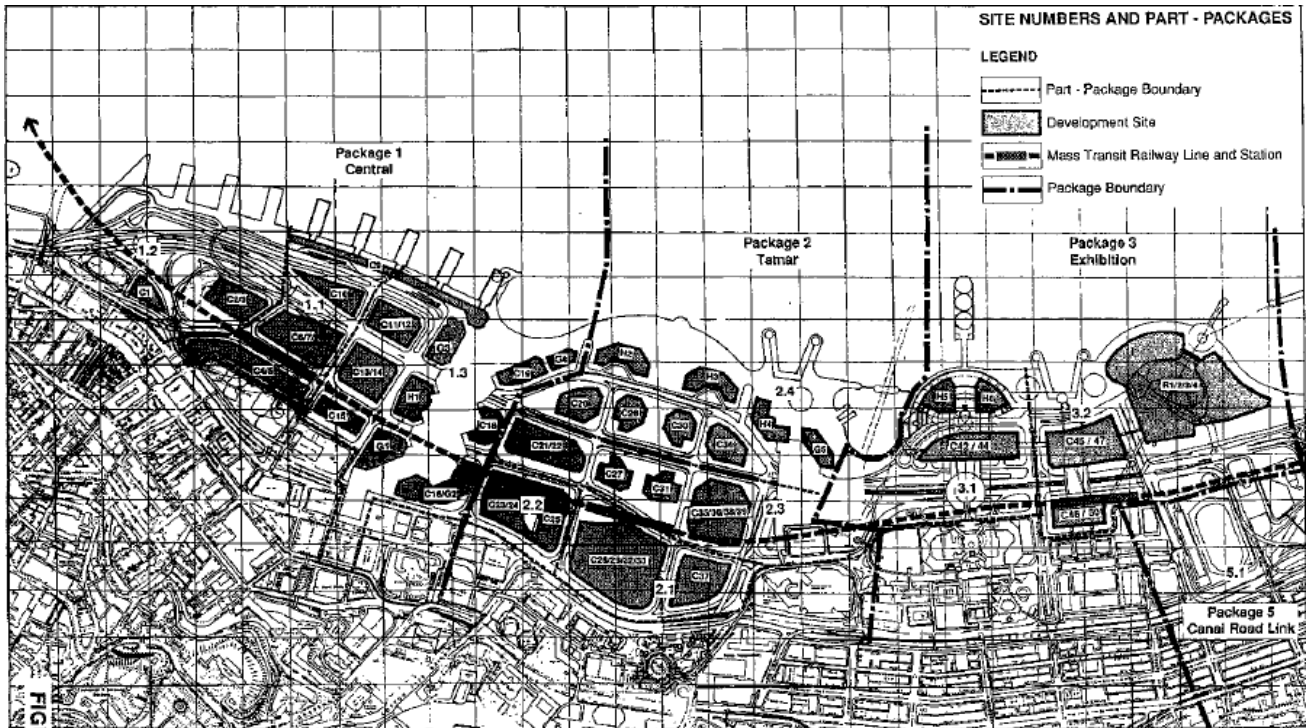
The government started the mobilization of its allies with the selection of the first consultants to design preliminary plans for reclamation. Thus, in response to the long-term development strategy set out in the TDS, the Territory Development Department (TDD) commissioned Maunsell Consultants Asia Ltd. (now AECOM Technology Corporation) to start a study into the possibilities of reclaiming land in front of the Central and Wan Chai shorelines [Court of First Instance, 2003]. The result of this study, the Central and Wan Chai Reclamation Feasibility Study (CWCRFS) was published in 1989. A number of main objectives were laid out in this plan [TDD, 1989, Shan, 1998, Court of First Instance, 2003]:

• to provide land for the expansion of the expansion of offices and related activities
• to alleviate the poor environmental conditions in Wan Chai
• to provide land for a bypass (later known as the Central-Wan Chai Bypass, the CWB), the Island Eastern Corridor Link and the North Hong Kong Island Line.
• to integrate the reclamation with the rest of the urban area
• to improve the existing waterfront

In line with the TDS and SHRUG, a reclamation of 108 hectares was proposed, divided into five phases (see figure 5.4 and 5.5) [TPB, 1994, PELB, 1995a]:

• Central phase I (20 hectares): Between Pedder Street and Rumsey Street. To provide land for the construction of the Hong Kong Station of the Airport Railway, for the construction of the western part of the CWB and for the expansion of the Central Business District (CBD). Airport Core Programme (ACP). Also known as Central Development Cell.

- Central phase II (5,3 hectares): Reclaiming the Tamar basin would provide land for five commercial development. Also known as the Tamar Development Cell.
- Central phase III (30 hectares): Between Hong Kong Convention and Exhibition Centre (HKCEC) and Pedder Street. To provide land for the CWB and Airport Railway overrun tunnel.
- Wan Chai phase I (7 hectares): To provide land for the expansion of the HKCEC. Also known as Exhibition Cell.
- Wan Chai phase II (48 hectares): Located east of the HKCEC. To provide land for the CWB, public cargo working areas and a waterfront promenade.

Figures 5.4 (top) and 5.5 (bottom): First plans for the Central & Wan Chai Reclamation. Source: TDD, 1991 (top) and TDD, 1994 (bottom).

While the CWCRFS was made and follow-up studies were being planned, two other important plans were published. Both plans, the Port and Airport Development Strategy (PADS) and the Metroplan, influenced and were influenced by the plans for reclamation on the northern shore of Hong Kong Island. Both plans also supported the wish for further reclamation and thus helped pave the way for the first detailed plans of the Central and Wan Chai reclamation and helped with the mobilization of more actors in the network needed to successfully start and finish the reclamations.

As stated before, in the first half of the 1980's plans were being made for improving Hong Kong's connections with the world by upgrading its ports and airport. However, it was not yet decided how this should be done. With a new strategy for growth and proposals for major reclamations in Victoria harbour laid out in the TDS, work could start on a strategy for the ports and airport of Hong Kong [Pryor, 1991]. Published in 1989, the final report presented a number of preferred strategies for the development of the ports and airport, which led to the government deciding in the same year to build a new airport at Chep Lak Kok [Lands and Works Branch, 1989]. The PADS further endorsed reclamation in Victoria Harbour, especially the first phase of the Central & Wan Chai reclamation. This phase was considered by the Lands and Works Branch as an *'…essential component of the Airport Project…'* (Airport Core Project) as it would provide land for the Hong Kong station of the new Airport Railway and the infrastructure needed to make this new station accessible [Pryor, 1991]. The concept of land reclamation, as constructed by the government in the years before, was thus enhanced by connecting it to the development of the new airport; reclamation was now not only needed for the general development of Hong Kong, it was also given a very specific reason to be built.

A second important plan in which reclamation in Victoria Harbour was also mentioned, was the Metroplan. This plan, formulated between 1988 and 1991, had to *'provide a comprehensive land-use, transport and environmental framework to help co-ordinate the growth and rebuilding of the city' (Planning Department, 1996)*. The Central & Wan Chai reclamation and the CWB were identified as new development areas, but they had to be linked to the redevelopment of adjoining areas [Planning Department, 1991, Planning Department, 1996]. The Metroplan thus added further meaning to the concept of reclamation and further showed that the government assumed the reclamation to be necessary.

With the feasibility study approved and reclamation in the Victoria harbour firmly based in a number of influential plans, work could progress on more detailed designs of the first phases of the Central & Wan Chai reclamation. After the Preliminary Development plan was approved by the government in 1990, the government, in this case the TDD, again mobilized its networks and Maunsell Ltd. was commissioned to develop a draft Urban Design Criteria Report for the first two phases of the Central reclamation (Central and Tamar Cell) and the first phase of the Wan Chai reclamation (Exhibition Cell), all presented to the government in 1991 [TDD, 1991] (see figures 5.4 & 5.3). After these reports were approved by the government, focused studies on several aspects of the reclamations, such as the environmental impacts, and the first tenders for the preliminary construction works could be started [TDD, 1994]. Translation was now almost complete; only the construction companies and the developers of the new tracts of land had to be selected. Works on the first phases could practically start within a few months to a couple of years.

But while the formation of the first plans saw no substantial problems, the tendering of the first phase of the Central reclamation saw the first dissidents and a number of delays. Scheduled to be finished in 1995, the completion date was slowly moved forward to 1997, just in time for the handover to China. The original deadline for the tender was set for the 17th of august 1992, but this was delayed several times (SCMP, 11-08-1992). In august 1992, missing information and funding problems caused a slight delay (SCMP, 11-08-1992, SCMP, 20-08-1992). A bigger delay came when the LegCo refused to back the project's budget because China had not given the go-ahead for building the airport-related projects, including Central phase I (SCMP, 14-12-1992). Previously an actor that agreed with the plans for reclamation, China had now stepped out of the association and became a dissident. A member of the LegCo said that *'as it is still uncertain whether the airport railway will be built, it is better to shelve the plan'*, but the government said that because it was part of the Metroplan, the plans had already been approved and they extended the deadline for the tenders by seven months (SCMP, 14-12-1992, SCMP, 23-12-1992). In the spring of 1993, the conflict between China and the Hong Kong government was still not resolved and to go ahead with the project and prevent cost increases, the government decided to split the land reclamation in two projects (Central phase I and Wan Chai phase I) so work could begin on Wan Chai phase I regardless of any further delays on Central phase I (SCMP, 11-03-1993). At the same time, the government faced several compensation claims, partly due to the delays and partly due to expected losses from firms during the reclamation (SCMP, 19-04-1993).

In the summer of 1993, the tides seemed to turn in favour of the Hong Kong government. It was revealed that one of the main objections China voiced against the reclamation plans had to do with the reclamation of the Tamar Basin's (Central phase II) military headquarters and after explaining that there was no link between Central phase I and phase II and after further negotiations on non-related subjects, China finally approved of the project on the 9th of July 1993 (SCMP, 30-06-1993, Business Times, 10-07-1993). Later that month, the LegCo also approved of the plans, the plans were successfully tendered and reclamation works could start in September 1993 (SCMP, 24-07-1993, PELB, 1995a). The government of Hong Kong had thus successfully enrolled the Chinese officials responsible for agreeing with the plans, back into its association and could continue with the reclamation of Central phase I.

Meanwhile, work on Wan Chai phase I and Central phase II progressed more smoothly. In March 1993 the government approved of a new extension of the HKCEC and the reclamation needed for this project, stating that the *'present facility lags behind other cities'* (SCMP, 04-03-1993). Detailed plans for Wan Chai phase I were finished in the first half of 1994 and reclamation works started in June 1994 (TDD, 1994, PELB, 1995a). Reclamation works for Central phase II started in December 1994 (PELB, 1995a).

Public consultation in this period was low though; in case of the SHRUG, the consultants only had to report to the responsible government department and only after the District Councils expressed their concern over the lack of consultation and the final decisions were made, did the government sent briefing notes to the District Councils of the districts where the plans were supposed to be executed (San, 1998). Public consultation on the PADS was also very low and only on the Metroplan did the government actively seek the public's view on the plans. During consultation of the latter, only official

organisations, such as the Hong Kong Tourist Association or the District Councils, expressed some concern over the narrowing of the harbour or over effects of new land on the development of other potential new office sites [Planning Department, 1991, San, 1998]. Yet despite this low consultation, only some minor objections and complaints, mostly regarding the environmental effects of the reclamation, were heard in the years after the first detailed plans were made and these did not influence the projects in any way [San, 1998]. No dissidents were to be seen and despite the lack of consultation, the public seemed content with the reclamations and the reasons behind these projects. That is why, by 1994, the first three phases of the reclamation project were either under construction or about to go under construction.

If we look at this first phase in the discussion regarding the Central & Wan Chai reclamation, we can see that the government successfully completed a fairly straightforward process of translation. 'Straightforward', because it could rely on a 'tried and tested' association of developers, institutes and other actors related to urban planning, including non-human actors such as the harbour, the mountains and the currents of the sea, heavily researched or controlled so they would not surprise anyone. Within this association, the government clearly had a mediating role, while all the other actors were clear examples of intermediaries; they accepted their roles in the association and sprang into action or stayed quiet when the focal mediator wanted them to. The reclamation plans fitted neatly into this association and because no one objected to further reclamation, the plans could thus be designed and executed without any opposition. The whole planning process looked almost exactly as the planning process of the previous reclamations. The general public remained silent, either because they *'didn't know about the plans'* or because they trusted the government in their best intentions and thought of them as a good spokesperson of their wish for the economic and urban development of Hong Kong [Interview Mee Kam, 2011].

5.3 An Association Is Breaking Up - The Birth of a Controversy

After the smooth implementation of the first three phases of the Central & Wan Chai, the rock-solid association enrolled in the 1980's and first years of the 1990's became more and more brittle as public support for further reclamation of the harbour seemed to wane. At first, only official organisations expressed their concern or criticism regarding the reclamation works, but in 1995, as Lai stated, *'for the first time in Hong Kong's history, voices were heard loud and clear that the harbour should stop shrinking immediately'*[Lai, 1996]. Dissidents started to arise, questioning the harbour reclamation strategy of the government, presenting a different view on what the harbour meant to Hong Kong and some even began speaking as a representative for the harbour. These first protests culminated in the formation of a counter-association led by Winston Chu, which enrolled many opponents. The implementation of the last two phases encountered heavy resistance and faced large delays.

At first, complaints and objections to the reclamation plans came mainly from official organisations. For example, in May 1994 the Hong Kong and Kowloon Motor Boats and Tug Boats Association and Star Ferry blamed the rise in collisions in the harbour on the reclamation works and the narrowing of the harbour and a few months later Star Ferry voiced their concerns over *'a dramatic fall in patronage'*

because of delays due to the reclamation works (SCMP, 06-05-1994, SCMP, 13-10-1994). In July 1994 'furi-ous' Town Planning Board (TPB) members voiced their opposition to the two lane CWB, arguing that the road should be enlarged or traffic in Central would be seriously disrupted (SCMP, 10-07-1994).

The government, however, tried to enroll these dissidents back into their association by pointing out why the reclamation was necessary and that this would be the last reclamation. The director of the TDD stated that *'... the projects are aimed at reducing excessive densities in congested districts and restructuring the city form to create a better place in which to live and work'* and *'the Central and Wan Chai reclamation will be the ultimate reclamation line'* (Xinhua, 15-10-1992, SCMP, 16-08-1994). Economic benefits were also mentioned; the reclamations would, for example, provide the city with 1.8 million m² of highly valuable land for commercial development (SCMP, 22-09-1994).

The arguments raised in the first three quarters of 1994 mainly relate to the then current develop-ments or technical subjects and not to the future development of the Central & Wan Chai reclama-tion. This changed at the end of 1994. After being asked by Winston Chu, a member of the TPB, the government revealed on the 14th of October 1994 to the TPB more detailed plans of the recla-mations to be realized in Victoria harbour (see figure 5.6) (SCMP, 23-10-1994). Some TPB members were 'shocked' and feared that these plans would turn the harbour into a 'river', an argument that would later be used again, that *'any further reclamation will destroy our beautiful harbour...'* and that *'...Hong Kong has a very important decision to make - the harbour belongs to us and our future generation … once the reclamation takes place and new land is developed, the damage can never be undone'* (SCMP, 23-10-1994). The TPB furthermore urged to government to undertake a wide public consultation before proceeding with the reclamation (SCMP, 23-10-1994). The believed that the gover-nment was no longer a spokesperson for the people of Hong Kong anymore.

More opposition from different parties with different arguments and different interests was heard in the following months. Property tycoon Li Ka-shing said the plans would lead to *'... an excess supply of office space...'*, the Chinese Preliminary Working Committee said that more reclamation would worsen the environmental situation in the harbour and the Hong Kong Institute of Planners opposed further reclamation, saying that new projects *'need to be critically reviewed by the Government to reconfirm if they are necessary and to reduce the extent of reclamation to the minimum'* (SCMP, 18-02-1995, SCMP, 05-04-1995, SCMP, 13-04-1995).

So in the spring of 1995, more dissidents had risen (see table 5.2) and a public debate was being held. The association build by the government in the years before became increasingly unstable, especially now that important actors, such as developers, the TPB and important organizations such as the CPWC openly showed their discontent with the plans. The credibility of the reclamati-ons projects and the role of the government as spokesperson for the association were questioned by various groups and without an adequate response by the government, further reclamation works would become impossible.

維 多 利 亞 港 填 海 地 圖
RECLAMATION IN THE VICTORIA HARBOUR

KOWLOON

VICTORIA HARBOUR

HONG KONG ISLAND

FEI NGO SHAN (Kowloon Peak)

VICTORIA PEAK

TSING YI

SHEK WAN

Stonecutters Island

West Kowloon Reclamation

Tsing Chau (Green Island)

Green Island Link

LEGEND

1945 年前之填海工程 Reclamation before 1945
1946-1967 之填海工程 Reclamation between 1946-1967
1968-1977 之填海工程 Reclamation between 1968-1977
1978-1985 之填海工程 Reclamation between 1978-1985
1986-1993 之填海工程 Reclamation between 1986-1993
現有及進行中之填海工程 Existing and Committed Reclamation
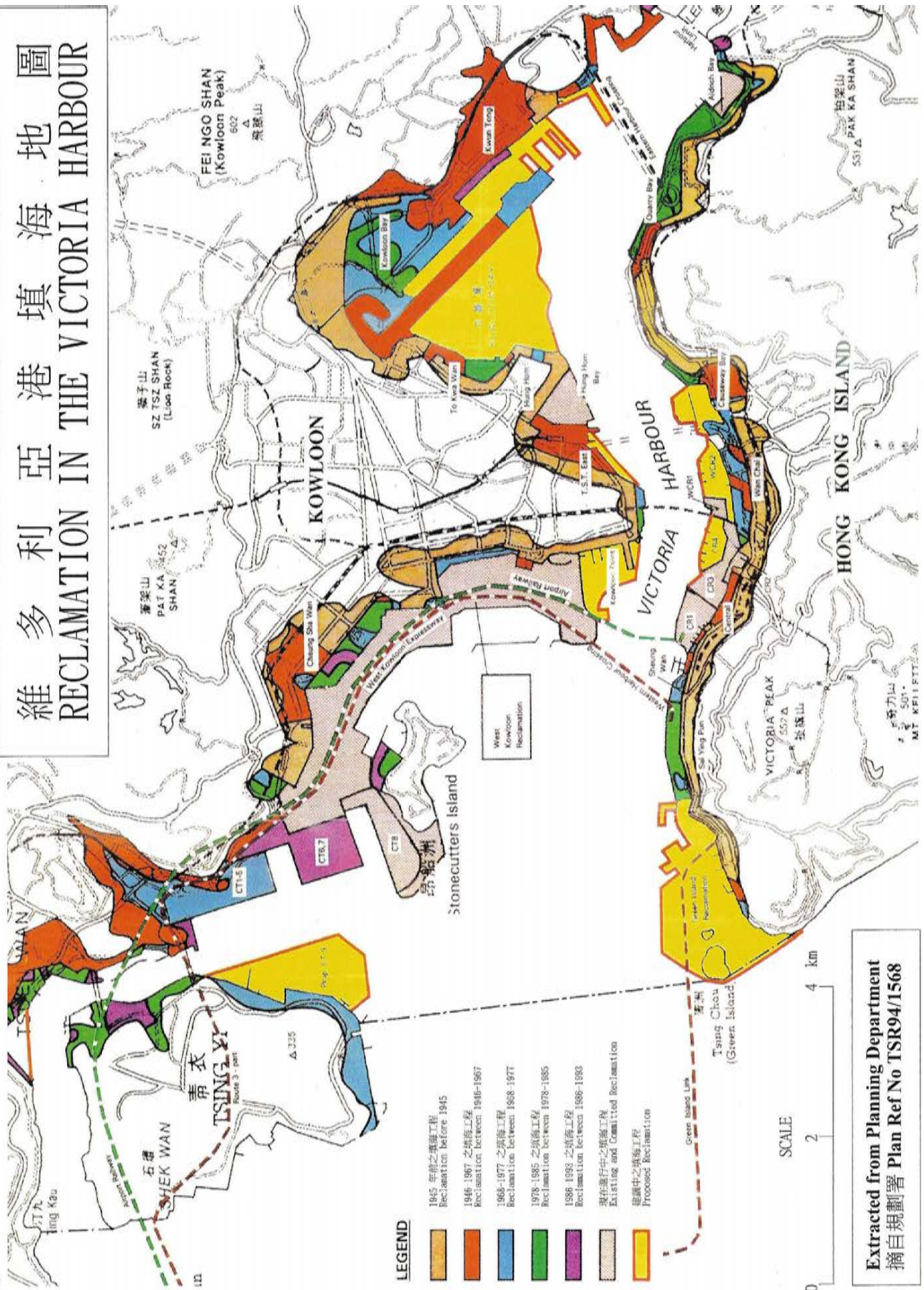建議中之填海工程 Proposed Reclamation

SCALE
0   2   4 km

Figure 5.6: This map, compiled by Winston Chu from the information given by the TPB in 1994 shows the historical and planned reclamations in Hong Kong. This map played an improtant role in the following years, as it showed the true extent of the planned reclamations and shocked people who were unaware of this. It is therefore a good example of an interessement device, as it helped to enroll people in the counter-association. It also and example of the fact that objects can also have agency, as this map formed new associations and influenced the way planning in Hong Kong would change.

Opponent's Arguments	Proponents Arguments
Reclamation has a negative influence on the environment	A large number of studies, such as hydrological studies, modelling studies and environmental impact assessments have been performed to minimize the adverse impacts on nature. Furthermore, intensive monitoring of conditions will take place as the construction progresses.
Reclamation has a negative influence on port-related functions	Port functions will move out of the inner harbour, as planned. Better marine traffic management and monitoring will be set up
Loss of scenic value of the harbour, the harbour will turn into a river.	Harbour remains wide enough. New developments will lead to a more beautiful and accessible harbourfront.
Too much attention for the harbour neglects the New Territories	Development in harbour will make sure other areas will be preserved. Problems in Metro area cannot be resolved by moving developments to the New Territories. New New Towns will be built, to further enhance the economic development of the New Territories.
Too much development in the Central area will lead to more traffic problems and a uneven distribution of jobs	New infrastructure will open up the New Territories for economic development and alleviate the traffic problems in the Metro area
Reclamation leads to an oversupply of land	Land disposal is regulated by special programmes
Government will use the newly reclaimed land for making a large profit	There are sufficient opportunities for private parties to benefit from the development. Government is subject to various rules and ordinances.
Hardly any public consultation was held	Various public consultation rounds have been held, especially regarding the Metroplan. Harbour plans will be gazetted, so public has an opportunity to react.

Table 5.1: Overview of the different arguments that were presented from 1994 tot 1997. Based on PELB, 1995a and San, 1998.

Opponents	Proponents
Society for the Protection of the Harbour (Winston Chu)	Government of Hong Kong
Various scientists	Various scientists
Environmental groups (i.e. Friends of the Earth and WWF)	Green Group
Various property developers	Various property developers
Democratic Party (Christine Loh)	Various LegCo members
Various Chinese and Pro-China organisations and figures	Pro-China groups
Various TPB members	Various TPB members
Property owners near the development	
Professional organisations (i.e. HK Institute of Planners, Architects and Surveyors)	
Advisory Council on Environment	

Table 5.2: Overview of the opponents and proponents to harbour reclamation around 1996. Based on San, 1998.

The government's response to these first discussions (see table 5.1) on this now controversial subject and the negative influence they had on its previously strong associations, were ambiguous. On the one hand, the government proceeded as if their association was left unscathed and if they were still the only mediator in this association. For example, it continued with the planning procedures for Central phase III and Wan Chai phase II; they appointed design consultants in February 1995, accepted tenders in July & August 1995 and started surveying in October 1995 (SCMP, 11-02-1995, SCMP, 21-02-1995, SCMP, 12-06-1995, SCMP, 12-10-1995). On top of that, the Financial Secretary stated that the government had no intention to reduce the reclamation plans (San, 1998).

On the other hand, the government used several interessement devices to repair the damage that had been done to the association by the dissidents. They tried this by inviting several people to discuss the projects, by trying to convince the public that the reclamation was necessary, by trying to retort the arguments set out by opponents of further harbour reclamation and by ordering several studies to show that no harm would come from reclamation (see table 5.1). On the one hand, they tried to become a spokesperson for the people once again by assuring them that what the government had in mind was in the general interest for the people. On the other hand, they also tried to speak for the harbour with a number of studies that acted as speech prosthetics; in a way, these studies conveyed the message that the harbour would not mind the planned reclamations. However, the arguments and counter-arguments brought forward by the government were mostly technical arguments, while the opponents of further reclamation brought forward different types of arguments; not only technical, but also political and emotional (San, 1998). What the harbour meant to people and how it should be used was not so clear-cut anymore; different actors had different views on the truth and this only fuelled the debate on harbour reclamation. Nonetheless, at the end of 1995, the government, because of the mounting pressure from the opposition, 'softened' its stance and opened up the possibility of a review of the reclamation plans (SCMP, 05-12-1995).

One example of an interessement device used by the government were a number of briefing sessions with members of planning related institutes, academics and environmentalists, the results of which were published in a booklet (PELB, 1995b). In this booklet, the PELB first stated that *'… reclamations in the harbour will continue to play … a role in the coming years'* and that *'current reclamation projects … are the outcome of a substantial number of carefully conducted studies and public consultation exercises'* (PELB, 1995b). Regarding the controversy they said that *'from time-to-time, expressions of concern have been raised over the location, scale and impact of harbour reclamations'* and that *'the Government intends to continue to keep the general public as fully informed as possible on these important schemes and to provide opportunities for comment and debate'* (PELB, 1995b). Overall, the government concluded that *'our reclamation proposals have gone through extensive public consultation process'* and that the arguments brought forward by opponents would be taken care of or were not valid (see table 5.1) (PELB, 1995b).

Another one of such interessement devices, this time more aimed at the general public, was an extensive document regarding the then current and planned harbour reclamations, dubbed by Lai (1996) as *'… probably one of the best planning documents in terms of presentation available to the public'* (Lai, 1996). This well-illustrated document consisted of two parts; in the first part, an overview of the current

and planned reclamations was given, in the second part, the arguments brought forward in 1994 and 1995 by opponents were carefully examined and presented with counter-arguments (PELB, 1995a). All of this was done, because the government accepted that the large-scale reclamations might *'.. cause some measure of inconvenience to the public', '... expressions of concern have been raised...'* and the government wanted to *'keep the general community as fully informed as possible'* (PELB, 1995a).

Yet while the government tried to save the association they needed to finish the reclamation scheme a counter-association was being formed. Until the spring of 1995, the opponents of harbour reclamation, or dissidents, hardly knew any form of organization; every organization voiced its own concerns or critical opinions and no overarching organization or 'leading actor' could be recognized (San, 1998). But in April 1995 a member of the TPB, Winston Chu Ka-sun, started his own process of translation and build an association that was eventually strong enough to enact the Protection of the Harbour Ordinance.

The first phase of translation, problematization, was already well underway when Chu rose to prominence. As stated before, the plans for the large-scale reclamations were revealed to several organizations, including the TPB and dissidents in the form of various organizations, had already shown that the reclamation plans were no longer widely accepted, that what the harbour actually meant to people was subject to debate and that an alternative strategy for urban growth was needed. The governments view of Victoria Harbour as a *'land bank'* which *'generated substantial revenue for the government'* was no longer valid. Or, as Y.C. Chen stated *'.. the government see the harbour as just a space , as an empty space to fill out, for any kind of development, to resolve traffic issues, to have more land for more commercials, uh.. to sell the land for commercial buildings'* (Interview Y.C. Chen, 2011). But this view, which was generally accepted by the general public in the largely 'development orientated' urban planning of the 1980's and beginning of the 1990's, was now being challenged by activists (Interview Mee Kam Ng, 2011, Interview Margaret Brooke, 2011). These activists, as Winston Chu stated, believed the harbour had 'emotional value' and was part of Hong Kong's 'civic pride', had economic value, as it was a major tourist attraction, had environmental value as it was believed to function as the 'lungs of Hong Kong' and finally also had recreational value (FotH, 2003, Interview Winston Chu, 2011). People now started to *'look at the harbour as our heritage, as something that is very close to our heart, as something valuable to the city'* (Interview Mee Kam Ng, 2011). What the harbour meant to the citizens of Hong and to the government started to diverge and this division became one of the main causes of the controversy that followed. Both sides believed that they spoke for the 'general people' or the harbour; they believed that if the 'general people' or the harbour could talk, it would say what they were saying. The problem to be solved was thus the harbour reclamation, which had to be stopped, otherwise, according to Chu, *'Victoria Harbour will become a river all the way from the West Kowloon reclamation to the Leu Yue Mun pass'* (SCMP, 13-04-1995).

Now that the problem was known and the most important actors were identified, Chu had to move on to the next step in translation, interessement and enrolment. First of all, just after he found out about the reclamation plans, Chu started talking with a large number of actors involved in the reclamation,

such as TPB members, developers, real estate agents, architects, etc. and attended or started several debates on this subject with important actors. According to Chu, almost everyone agreed that the reclamation plans were not in the city's best interest and *'every debate on this subject was won'* by him, but for various reasons, no one would actively oppose the government [Interview Winston Chu, 2011]. Chu then realized that *'no one else would do it'* and said *'fine, I'm going to fight the government'* [Interview Winston Chu, 2011].

With Sun Tzu's philosophy, as written down in the Art of War, in the back of his mind, Chu quickly realized that the government had 3 major trump cards; *'they have the power, they have the money, Hong Kong government had reserves of about HK$ 1,2 trillion, and they had at that time 190 000 government servants … I looked at my hand.. strictly speaking, I had nothing, no cards to play with'* [Interview Winston Chu, 2011]. So while the government had a strong association, albeit one that was growing less stronger due to the increasing opposition to the reclamation plans, Chu had virtually no association and needed a successful phase of translation before he could stop the reclamation. But Chu found his cards and said that *'.. my first trump card was.. I think the word is 'righteousness'. I did the right thing and that can be very powerful. Secondly the government is a bunch of people, a lot of them, but they did not have the perseverance, the determination. And finally, I knew that I needed an ally, the Hong Kong public'* [Interview Winston Chu, 2011]. The last trump card needed some work to be done though and so, the phases of interessement and enrolment continued.

Chu started a campaign of 'information and education' to raise public awareness of the reclamation plans and to further increase public opposition to harbour reclamation. These first two phases roughly equate with the phase of interessement. In the 'information' phase, Chu *'was able to get the support of the press, the news media, to tell this message to the public'* or to tell *'the public what was happening'* [Interview Winston Chu, 2011]. This also led to the formation of the Society for the Protection of the Harbour in November 1995 [SCMP, 25-04-1995]. With this organization, Chu started more public actions, including a 'Save Our Harbour' campaign with 100 000 leaflets showing the extent of the reclamation plans (see figure 5.6), a signature campaign (see figure 5.7) and moreover 'a Save the Harbour day', public debates, petitions to the Governor and English and Chinese essay competitions with HK$5 000 prizes' [SCMP, 05-11-1995].

The second phase, education, was aimed at *'… telling the public why it is bad to lose the harbour, how valuable the harbour is and the, uh, historic value, environmental value, etcetera…'* [Interview Winston Chu, 2011]. This was done by using the media, in which he quickly became a *'popular spokesperson'* for people opposed to the reclamation [Interview Chu, 2011]. According to Chu, *'this step was also successful'* and most people he talked and who knew about the plans, were already opposed to further reclamation or had become opposed to the plans after hearing from them in the media or other channels [Interview Winston Chu, 2011]. After this first round of interessement and enrolment, Chu continued to gather support from the general public for the counter-association.

Figure 5.7: Signature campaign held in 1996 by the SPH. Another example of an interessement device, aimed at enrolling the public in the counter-association.

Even though, according to Chu, a lot of actors seemed to agree with him and public opposition seemed to grow, the government still did not decide to alter the plans. Discontented with the way the government refused to alter the reclamation plans, Chu sought legal ways to halt the reclamation and drafted the Protection of the Harbour Bill (PHB), a private bill in which he sought to stop further reclamation of the harbour (San, 1998). He thus started a third phase called 'legislation', in which the actors he had enrolled in his counter-association had to be mobilized or even more actors had to be enrolled

Chu now also had to get the most important political actors interested and enrolled In order for his PHB to become on official legal document. He had to garner support from members of the LegCo, who could then transform the bill into an ordinance. But he also needed a political ally, who would help him bring the PHB into the LegCo meeting and who would defend it if necessary. In April 1995, Chu received the support from the Democratic Party (DP), which said that '*Mr Chu is heading in the right direction*' and that '*the reclamation is creating problems, affecting one of the valuable natural resources of Hong Kong and narrowing the Harbour*' (SCMP, 25-04-1995). But because he did not want to deal with China, he sought the support of an independent LegCo member instead. In July 1995, Chu contacted the then indendent LegCo member Christine Loh, whom he thought to be '*a very upright, capable.. a person I could trust, a person of integrity and [who was] very well trusted also in LegCo*' (Interview Winston Chu, 2011). Loh was already informed of the reclamation plans in 1994 and the more she '*looked into the issue, the less I became convinced the very reclamations … made sense*' and in August 1995, she decided to collaborate with Chu (Loh, 2006). Chu had thus enrolled a member of the LegCo in his counter-association and could start with lobbying with the other political parties to accept the PHB.

During this period in 1995, Loh and Chu did some research and found out that the assumption that '*Hong Kong had no land*', a major driving force behind the reclamation policy of the government, was actually not right (Interview Christine Loh, 2011). The problem In Hong Kong was that '*we're not able to use our land and it's much easier to reclaim the harbour, because there's also no constituency, there's no problem, you can just go and do it*' and '*.. that Hong Kong has more land available, but the system wasn't right, so we were not doing urban renewal very well*' (Interview Christine Loh, 2011). However, this '*revolutionary idea*' that these assumptions were wrong and that reclamation had to stop, had to, at that point, still get out to the public; the public conception had to be reframed (Interview Christine Loh, 2011). While the campaign of 'information and education', started by Chu, was a good start of this reframing, more public outreach was necessary. So even in the beginning, it was clear that the harbour campaign wasn't just about stopping reclamation, but also about something greater, or, as Christine Loh stated '*the harbour discussion has actually started, I think, the entire debate about urban planning and urban design*' (Interview Christine Loh, 2011).

At the same time, Loh and Chu garnered support from several other LegCo members, District Board members and all the political parties (San, 1998, Interview Winston Chu, 2011). The politicians supported them, because they had public support and '*they will support something if they think the public has.. is strongly supportive about it*' (Interview Christine Loh, 2011). And because they '*did not start with LegCo*' but went '*to the public first*', they could start with trying to turn the PHB into an ordinance relatively quickly (Interview Christine Loh, 2011).

With *'an alliance of legislators, town-planning board members and green groups…'* behind Chu, the steps of interessement and enrollment were now completed [SCMP, 04-08-1995]. All that was needed was to mobilize his newly formed association and to adopt legislation in which harbour reclamation was no longer an accepted way of realizing urban growth. This process started on 30 October 1995, when Loh presented the PHB to the President of the LegCo and the Law Draftman for the first time [San, 1998]. An improved version, including a new section in which a presumption against reclamation was added, was presented in February 1996 [San, 1998]. But because certain contents of the PHB required the government's authorization, which would be negative, another updated version was presented in August 1996. This version was gazetted in November 1996 and presented to the LegCo on December 4 1996 [San, 1998]. The government, opposed to this bill for various reason (see table 5.3) and started a Bills Committee, which would meet with several civil society groups, professional groups and government agencies and which finished its work on the 2nd of June 1997. But even the government's opposition to this process could not stop the PHB from becoming the Protection of the Harbour Ordinance (PHO) on 29 June 1997 [San, 1998].

The debate in the LegCo about curbing harbour reclamation started more than a year before the PHB became the PHO. In a debate about a motion brought forward by Loh on 13 March 1996 (see box 5.1), Loh stated that *'the Governments reclamation plans are excessive, and that its territorial planning decision-making structure is unnecessarily secretive at the early stage when public input is most important'* and hinted at the PHB [Loh, 2006]. She also stated that *'the government's population projections were too high and therefore there was no need to reclaim the harbour to produce land for housing if officials could get their policies right'* [Loh, 2006]. Several other members of the LegCo spoke out in favour of the motion, citing various reasons for supporting the motion. During the debate, the government, the Secretary for Planning, Environment and Lands, Bowen Lueng, defended the reclamation policy. He stated that *'without an adequate and steady supply of serviced land, it would be virtually impossible to satisfy adequately the future needs of our community for housing, social and cultural facilities, transport and other essential infrastructure, recreational amenities and a diverse range of economic activities, at the right places'* [LegCo, 1996a]. Regarding reclamation in the harbour, he added that *'if we want to meet the demand of the urban area for new land, reclamation in suitable areas would be one of the solutions'* and that *'the allegation that Government reclaims land to make windfall profits in land sales just does not hold water'* [LegCo, 1996a]. At the end of the debate, the motion was passed with 31 votes in favour and 0 against [LegCo, 1996a].

This meant that the process of translation started by Chu had been effective. With this motion, (political) allies of the anti-harbour reclamation camp were mobilized for the first time and this showed that they would act as was hoped for by Chu and the SPH. But this also meant that the government lost some of its allies and that its association was falling apart. So in the months after this motion, the government tried to garner support by lobbying with various organizations, such as the TPB and political parties [San, 1998]. By granting the TPB a veto on reclamation plans, the government was able to get this organization's support for the upcoming discussion on the PHB and basically enrolled this party back into its network. Together with support from some legislators after promising to actively consult

Pro-PHO Arguments	Anti-PHO Arguments
PHO is needed to ensure public participation in the decision making process, because previous consultation over reclamation plans was not enough	PHO is unnecessary because LegCo already has enough power to influence reclamation plans
LegCo should have more say in determining land usage	PHO upsets the division of responsibility between the legislative and executive
PHO forces the government to better overthink the consequences of reclamation	PHO constrains the government's ability to steer the development of Hong Kong
Government should protect Victoria Harbour just as it protects the country parks	PHO affects the supply of housing and offices
Further reclamation will have a negative impact on marine safety	LegCo is not the right platform for this discussion; politicians should stay out of the planning process and leave the planning up to the professionals
	Government is already undertaking consulation regarding reclamation (TDS Review)

Table 5.3: Overview of the arguments used in the debate about the PHO. Based on San, 1998.

Box 5.1: Motion of 13 March 1996, by Christine Loh

'That this Council recognizes, and urges the Government to recognize, that Victoria Harbour is a unique and irreplaceable public asset, that excessive depletion of the harbour is irreversibly damaging both to the natural and human environment of Hong Kong, and that all Hong Kong people have a rightful interest in the harbour; and this Council further urges the Government to withdraw its grossly excessive plans for reclamation in the harbour and to take urgent measures instead to protect and preserve the harbour and to ensure that further development in the harbour, if any, will be strictly limited, openly planned and accountably carried out.' (LegCo, 1996a).

the TPB on reclamation plans, the government was able to strengthen its association just in time for the big debate about the PHB in June 1997. Because the government has successfully enrolled several organizations and legislators back into its association, Chu and Loh *'did not have much hope for passing the Bill'* because *'they were willing to pass a motion calling upon the government to protect the harbour in general terms, [but] it was another matter to ask them to support a new piece of legislation'* [(Loh, 2006)]. At the same time, they *'needed to get it through before [the Handover]'*, because it was feared that after this, it would be impossible to enact the PHO and because the *'atmosphere in Hong Kong was more liberal'than ever'* [(Interview Christine Loh, 2011, Interview Mee Kam Ng, 2011)].

In this debate about the PHB on June 27 1997, the chairman the Bills Committee, also a member of the Democratic Party, spoke first and considered *'the Bill unnecessary on the ground that the existing town planning process is open and transparent and involves a thorough process of public consultation'* [(LegCo, 1997a)]. He also proposed an amendment to limit the scope of the PHB to the central part of Victoria Harbour, because his party *'thinks that the proposed scope of boundaries*

Box 5.2: The Protection of the Harbour Ordinance

Chapter:	531	PROTECTION OF THE HARBOUR ORDINANCE	Gazette Number	Version Date
		Long title	75 of 1999	03/12/1999

An Ordinance to protect and preserve the harbour by establishing a presumption against reclamation in the harbour.

(Replaced 9 of 1998 s. 2. Amended 75 of 1999 s. 2)

[30 June 1997]

(Originally 106 of 1997)

Section:	1	Short title		30/06/1997

This Ordinance may be cited as the Protection of the Harbour Ordinance.

Section:	2	Interpretation	75 of 1999	03/12/1999

In this Ordinance, unless the context otherwise requires-

"reclamation" (填海) means any works carried out or intended to be carried out for the purpose of forming land from the sea-bed or foreshore; (Replaced 9 of 1998 s. 3)

"relevant Ordinance" (有關條例) means-

   (a) the Foreshore and Sea-bed (Reclamations) Ordinance (Cap 127);
   (b) the Cross-Harbour Tunnel Ordinance (Cap 203);*
   (c) the Eastern Harbour Crossing Ordinance (Cap 215);
   (d) the Mass Transit Railway (Land Resumption and Related Provisions) Ordinance (Cap 276);
   (e) the Roads (Works, Use and Compensation) Ordinance (Cap 370);
   (f) the Western Harbour Crossing Ordinance (Cap 436); or
   (g) any other Ordinance under which reclamation is authorized or which otherwise provides for reclamation.

(Amended 9 of 1998 s. 3; 75 of 1999 s. 3)

Note:
*   Repealed — see 44 of 1999 s. 45.

Section:	3	Presumption against reclamation in the harbour	75 of 1999	03/12/1999

(1) The harbour is to be protected and preserved as a special public asset and a natural heritage of Hong Kong people, and for that purpose there shall be a presumption against reclamation in the harbour. (Amended 75 of 1999 s. 4)

(2) All public officers and public bodies shall have regard to the principle stated in subsection (1) for guidance in the exercise of any powers vested in them.

Section:	4	Transitional	75 of 1999	03/12/1999

(1) This Ordinance does not apply to any reclamation authorized under a relevant Ordinance before the commencement of this Ordinance. (Amended 75 of 1999 s. 5)

(2) The Protection of the Harbour (Amendment) Ordinance 1999 (75 of 1999) ("the Amendment Ordinance") does not apply to any reclamation authorized under a relevant Ordinance before the commencement of the Amendment Ordinance. (Added 75 of 1999 s. 5)

Schedule:	1	(Repealed 75 of 1999 s. 6)	75 of 1999	03/12/1999

will have significant implications on Government's public works programmes, in particular housing development projects', which meant that *'they feared there may not be enough land for housing developments'* (LegCo, 1997a'. Loh, 2006). On top of that, several other members of the LegCo were also not satisfied with the current PHB. Another amendment was proposed, in which the fourth clause, stating that all future reclamation projects should be approved of by the LegCo, should be deleted because there would *'be overlap and confusion of roles and functions between the Council and the [Town Planning] Board'* (LegCo, 1997a). The government also opposed the PHB and made two proposals to replace the PHB, in which all reclamation plans would be subject to the approval of the TPB and a statutory town plan would be made for Victoria Harbour (LegCo, 1997a). This did not help and in the end, voting for the PHB resulted in 30 votes in favour and 20 against. But, after heated debate, the amendments to limit the scope of the PHB and to remove clause 4 resulted in 31 votes in favour, 21 against and 26 in favour, 23 against respectively (LegCo, 1997a). In a final vote, the heavily amended bill was approved of with 29 votes in favour and 22 against (LegCo, 1997a). Even though the government still had the power to block the PHB, they did not want to risk starting another controversy and governor Chris Patton made the PHB into a law, the Protection of the Harbour Ordinance (see box 5.2), on 29 June 1997 (San, 1998).

While the political debate about the reclamation started gaining momentum in the beginning of 1996, the public debate, which was already highly visible, continued with several critics proposing alternative plans. A proposal made by members of the Preparatory Committee to turn the Central & Wan Chai reclamation into a cultural and administrative centre, was rejected by the government, who said that it was *'not representative of the wishes of a sizeable proportion of the population'* (SCMP, 08-05-1996). Another alternative proposal, with 40 to 48 percent less reclamation, was made by the Hong Kong Institute of Architects, who claimed that *'development … should limit the reclamation to a minimum by allowing higher density development…'* (SCMP, 18-05-1996). Furthermore, the SPH organized various public actions and collected more than 60 000 signatures of citizens that opposed further reclamation (LegCo, 1996b).

It should be noted that whole debate about harbour reclamation and the Central & Wan Chai Reclamation in particular attracted some criticism. Lai (1996) noted that this whole debate, especially in the beginning, before the general public became involved, was *'fundamentally elitist'* and that the public had *'no means of objectively evaluating the credibility of specific long term planning policies…'* (Lai, 1996). He also criticized that the *'most vocal critics were silent'* when the first plans for the Central & Wan Chai reclamation were made, a point that was also presented by the Conservancy Association (SCMP, 15-08-1995, Lai, 1996). The latter organization also criticized Chu's movement for attacking every reclamation project for turning the harbour into a river, while some plans were actually outside the harbour and their development would save the New Territories from urban development (SCMP, 15-08-1995).

Looking back at the events between 1994 and 1997 we can see the birth of a successful counter-association, which questions the reclamation policy and the underlying assumptions set out by

the government of Hong Kong in the years before. The association, aimed at reclamation and the different actors that were part of it, lay at the base of a newly constructed group, that of the anti-harbour reclamations activists. This group had no organization in the beginning, but after a successful translation, led by Winston Chu, they were united into a single front, the Society for the Protection of the Harbour. This organization quickly took up the role of spokesperson, not only for the people who opposed the reclamation, but also for Victoria Harbour itself, as it tried to fight against further narrowing of the harbour. In the years before, *'Victoria Harbour had no voice to speak for its own protection',* but the SPH now saw itself as the harbour's voice and Winston Chu became known as the 'Harbour Man' ^(FotH, 2003, Interview Mee Kam Ng, 2011). As Dennis Li, former treasurer of the SPH, added, *'I'm not speaking on my behalf, it's not my harbour. You want to damage it, by all means, do it. If you want to build a lot, do it. I'm not opposing you, but on behalf of 7 million people I'm opposing you'* and also *'we're protecting the public asset called the harbour, it belongs to all people'* ^(Interview Dennis Li, 2011). This counter-association thus questioned the role of the government as spokesperson for the people and the harbour, because the government's reasoning was not in line with what they perceived as the truth; that the harbour will remain wide enough, that reclamation is essential for further economic development and that the majority of the people in Hong Kong support further reclamation. This counter-association was able to break down the government's association, which meant that after the first dissidents rose up and the PHO was enacted, the government had to start again with a process of translation, because without the actors needed for development enrolled in their actor-network, further reclamation would be very hard. It therefore didn't take very long before the first opposition to the PHO was heard and the government started to reconstruct it's association ^(HK Standard, 28-08-1997).

It should be noted that especially in this phase of the controversy, non-human actors started to play an increasingly important role. In the previous years, actors such as Victoria Harbour, had always been a part of the government's association and played a largely intermediary role. But now that people started to disagree with the government on what should be the best way to deal with the harbour, its role became more and more mediating. It constructed new groups and identities, such as the SPH and later on other groups fighting for the harbour's future. At the same time, the harbour also began to 'speak', albeit through speech prosthetics, often used as interessement devices, made by either the SPH or the government. A good example of this is the map produced by the SPH (see figure 5.6) which shows the extent of the planned reclamation and through which the harbour 'spoke' to the general public in Hong Kong. At the same time, these interessement devices such as the map made by the SPH, but also the studies by the government indicating that no damage would be done to the harbour, could also be seen as a mediating actor in the counter-association, as they influenced the formation of the various groups in the government's association and the counter-association. However, one of the most influential speech prosthetics constructed in this period was the PHO, as it institutionalized the counter-associations view on the harbour and provided legal protection for the harbour, as if it were a person in a very difficult situation.

5.4 An Unexpected Mobilization: The Ordinance Under Fire

The enactment of the Protection of the Harbour Ordinance (PHO) didn't mean that the controversy regarding harbour reclamation was now over. There were still two associations active. One led by the government who saw the harbour as an asset and who thought that in order for Hong Kong to develop, more land was needed and reclamation was seen as a justifiable way to get more land. The other association was led by the Society for the Protection of the Harbour (SPH), who saw the harbour as heritage which had to be protected from further reclamation and who believed the current way of planning and the development orientated way of thinking in the government was no longer acceptable. With the PHO enacted, the SPH won a major victory and showed that their newly formed counter-association could be successfully mobilized. Yet it didn't take long for the government to mobilize its association to deal with the PHO.

On the 9th of July 1997, just days after the PHO was enacted, the Legislative Provision (Suspension of Operation) Bill, which *'aims to suspend the operation of the legislative changes effected by seven Ordinances which were introduced by Members of the previous Legislative Council and passed at the last sitting of the 1996-97 Legislative Session'* was presented to the LegCo [LegCo, 1997b]. The government argued that *'most of these Ordinances have far-reaching implications for government policies and operations which have not been fully considered before enactment'* [LegCo, 1997b]. Regarding the PHO, they argued that it *'establishes a presumption against reclamation in the central harbour and will seriously undermine our ability to provide more land and transport infrastructure in the central business district ... lthough the Protection of the Harbour Bill was studied by a Bills Committee, the Committee stage amendments passed at the last sitting were not studied because they were proposed after the Bills Committee had concluded its work'* [LegCo, 1997b]. In short, according to the proponents of the PHO, the government thought that it *'was passed in a rush'* and that *'it was inconvenient for the government; it tied their hands'* [Interview Christine Loh, 2011]. Already, the newly formed PHO became an important mediating actor, dividing people in two distinct camps and influencing the political debate and urban planning of Hong Kong.

In order to save the Bill, Winston Chu and Christine Loh had to mobilize their allies once again. In the days after this bill was proposed, they visited several legislators, who voted for the PHO in June of that year and convinced them that suspending it was not a good option [Loh, 2006]. Even the Democratic Alliance, who voted against the PHO, thought that amending it was better than suspending [Loh, 2006]. In the LegCo meeting on the 16th of July 1997, the government once again repeated that the PHO *'severely constrains the Government's ability both to plan and undertake projects to provide land and infrastructure in the central harbour area'* and that it *'may also give rise to numerous disputes in the courts if a public officer or public body is challenged by way of judicial review that he or it has disregarded or not adhered to the principle'* which could lead to *'serious uncertainties, disruptions and delays to almost any projects in the central harbour area'* [LegCo, 1997c]. However, most legislators believed that the PHO was *'properly scrutinized and is supported by the public'*, that *'protection of Victoria Harbour is of great importance'* and that

suspension was not necessary (LegCo, 1997c). Proponents of the bill argued that the PHO wasn't properly scrutinized and too many aspects of the ordinance were still unclear (LegCo, 1997c). But when it came to voting, 31 members supported the PHO and 20 voted to suspend it, which meant the PHO *'survived another day'* (Loh, 2006). Once again, the counter-association successfully mobilized its allies and was able to save the law that protected what they were fighting for.

With the PHO firmly in place as an important mediating actor and speech prosthetic for the harbour, the government however continued with designing new plans for reclamation in Victoria Harbour. They still believed that 'reclamation was the only choice' because the *'growing population brought heavier demand for infrastructure and land'* and the reclamation was needed *'to prevent an absolute gridlock in Hong Kong Island North'* (SCMP, 22-09-1997, SCMP, 29-05-1998). The government, however, had to find a way to deal with the PHO. They did this *'by going to London, [where] they obtained a piece of legal advice, which was a bit ambiguous, expressing some doubts. And then they took the legal interpretation that the law [the PHO] does not bind the government to stop the reclamation. The government only had to look at the law, consider it and then they could go ahead'* (Interview Winston Chu, 2011). So, even though there was a strong counter-association and a Protection of the Harbour Ordinance, the government decided to go ahead with the planning of the reclamations. The government constructed the law in a way that suited their interests, but that was different from the way in which the counter-association had constructed it. They were thus continuing in the same way as they always did, even though, according to a survey by the Hong Kong University, 92,6% of the population supported the PHO (SCMP, 04-04-1998)

The controversy became active once again, when on the 29th of May 1998, the government gazetted a new design for Central phase III and Wan Chai Phase II. In this design, the total amount of reclamation was cut back with 21 hectares, the reclamation for Central Phase III was cut back to 38 hectare and the reclaimed land would be used for the Central-Wan Chai Bypass, a new MTR line, government offices and public space (SCMP, 29-05-1998, HK Standard, 30-05-1998). The government said that *'the main objective of the proposed reclamation project is to provide the necessary land for constructing key transport infrastructure to mitigate the increasingly unbearable traffic congestion in Central (these include an underground road, the Central Wan Chai By-pass, Airport Railway overrun tunnel; and the North Hong Kong Island line of the MTR). It will also provide room to meet long-term demand for expansion of the Central business district, demand that will come despite the wider distribution of office and commercial space that is being encouraged'* (SCMP, 17-07-1998). They furthermore added that *'the plan is also designed to give back the waterfront to people, creating a broad public promenade along the harbour side, linked by open pedestrian spaces back into the older Central area. We want to start to change the pattern of land use away from being dominated by road transport needs and towards a focus on people, whether they be residents or visitors'* (SCMP, 17-07-1998). As a reaction to the counter-association, the government said that they *'had considered the protection of the harbour and scaled the project down'* (HK Standard, 30-05-1998).

Nonetheless, the plan generated criticism from the opponents, who complained that *'the government.. they only care about making money from the land'* and just wanted more land for commercial development, who said that creating more infrastructure will just lead to more traffic and that the congestion could be relived with half the size of the reclamation (SCMP, 29-05-1998, SCMP, 26-06-1998). In June 1998, the SPH even threatened to sue the government, because, as Winston Chu stated *'we are challenging the Government's principle that they can simply reclaim the harbour if they like - it is a Hong Kong law that the harbour is to be protected and no one is above the law'* (SCMP, 26-06-1998).

The gazettal of the plans for Central phase III resulted in a weakening of the government's association as more organizations voiced out their criticism and joined the opposition. Just as with the SPH's leaflets indicating the extend of the planned reclamation, a non-human actor influenced the process of translation by driving people and organizations away from the government's association. In May 1998, the Hong Kong Tourist Association *'urged the government to withdraw the reclamation plan as it would undermine Hong Kong's unique appeal to tourists'* (SCMP, 30-05-1998). In June 1998, an advocacy group of professionals, the Central-Wanchai Reclamation Study Group, presented an alternative plan, in which reclamation was cut back by 30% (HK Standard, 30-06-1998). This plan accepted the government's planning goals whilst *'at the same time preserving the cultural heritage and local civic pride in a sustainable and environmentally sensitive manner'* (CWRSG, 1998). In July 1998, the Real Estate Developers Association voiced out their opposition to the Town Planning Board and one of their members, Swire Properties, deemed the plans *'excessive and unneccesary'* (SCMP, 02-07-1998a). The developers were joined by Friends of the Earth, who were *'concerned about the impact of reclamation on the harbour's water quality'*, the Hong Kong Institute of Planners, who thought *'the government had not justified the reclamation'*, the Hong Kong Institute of Surveyors, who feared an oversupply of office space and finally, the Hong Kong Institute of Architects, who deemed the harbour to be *'part of Hong Kong's treasured heritage'* (SCMP, 02-07-1998b, SCMP, 21-07-1998, SCMP, 22-07-1998, SCMP, 24-07-1998). This meant that besides the public and the activists, a large number of professional organizations, who were not so vocal before 1997, now openly criticized the government.

So the counter-association had become a lot more stronger since the PHO was passed, even though many of the new opponents had not been enrolled in the counter-association's actor-network. As the SCMP stated *'apart from the Government itself, it is hard to find many voices prepared to welcome the Central-Wan Chai reclamation scheme'* (SCMP, 31-07-1998). This became clear on the 29th of July 1998, when a motion was presented to the LegCo by Christine Loh, in which the government was urged to scale down the reclamation plans for the harbour (see box 5.3) (LegCo, 1998). This motion was passed unanimously (LegCo, 1998). A few weeks later, the government revealed that 62 objections to the plans were presented to the TDD and that hearings by the TPB would be held later (HK Standard, 05-08-1998).

The increased opposition, from the counter-organisation led by the SPH and from the new opponents, resulted in the TPB asking the government to scale down the Central phase III reclamation plan in the beginning of 1999. As the government stated *'since there have been strong objections from the public and the Town Planning Board, we have decided to scale down the Phase III Central reclamation plan'* (HK Standard, 29-12-1998). The government also announced that because of different

Box 5.3: Motion of 29 July 1998, by Christine Loh

'That this Council recognizes, and urges the Government to recognize, that Victoria Harbour is a unique and irreplaceable public asset, that excessive depletion of the harbour is irreversibly damaging both to the natural and human environment of Hong Kong, and that all Hong Kong people have a rightful interest in the harbour; and this Council further urges the Government to withdraw its grossly excessive plans for reclamation in the harbour; specifically, this Council urges the Government to scale down its present central reclamation plans and to ensure that further land development in the central harbour, if any, will be strictly limited, fully justified and openly planned in accordance with the letter and spirit of the Protection of the Harbour Ordinance.' (LegCo, 1998)

opinions, public hearing into the plans for Central phase III would be held in the spring of 1999 and that *'reclamation along the Wan Chai waterfront for transport links and waterfront facilities will be kept to a minimum'*, a move that was praised by the SPH [SCMP, 15-01-1999, HK Standard, 20-01-1999]. In March 1999, the government presented the new plan for Central phase III in which the amount of reclamation was cut back 40% to 8 hectares and the design was thoroughly reviewed, which was supported by a large number of the first plan's opponents (see figure 5.8) [SCMP, 17-03-1999].

So once again, the counter-association was able to mobilize its actor-network and halt the reclamations plans they opposed. But, unlike before, Winston Chu, Christine Loh, the SPH and the rest of the counter-association, did not need to start a lengthy process of translation to enrol all the opponents in their actor-network. Most of the opponents, such as the many professionals groups, voiced out their opposition to the plans by themselves. They had the same goals, stopping or reducing the amount of reclamation in Central and Wan Chai, but they did not need to become a single, powerful actor-network to do this. Somehow, no process of translation was started and this period was thus characterized by a large number of independent actors. It was the sheer number of opponents that made the government rethink their plans for reclamation in Victoria Harbour. Coupled with the growing opposition from human actors, the government now also had to deal with strong opposition from a non-human actor; the PHO. This law had changed the way planning worked in Hong Kong and the government had failed to enrol this actor in their network. The fact that they failed to cancel the PHO in LegCo showed that the counter-association, backed by a large number of politicians, still had the PHO in their association and that they could speak for this law.

In the meantime, the government, especially the secretary for Planning, Environment and Lands, Gordon Siu, tried to pacify the conflict by befriending the SPH. Winston Chu, at the same time, *'lobbied Siu to make sure the Town Planning Board understood its duty under the ordinance [PHO]'* [Loh, 2006]. Christine Loh wrote in her book that she found Siu *'much more willing to exchange views with us than his predecessor'* [Loh, 2006]. These first cooperations between the SPH and the government resulted in the summer of 1999 in a Vision Statement *'to make Victoria Harbour attractive, vibrant, accessible*
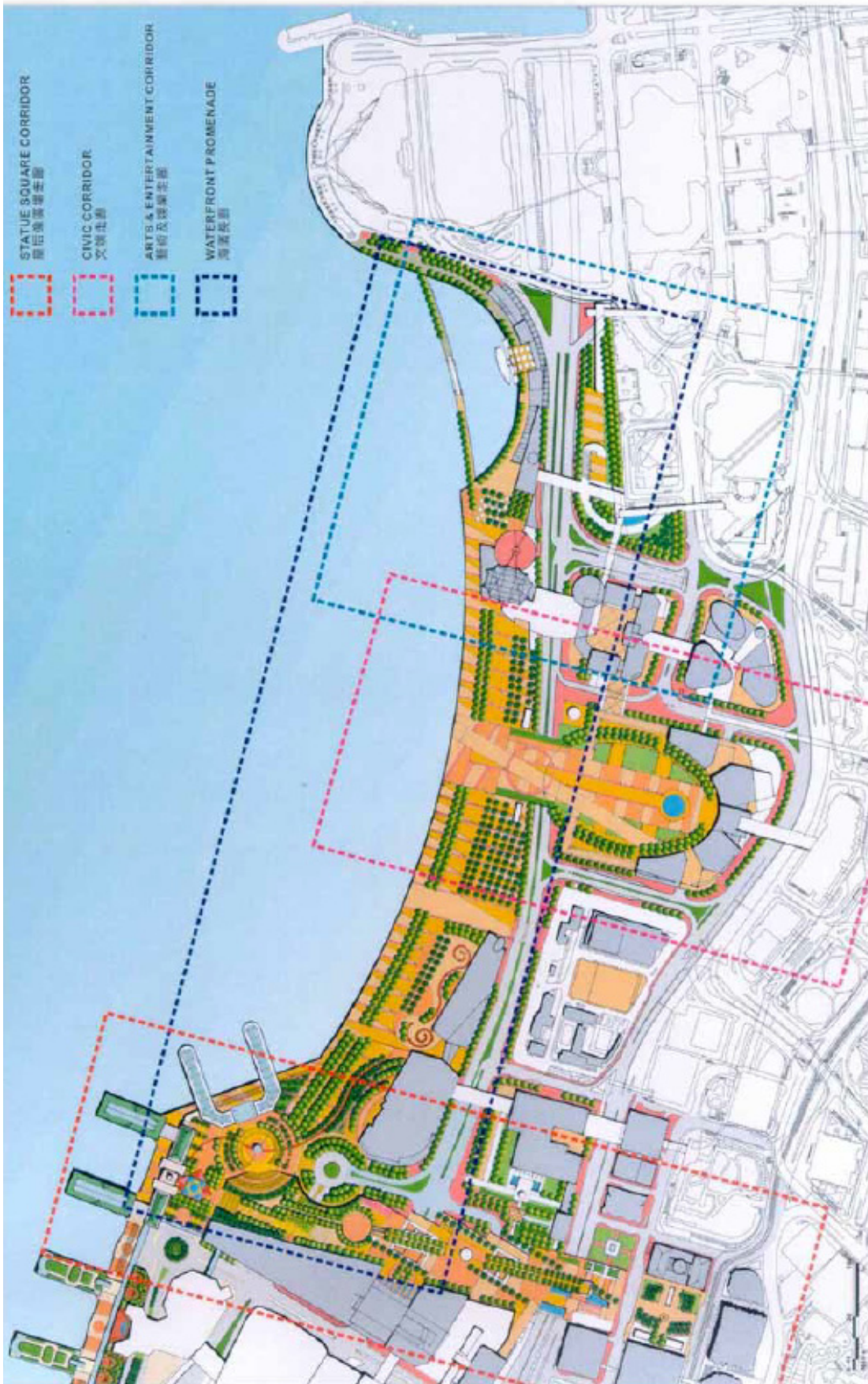
Figure 5.8: Scaled-down plan for Central phase III. The shoreline has been brought much closer to the original shoreline and there is more open space planned. Source: LegCo, 2005.
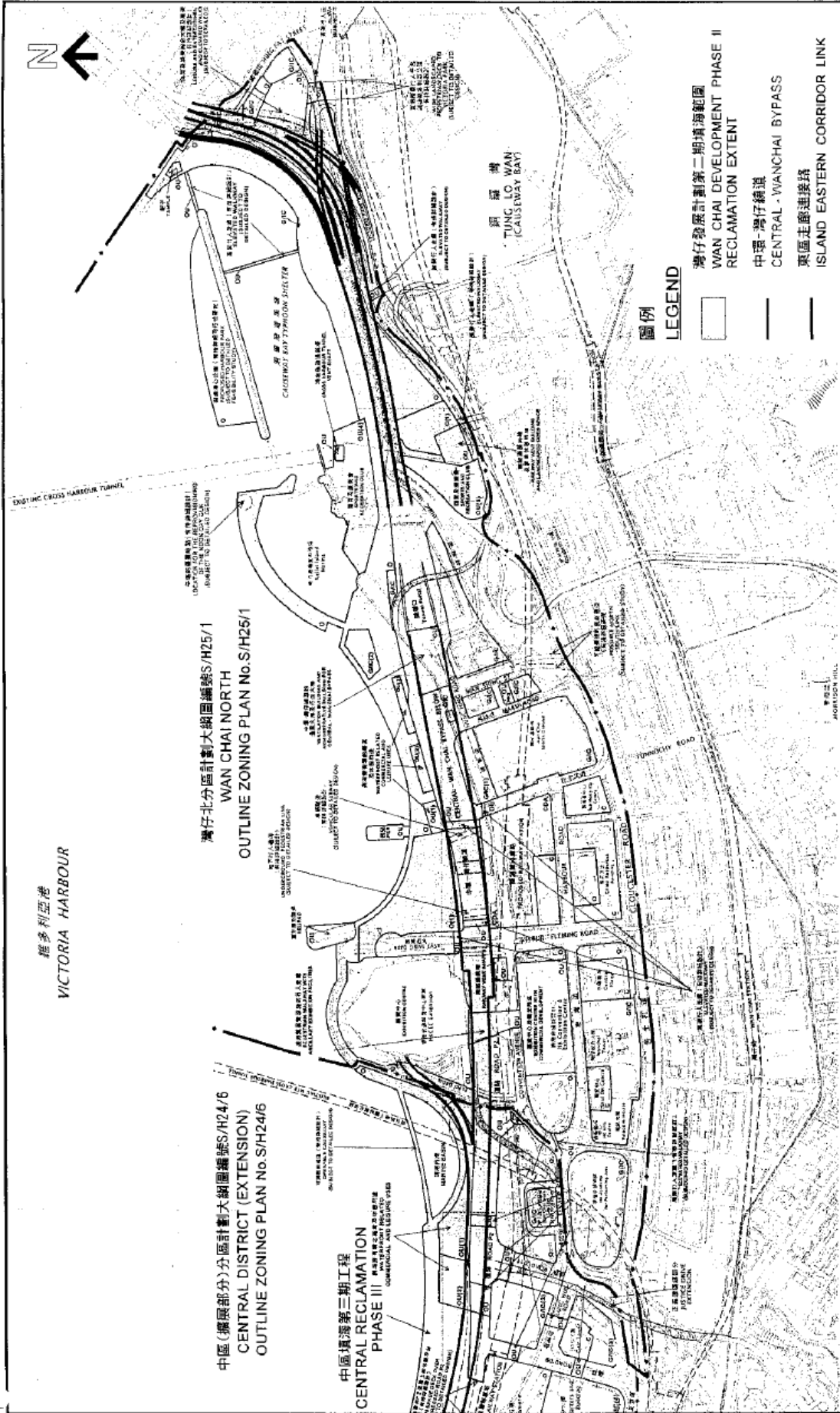
and symbolic of Hong Kong', Harbour Planning Principles, which everyone had to follow and a Statement of Intent of Reclamation, which would *'ensure that reclamation in the Harbour is only carried out to meet essential community needs and public aspirations and is environmentally acceptable'* (TPB, 1999, Loh, 2006). This new attitude of the government also meant that an amendment of the PHO, in which the geographical scope of the ordinance was extended, was passed in LegCo unanimously on the 24th of November 1999 (LegCo, 1999, Loh, 2006).

This changing attitude of the the government, in which they tried to befriend the SPH, along with the promises made to scale back the amount of reclamation and to keep reclamation to a minimum, meant that the conflict regarding harbour reclamation entered a slight lull. Of course, both parties still disagreed with each other on the assumptions underlying the need for reclamation, on what the harbour actually meant to both parties and how the PHO should be interpreted, but in the following months, hardly any conflicts arose. As Winston Chu stated in September of 1999, *'there has been a remarkable change in attitude by the Government over the past year'*, which even found its way in the 1999 policy address, where the Chief Executive stated that *'Victoria Harbour is an integral part of Hong Kong that we all treasure. It deserves all our efforts to protect it and make it more beautiful. For this reason, we have decided to scale back the reclamation planned for the Harbour'* (SCMP, 18-09-1999, SCMP, 07-10-1999). However, this positive view changed just a few months later, when a new plan for Wan Chai phase II was proposed.

5.5 The Controversy Continues: A Legal Battle

On the February 1st, 2000, the TDD revealed a new plans, based on a feasibility study started in 1999 and made by Maunsell Consultants, for Wan Chai phase II (see figure 5.9). The plan included 26 hectares of reclamation, including *'a tunnel and flyover system in which the western and central sections of the trunk road would be in a tunnel'* and *'a 2.8-hectare Millennium Island [which] would be built north of the present Causeway Bay typhoon shelter'* (HK Standard, 02-02-2000). They believed that *'the present proposal is already the optimal plan conforming to the law'* and the Bypass, which was the main reason for reclamation, was needed *'to divert heavy traffic from the heart of Wan Chai'* (SCMP, 22-03-2000). From now on, the CWB had also become an important actor, adding to the controversy regarding the harbour. For a moment, things seemed to go exactly as they did in 1998, when the plans for Central phase III were unveiled. Several organization voiced out their discontent with the plans; in February 2000, the SPH pointed out that the government promised to keep reclamation to a minimum, in March 2000, the Wan Chai District Council said *'it would ruin one of Hong Kong's most precious assets'* and in September 2001 developers once again feared an oversupply of office space and worsening of the traffic situation (HK Standard, 02-02-2000, SCMP, 22-03-2000, SCMP, 12-09-2001). However, this time, the opposition did not seem to reach the desired effect and the government continued with their plans. In May 2001, the CE ordered the TPB to draw up a zoning plan for Wan Chai phase II, October 2001, the government put the Central phase III project out for tender and in April of 2002, the OZP for Wan Chai phase II was gazetted (HK iMail, 06-10-2001, HK iMail, 20-04-2002).

Figure 5.9: The new plan for Wan Chai phase II. Clearly visisble are the CWB, traversing the entire project area and the controversial harbour park, in the north-western part of the reclamation. Source: LegCo, 2003a.

Again, after the gazettal of the plan, several organizations voiced out their complaints, such as the developer Sun Hung Kai Properties, who feared the impact of the reclamation on their buildings and several political parties, who were united in their view that this reclamation was not within the law and was not justified (HK iMail, 09-05-2002, SCMP, 07-09-2002). In the end, the TPB received 770 valid objections but approved of a slightly adjusted plan in December 2002, saying that it *'does not violate the principle of harbour protection laws because the benefits to the public will outweigh those of preserving the harbour'* and that *'the plan will help realise our vision of building an attractive and fragrant harbour. It will also bring the harbour to the people and people to the harbour'* (SCMP, 07-09-2002, SCMP, 07-12-2002).

This approval of the TPB meant that the controversy regarding harbour reclamation reached a new high point. In the years after the enactment of the PHO, the counter-association led by the SPH, with help from numerous other organizations and groups that also opposed further reclamation, was able to stop reclamation plans or at least force the government to rethink the plans. Even though most plans would still go on, the voice of the opponents was heard and some major changes were made to the plans. But with the plans for Wan Chai phase II, this tactic of waiting for a large number of opponents to persuade the government to change its course, no longer worked. At first, they waited to see if things would go just like they did in 1998 and once again threatened to sue the government and revealed an alternative plan, in which the reclamation was scaled down and which would *'give the harbor back to the people'* by making it more accessible for the citizens and visitors of Hong Kong (HK iMail, 30-04-2002a). But further action was needed to end this controversy and to put a halt to reclamation in Central and Wan Chai.

However, a mobilization of the actors in the SPH's actor-network would no longer be as efficient as around the time when the PHO was enacted. At that time, because of a successful process of translation, the SPH became the leading actor of the counter-association. But now, in 2002, they were just one of the opponents of the government plans. Several green groups, professional organizations and private companies had over the years also expressed their discontent with the plans; the actor field had become much larger and much more heterogeneous. But in order to successfully finish a process of translation, one has to become a spokesperson for a large number of people. In order to, once again, become a spokesperson for all the opponents, the public and the harbour, the SPH had to start a new phase of translation.

The first phase of translation, mobilization, had already started in 1998. By then, the main actors had been identified and it was already clear that the main problem was. According to the counter-association, reclamation in the harbour was unlawful due to the PHO and in this case, especially regarding the new island in the harbour, *'the [Town Planning] Board had failed to have proper regard to the presumption against reclamation'* (Loh, 2006). At the same time, the government believed that the plans were *'conforming to the law'*, they did *'not violate the principle of harbour protection laws'* and the *'public benefits of reclaiming land for the park outweighed the need to preserve that particular part of the harbour'* (SCMP, 22-03-2000, SCMP, 07-12-2002, The Standard, 07-12-2002). Both parties had constructed the

meaning of the PHO in a different way and this led to a new controversy. Yet still, the conflict over what the harbour meant to both the opponents and the government and how and where new developments should be planned, continued to play an important role, especially for the new opponents that voiced out their discontent from 1998 onwards. And with the phase of mobilization complete, the SPH could start with the phases of interessement and enrolment.

The interessement and enrolment of the SPH started shortly after the plans for Wan Chai phase II were gazetted. At the end of April 2002, the SPH stated that they were *'planning to form an umbrella of similar groups, property developers and individual members to educate people about what the waterfront area can become'* (HK iMail, 30-04-2002b). As stated above, the reason for this move to become a leading actor and to enrol more opponents in their actor-network, had to do with the changing actor field: as Christine Loh said *'everyone has their own plans. We are trying to bring together an alliance. We have not yet tried to collaborate but we need to get an alliance going to show we care and are concerned'* (HK iMail, 30-04-2002b).

The next step in this process came after the TPB approved of the plans for Wan Chai phase II. As Winston Chu said *'at that point, I drew the line. I said 'if you do this, I've got to take you to court''* (Interview Winston Chu, 2011). Chu, along with the rest of the SPH, had threatened to take the TPB to court before, even in 1998, but this seemed to be a *'good case'* and an *'opportunity to test the harbour protection ordinance'*, because if they didn't sue the government, they *'would have interpreted the ordinance as they liked'* (The Standard, 04-12-2002, Loh, 2006, Interview Christine Loh, 2011). But the decision was not taken lightly, because going to court *'was not only expensive, but absorbed much of Chu's personal attention'* and if they if they'd lose the case, it *'would have been the end of the law'* and thus, according to Chu, also *'the end of the harbour'* (Loh, 2006, Interview Winston Chu, 2011). Nonetheless, the SPH filed for a judiciary review on the 27th of February 2003. This step made the SPH undoubtedly the leading actor of the opponents; since there seemed to be no other way to stop the reclamation plans, anyone who opposed the reclamation had to go through the SPH, because at this moment, they were the only ones who had a chance successfully halt the government's plans. However, this did not mean that interessement and enrolment were over; the SPH still had to increase the public support, enrol other organizations in their network and persuade them that this was the only chance; that they should help the SPH. So, in order to once again stop the government's reclamation plans, the SPH started an active campaign in which they wanted to become the main spokesperson of the public, the opposing organizations and non-human actors, such as Victoria Harbour and the PHO.

A day after the SPH filed for a judiciary review, the Court of First Instance ordered leave for a judiciary review. In April 2003, the hearings started and both parties could defend their position in a case that was seen by the media as *'an important test case that will shape the future of the harbour for years, if not decades, to come'* (The Standard, 16-04-2003a). During these hearings, the SPH argued that 1: *'The [Town Planning] Board made an error in law in reaching the two decisions [about the OZP] in that it had misinterpreted the PHO and had failed to apply the correct legal principles'*, and 2: *'the two decisions are irrational'* (Court of First Instance, 2003). They furthermore feared that *'Victoria Harbour will*

be reduced to *'Victoria River'* if the Town Planning Board continues to misinterpret a law designed to protect the jewel in Hong Kong's natural heritage' and sought to 1: *'quash the … decisions of the [Town Planning] Board'* or 2: wanted *'a declaration that the said decision of the [TPB] were unlawful and/or unreasonable and irrational'* and 3: required that a) *'the reclamation does meet compelling and present public needs which override the special legal status of the harbour'*, b) *'there is no alternative to any part of the reclamation'*, c) *'the reclamation is restricted to the scale strictly necessary to meet the needs identified'* and d) *'all the above prerequisites are demonstrated by clear, cogent and persuasive evidence'* (SCMP, 08-04-2003, Court of First Instance, 2003). They ended the hearings by saying that the TPB *'lost sight of the harbour as a natural resource with living things'* and said that there *'was no evidence board members had looked at these alternative solutions'* (The Standard, 16-04-2003b) The TPB argued that *'a common sense approach should be taken to interpret the ordinance'* and that *'public officers or public bodies are required to undertake a weighing exercise'* (SCMP, 10-04-2003, Court of First Instance, 2003). And in this case *'the need to relieve traffic congestion outweighed the need to protect the foreshore'* and the *'plans for the park, a commercial precinct and a museum enhanced the harbour and preserved it as a special public asset'* (SCMP, 10-04-2003).

On the 8th of July 2003, the Court of First Instance ruled the TPB *'had failed to comply with Section 3 of the PHO in proposing the scale of the reclamation of the Harbour set out in the plan as amended'*, that the TPB's *'decisions are … unreasonable'* and that the proposal for the harbour park *'by any view cannot be justified'* (The Standard, 09-07-2003, Court of First Instance, 2003). The court furthermore laid down three tests to which planners would need to apply (see box 5.4) Winston Chu saw this ruling as *'a landmark victory as it was the first successful prosecution of the government on environmental grounds'* and as precedent in which they showed *'how it could be done'*. (The Standard, 09-07-2003, Interview Winston Chu, 2011). For the SPH it meant that their position as a leading actor became even stronger; with this ruling they had now enrolled the judges and the law into their actor-network and because they court ruled in their favour, they could now act as a spokesperson for the law. Chu now had *'two sharp weapons - the Protection of the Harbour Ordinance and the court verdict'* (SCMP, 16-07-2003). For the government it meant that they no longer had the law in their actor-network; they could no longer argue that their reclamation plans complied with the law. I meant that their actor-network had become even weaker. If they wanted to continue with further reclamation, they basically had to go back to the drawing boards and come up with a new plan that complied with the PHO. However, the TPB did not want to go that far; they dropped the plan for a harbour park but nevertheless decided to take the case to the Court of Final Appeal because the *'court's interpretation of the Protection of the Harbour Ordinance was too restrictive and it would remove the opportunity for Hong Kong to have well-designed promenades'* (SCMP, 22-07-2003). The hearing for this case would be held in December 2003.

Meanwhile, works on Central phase III had started earlier in 2003 and were already well underway when the Court of First Instance made their decision regarding Wan Chai phase II. Shortly after their first victory, the SPH said that they were *'preparing to intensify legal action against reclamation plans in other areas to preserve Victoria Harbour as much as possible'* (SCMP, 16-07-2003). They were specifically targeting the on-going works for Central phase III, which, according to Chu, should *'not go*

> **Box 5.4: The three tests, alid down by the Court of First Instance in July 2003 and repeated by the Court of Final Appeal in 2004**
>
> *(1) There is a compelling, overriding and present public need for reclamation;*
>
> *(2) There is no viable alternative to reclamation; and*
>
> *(3) The proposed reclamation involves minimum impairment to the harbour.*
>
> *Source: Court of First Instance, 2003*

ahead' or which should at least be *'reassessed for compliance with the ordinance'* (The Standard, 17-09-2011, Interview Winston Chu, 2011). In September 2003, the government was thus given 7 days *'to review the scheme and stop work pending its own appeal into a court ruling in July over the nearby Wan Chai phase two reclamation'*, otherwise the SPH would take the government to court again (The Standard, 18-09-2003). However, the government, in this case the secretary for Housing, Planning and Lands, Michael Suen, wasn't planning on stopping and said that there was *'compelling, overriding and present need for the central reclamation project ... any disruption could cost the government a fortune'* (SCMP, 21-09-2003). Once again, the controversy seemed to reach another high point and in order to quell some of the unrest, the government invited Chu in September 2003 to talk about his threats to sue the government. However, this meeting did not resolve anything; in the end Chu still wanted *'work on all reclamation projects halted while an open review is carried out'* and the government didn't want to stop the reclamation works, adding that *'contrary to accusations that we are not abiding by the law, we are'* (The Standard, 23-09-2003, The Standard, 25-09-2003). This resulted on the 25th of September 2003 in the SPH filing for a judicial review and an *'interim relief that all works under CRIII directly or indirectly connected to the reclamation of the harbour be stopped, pending a determination of all relevant litigation'* (LegCo, 2003a). A few days later, the court granted the SPH leave and new court case scould begin. The first one, regarding the cessation of all works on Central phase III in October 2003 and second one, regarding the judicial review on Central phase III, in February 2004.

In the same month, the SPH also mobilized their allies in a fund-raising event to help the SPH after the expensive judicial review regarding Wan Chai phase II. The event showcased the strength of the SPH's actor-network and the success of their efforts to enrol the general public of Hong Kong. The 'Ten-Dollar Campaign', organized by Winston Chu, brought in more than HK$ 1 million and, as the SCMP wrote, *'activists fighting to protect the harbour from reclamation were treated to an overwhelming show of public support'* (SCMP, 23-09-2003). The event also showed that Chu and the SPH saw themselves as the spokesperson for the general public, as Chu said that *'we have the people's mandate, and whatever the government offers, we will put it to the people to decide'* and regarding the application for judicial review of Central Phase III *'I am issuing the writ on behalf of the public'* (SCMP, 23-09-2003, SCMP, 24-09-2003).

Yet, on the 28th of September and the 5th of October, another group, called the Action Group on Protection of the Harbour, which was set up by concerned District Councillors and professionals, organized public protests, called the 'Blue Ribbon Campaign', to which 3000 people attended (SCMP,

. Just as the SPH, the AGPH was formed to put a halt to further reclamation but they also doubted the use of the Central-Wan Chai Bypass (SCMP, 29-09-2003). Furthermore, they added that *'we set up the action group because we want to make it known that the harbour does not only matter to Winston Chu Ka-sun, chairman of the Society for the Protection of the Harbour, but to all of us'*, but on the other hand they donated the HK$ 1 million of fund they collected to the SPH (SCMP, 27-09-2003). What this showed, was that there were still other organizations apart from the SPH actively opposing reclamation and that, even though public support for the SPH was large, they still had not become the one spokesperson of the people of Hong Kong. It also showed that the harbour was still actively constructing new groups and identities. However, the fact that the funds raised by the AGPH were donated to the SPH, showed that they were indeed a very important actor and perhaps the only actor with an actor-network strong enough to oppose the government. It was clear though, that the phases of interessement and enrolment were not yet completed by the SPH.

Consequently, in the following months, the SPH used several interessement devices to further strengthen their counter-association and to indicate they spoke for the harbour, that they were the ones with the speech prosthetics that made the harbour talk. To interesse and enrol the public, they used devices such as booklets with information on the SPH's goals and how one could help protecting Victoria Harbour (FotH, 2003). They furthermore set up a popular 'Save the Harbour' campaign in which they organized street protests and signature campaigns. To interesse and enrol the multitude of professional organizations and academics that opposed the reclamation plans, they organized a conference and discussions, came up with an alternative plan with less reclamation which the government rejected on the basis of *'technical insufficiency'* and talked with the government about setting up a harbour authority *'with genuine public participation from environmental groups, engineers, urban designers, planners and ordinary people to consider the best use of the harbour'* (The Standard, 08-10-2003, SCMP, 01-12-2003). These actions seemed to be effective, as the Hong Kong Automobile Association lent their *'unconditional support'* to the SPH by stating that the CWB was *'not necessary'* and the SPH's alternative plan was supported by a large number of green groups and professionals (SCMP-14-10-2003a, SCMP, 28-11-2003).

The government's association, already weakened by the growing opposition to plan after 1998, further crumbled as public support turned against them and in favour of the SPH. So in order to enrol actors they lost, back into their actor-network, they too had to use several interessement devices. On the one hand, they relaxed their stance regarding the reclamations plans, for example by temporarily suspending all reclamation works on Central phase III or by stating that Central Reclamation *'could be scrapped … if the public can accept worsening traffic jams, if we can accept, having to pay damages to the contractors'* (LegCo, 2003b, SCMP, 14-10-2003b). On the other hand they started a PR campaign in November 2003 when they issued a special leaflet called 'Our Harbour - Past, Present and Future'. In this, they explained to the public that the government agreed *'that the Harbour, being the Hong Kong's people special natural asset, should be protected and preserved'* and that *'the Government will ensure that any reclamation plans are in line with the principle of protecting the harbour'* (HPLB, 2003). But they also added that *'the Central Reclamation III project was approved after extensive public consultation.*

It enables the essential road networks that include surface roads and the Central-Wan Chai Bypass to relieve traffic congestion in Central. Beside, we will also develop a vibrant waterfront promenade on the land reclaimed for these infrastructure projects for the enjoyment of the public' (HPLB, 2003). It seemed that some of the rhetoric used by the counter-association was now also used by the government and that their way of thinking, at least from the outside, seemed to change. A few weeks later, another leaflet was published by the HPLB called 'A Little Extra Space, A Lot More Benefits' in which the government explained in layman's terms that the traffic situation would worsen if the CWB was not build. The government, acknowledging the difficult position they were in, added that *'nowadays, on every topic, the government is at a disadvantaged position … we need to come up with very persuasive arguments to explain why we have to do it'* (SCMP, 19-12-2003). In the end, over HK\$ 780 000 was spend on PR for harbour reclamation (SCMP, 01-04-2004).

However, even after the the SPH's legal victory in July 2003, one important actor was still not enrolled in either the government's association or the SPH's counter-association; the law. One the one hand, the government still believed their actions were lawful and, for example, started an appeal against the Court of First Instance's decision in July 2003, and on the other hand, the SPH still thought the government, specifically the TPB, did not respect the PHO and sued the government on the reclamation works in Central phase III. In the months after September 2003, several court cases were held in which both parties tried to enrol the law into their actor-network. These court cases clearly showed the law as an actor could influence the process of a controversy and how it could bring people together, construct new groups and identities and in the end, how non-human actors can change the urban planning system. However, the same can said of the CWB and the reclamation plans, as they were, just as the law was, the main subject of this phase of the controversy.

The first court case, held in October 2003, dealt with the demand that all work on Central phase III should be stopped immediately, pending the appeal over Wan Chai phase II. The government defended their position by stating that if work on the Bypass could not continue *'a drive from Kennedy Town to Central would increase from three minutes to 20 minutes'*, *'costs of [HK]\$ 600 million would be incurred in terminated consultancies, site staff and other contractual liabilities'* and *'four hundred jobs would be lost and 1,100 job opportunities would disappear over the next four years'* (SCMP, 03-10-2003, SCMP, 04-10-2003). The SPH defended their position, showing that their view of reality was different. They stated that the July 2003 judgement *'applies to all reclamation work in Victoria Harbour'*, that *'continuing with the work would create a charter for wrongdoers'* and finally, that the reason for this hearing was to show *'how much our harbour is worth to us'* (SCMP, 04-10-2003, SCMP, 04-10-2003). On the 6th of October 2003, the court ruled that the government could continue to work on Central phase III, because the project *'was still in the initial stages of work that could be undone and would not pose any threat to the environment'* (AFP, 06-10-2003). However, the judge also warned that if the government lost the upcoming court cases, they would have to *'scale back on or remove entirely the reclamation work already done'* (The Standard, 07-10-2003a). The same day, the ExCo decide to continue with some of the works. The government still had the law in their actor-network.

The fact that the SPH lost this court case, did not mean they would stop with further litigation. As Winston Chu told the media in October 2003, there were five requirements which the government should heed before the SPH would drop all litigation. They were *'an immediate suspension of reclamation work; a review of all such works and projects; public consultation with full disclosure of information about the projects; the formation of a Harbour Authority to oversee these projects; and restructuring of the Town Planning Board to include genuine public participation'* (SCMP, 09-10-2003). The government said they'd look into these requirements but at the same time, The secretary for Environment, Transport and Works, added that *'the government had already reduced reclamation work since the handover but that people nowadays had become emotional over environmental issues'* (The Standard, 11-10-2003). Regarding the PHO, another official added that *'the ordinance has strong principles, but lacks concrete circumstances under which reclamation is justified'* (SCMP, 12-10-2003). Even a meeting between the leaders of the SPH and the government couldn't defuse the volatile situation; Christine Loh said *'current plan for Central reclamation is not the minimum … however, the government may have other views'* while the government said the reclamation was needed for the CWB and to turn the waterfront into a *'well-designed waterfront with exciting recreation and tourism opportunities'* (The Standard, 07-11-2003, SCMP 10-11-2003). This made it clear that the basis of this controversy, the differing viewpoints of the government's association and the SPH's counter-association, was still not resolved; both parties still looked at reality in a very different way.

The next court case, dealing with the appeal of the TPB for decision on Wan Chai phase II, made in July 2003, began in December 2003. In this case, the SPH still believed the plans for Wan Chai phase II were unlawful and that they did not meet the three tests laid down by the court in July 2003 (see box 5.4). The TPB, however, reiterated that reclamation should be possible to meet *'essential community needs and public aspirations'* but also added that the court *'did not have the right to demand the TPB [to] apply three tests to determine if harbour reclamation was to proceed'* and that *'the protector of the harbour is the Town Planning Board, not the court'* (The Standard, 10-12-2003). The TPB thus believed that they were the harbour's spokesperson. But should the TPB lose this case, they would like to have guidelines or regulation regarding reclamation, so the TPB would *'know where we would stand'* (The Standard, 11-12-2003). On the 9th of Januari 2004, the Court of Final Appeal dismissed the TPB appeal and repeated the earlier statements of the Court of First Appeal; that the board *'erred in law'* and that reclamation should always apply to an *'overriding public need test'* (Court of Final Appeal, 2004). This decision meant that, regarding the Wan Chai phase II reclamation, a part of the law was now enrolled in the actor-network of the SPH; they were now seen a spokespersons for the PHO, as the government had no choice but to abide the law and conform to the 'overriding public need test'. For the government, this decision meant that they had to take the plans for Wan Chai phase II back to the drawing boards. However, the SPH had not completely enrolled the law into their actor-network. One more court case, dealing with the judiciary review of the Central phase III reclamation, would start just a few weeks later.

In this judiciary review of the Central phase III plans, the SPH argued that this plan *'was approved by the [CE] on the basis of a fundamental error of law'*, because it misinterpreted the PHO ^(Court of First Instance, 2004). Because of this, the plans had to be either remitted by the ExCo or *'a decision had to be made on whether the test of overriding public need had been applied'*, which meant the TPB had to review the plan in before further construction could continue ^(SCMP, 22-02-2004). Also, the SPH added that *'given the nature of the harbour as a special public asset and a natural heritage, the public must be given an opportunity to participate in the policy debate on whether there is a public need'*, especially since *'mandatory public participation, consultation and deliberation was a crucial feature of the town planning process and was enshrined in the Town Planning Ordinance'*^(SCMP, 11-02-2004). The government responded to this criticism by stating that the *'public was consulted about the plans for the Central reclamation phase III project as the government had presented it to the Legislative Council'* and that *'the public can only object to redevelopment plans when they are at the initial draft stage'* and since this plan was already under construction, this was no longer possible ^(The Standard, 13-02-2004). Also, they added that *'the Executive Council is under no legal obligation to send the controversial Central reclamation project back to the Town Planning Board for reconsideration'* and when the hearings were in their last stages, repeated their warning that cancelling the project *'will damage Hong Kong's reputation, cost the government HK$ 659 million in compensation and eliminate hundreds of jobs'*^(SCMP, 13-02-2004, The Standard, 14-02-2004). In response to this, the SPH said that this risk was *'self-induced'*, as they had *'rushed into awarding the contracts for the Central project when it learned the society was gearing up for a judicial challenge'* Besided this, they also added a warning that allowing this project *'would mean defeat for efforts to scale back the controversial Wan Chai project'*^(SCMP, 17-02-2004).

On the 9th of March, the court ruled that the government was right and that, regarding the ExCo it was their *'right to accept or dismiss building projects'* ^(AFP, 09-03-2004). A few days after the ruling, the SPH decided to appeal the decision, as it was *'in the public interest'* to do so, especially after a large number of people attended an anti-reclamation protest on March 21st ^(SCMP, 17-03-2004, The Standard, 22-03-2004). However, a month later, the SPH decided to forfeit their appeal, because *'a long, legal battle was not the best way to save the harbour … instead, the society would work on educating the public on the reclamation work, in the hope that people power would stop the government from damaging the harbour'*^(The Standard, 16-04-2004). Immediately after the ruling, the government ordered construction companies to continue work on Central phase III and, after being advised to do so by the judge, ordered the TPB to conduct a review of the Central phase III to check if it would comply with the *'overriding public needs test'*^(SCMP, 10-03-2004). This review concluded not only that there is general public support for the plan, but also that *'there are cogent and convincing materials demonstrating that CRIII meets the 'overriding public need test' laid down in the CFA judgment … during the various statutory processes, objections had been carefully considered and amendments made to the OZP with the benefit of a comprehensive feasibility study that helps identify the minimum reclamation option … all these satisfy the heavy demand in terms of standard of proof … reinforced by the reviews conducted in the light of the court judgment, there is no reasonable alternative to reclamation'*^(TPB, 2004).

These legal battles were an important part of the on-going process of translation of the government and the counter-association led by the SPH. They show us how the strong counter-association, led by the SPH, became even stronger then it was during the period in which the PHO was enacted. It shows the importance of this law as a non-human actor; how it influences the course of the controversy, how the government and the SPH both believed that they were representing the law, but most importantly, how it changed the way planning worked. Furthermore, this period shows how the SPH used interessement devices to enrol the public and a number of professional organisations into its counter-association and how the government reacted to this by using its own interessement devices. It shows how the decision to fight the government in court, made the SPH into a key player and strengthened their association greatly, since they were the only ones who had a chance of winning a case like this. It also shows how both associations tried to enrol a new actor, the law, or specificially the PHO, into their actor-network by going to the court. Bust most importantly, it shows how two parties constructed their own view of what the PHO meant and how the conflict that arose out of this became a long-lasting and, for both parties, debilitating battle. In the end, both parties won something, but then again, both parties also lost a lot in the battle. As the Standard wrote, the day after the SPH lost its first case regarding Central phase III, the whole stuation *'is beginning to look like a pyrrhic victory, creating as many difficulties as it does opportunities'* (The Standard, 07-10-2003).

5.6 Government's Interessement: Changing Attitudes

The last judiciary review, held in February of 2004, seemed to be a turning point in the controversy. Borth parties seemed to realize that they'd have to change their attitude in order to realize what they both wanted. One could argue that for both parties it was impossible to fully realize a process of translation without any dissidents popping up within a few weeks to months. On the one hand, the SPH had enrolled the law regarding Wan Chai phase II, as the government had to go back to the drawing board and apply the overriding public need test to the plan. But on the other hand, the government still had the law enrolled regarding Central phase III, as the decision made in March 2004 *'did not resolve the doubt over the legal status of the [reclamation plans] gazetted under the Foreshore and Sea-bed Ordinance [such as the Central phase III reclamation]'* (Chu, 2010). A change of strategy was therefore needed and this already started when the last judiciary review was still in process.

The SPH started a new phase, which Winston Chu called *'people's voice'* (Interview Winston Chu, 2011). In this, the SPH focussed more and more on the citizens of Hong Kong and called on them to *'stand up and speak out now'* and told them in the SCMP to *'not look over your shoulder, expecting someone else to do your job'* and that *'it is time for them [the people] to come out (and defend the harbour)'* (SCMP, 10-04-2004, The Standard, 16-04-2004). To inform en educate the people of Hong Kong, the Friends of the Harbour foundation was founded at the end of 2003. In addition, the SPH changed their main goal from *'stop reclamation'* to *'stop unnecessary reclamation and enhance the harbour'* (Interview Dennis Li, 2011).

One of the most important changes of both the government and the SPH, was that they relaxed their attitude towards one another and strove towards consensus. Just after the court rejected the SPH's claims in the judiciary review regarding Central phase III, the secretary for Planning said that she would *'make a strong appeal to the Society for Protection of the Harbour that it is time to set aside all our differences and try to review the consensus to move ahead'* (AFP, 09-03-2004).

Another thing the government now realized was the need for better consultation. When the last legal battle was almost over, the secretary for Planning, Michael Suen, told the SCMP that regarding the Wan Chai phase II project, the TPB *'will talk to all the interested parties, including the [SPH] … when they have finished, the whole plan will have to be gazetted for public scrutiny. And if we do a better job this time, we hope the number of objections will be reduced'* (SCMP, 23-02-2004).

Public consultation had been an issue since the first OZP for Central phase III was gazetted in 1998. At that time, an official from the Development Office already stated that *'public consultation was needed because opinions differed over the amount of commercial space needed'* (SCMP, 15-01-1999). However, consultation remained low and was mainly geared towards professionals, institutes and members of the LegCo. Still, regarding the Central phase III, and later also Wan Chai phase II, the government argued that *'all the decisions have been made after careful consideration and extensive consultation with a wide range of people'* (World News Connection, 06-10-2003). And as World News Connection wrote, the *'government has had problems in communicating with the public'* and in order to solve the controversy, they should not *'ignore the need to communicate with the public or stay close to the pulse of the community by maintaining that all the decisions have been taken after careful consideration and extensive consultation with a wide range of people, and that the decisions have been made in accordance with law'* (World News Connection, 06-10-2003).

As a reaction to the growing demand for more public consultation and *'in response … to the reclamation lobby and the discontent there was with the Court of Appeal'*, the government decided to form an Advisory Committee (Interview Margaret Brooke, 2011). This committee, called the Harbourfront Enhancement Committee was founded in May 2004 and was *'made up of representatives from non-governmental organizations and professional bodies, academics, District Council members and representatives from relevant Government departments'* (HEC, 2010). The HEC was tasked with providing *'suggestions and advice regarding construction on and beautification of both shores of Victoria Harbour'* and conducting *'public engagement activities related to these tasks'* (HEC, 2010). They were furthermore tasked with forming planning principles, which, unveiled in 2006, were developed *'as a set of guidelines for all individuals and organisations to facilitate the sustainable planning, preservation, development and management of Victoria Harbour and the harbour-front areas'* (HEC, 2006). On the 28th of April 2004, the government invited the SPH, Citizens Envisioning @ Harbour and Friends of the Earth to join the HEC (The Standard, 29-04-2004). The HEC met for the first time on the 6th of May 2004 and discussed three tunnel options for the bypass in Wan Chai phase II (SCMP, 07-05-2004). One could argue that this move is perhaps one of the most influential interessement devices the government used in the history of this controversy. With this move, the government enrolled not only the professional organizations

in their network, but also the activists, as they were now on a government board, discussing the government's plans in a context which was controlled by the government. Furthermore, with the planned public consolation, they government would also enrol the public in its association.

The formation of the HEC came at a time when the actor field was changing dramatically. Because of the court cases, the SPH , for a while, seemed to be the only actor out there who had the resources to challenge the government. Everyone who opposed the reclamation, somehow had to pass through them, which made them a very powerful actor and which strengthened their actor-network greatly. However, during the last court case, just as in 1998, the actor field become more heterogeneous. It was clear that the harbour created not just one group of activists, but a multitude of activists and organizations, all with their own identities and with their own thoughts about what was best for the harbour and for the city. Besides the organizations that already existed, such as the many green groups, a large number of professionals and academics started to form their own interest groups. On some points they'd differ from the SPH, but on many others they agreed and so all these groups were part of a common anti-reclamation movement without a clear leading party. In the end, this development made it harder for the SPH to keep professionals and academics enrolled in their counter-association, because these people were now often part of another network. And these other actors often employed their own interessement devices to enrol others into their network.

A group that already existed, the Action Group on Protection of the Harbour, continued with their protests, part of their 'Blue Ribbon Campaign', rallying 12 000 people on May 2nd 2004 *(The Standard, 03-05-2004)*. This protest gave them to opportunity to act as a spokesperson, at least for a while, as their convenor, Kwok Ka-ki, said *'public was becoming increasingly frustrated over the issue'* (SCMP, 03-05-2004). But in addition to protesting, they also set up *'a foundation … to educate future generations about the need to preserve Victoria Harbour'*, collected almost 200 000 signatures, made regular appearances in the media by criticizing the CWB and, together with the SPH and FotH, organized 'Harbou Week' in November 2005 and 2006 (SCMP, 20-04-2004, The Standard, 29-06-2004, SCMP, 01-11-2005, SCMP, 13-11-2006).

Another group that already existed before the court cases begun, was Save Our Shorelines (SOS). This environmental group, formed in the 1990's after a number of reclamation and development plans were threatening coastal areas, was aimed at protecting Hong Kong's shorelines. They had already organized protests at the end of 2003 and publicly criticized the CWB. But their biggest interessement device was an alternative plan for the bypass, using less reclamation, which was presented in September 2004 and was well-received by almost all the other harbour activists (The Standard, 02-09-2004). The government however rejected the plan on technical grounds (The Standard, 03-09-2004). An more detailed plan, with 70% less reclamation, was presented a month later and another plan for Central phase III was sent to the TPB in February 2005 (The Standard, 30-10-2004, The Standard, 25-02-2005).

One of the first new groups, formed at the end of 2003, was Citizens Envisioning @ Harbour (CE@H). This group, made up of 18 individuals and organizations from mostly planning related disciplines, advocated *'a more inclusive, engaging and transparent planning process that fosters partnership and nurtures social capital'* instead of a purely anti-reclamation one [Ng, 2006]. The organization organized *'an exhibition, a charrette preceded by carefully prepared talks on reclamation-related topics of special interest to participants, and a first-ever citizen hearing in Hong Kong during which an independent panel comprising academics and activists in the social and environmental fields heard 28 oral presentations and received 12 written submissions'* [Ng, 2006]. Furthermore, after the March 2004 judgement, they often advised both parties to work together by stating that the *'whole issue has dragged on for so long, it is time for Hong Kong to move forward, and only by reaching a consensus can we move ahead'* [SCMP, 09-03-2004].

A second group, formed in February 2004, was called Designing Hong Kong (Harbour District). This organization, founded by four professionals, including Christine Loh, quickly started to *'to conduct surveys, organise seminars, consult professionals and leaders and hold public forums in an attempt to find a consensus on how the waterfront should be developed'* [The Standard, 19-02-2004]. Unlike CE@H, this organization was much more engaged in a process of translation, as one of the founders said *'the initiative brought business, civic and public sectors together'* [The Standard, 19-02-2004]. With the events they organized, such as international design competitions, and the media attention they recieved, they were able to successfully enrol some actors into their network, such as HSBC, which, after a request from Designing Hong, *'urged the government to make a long-term commitment to conserve and protect the harbour against reclamation'* [The Standard, 06-03-2004, SCMP, 09-09-2007].

A more recent actor is the Harbour Business Forum. This organization, formed in June 2005, consisted of a *'big arrange of companies … from the developers through to the banks … all these sort of major players … nearly all the major architects, surveyors, engineers, planners…'* [Interview Margaret Brooke, 2011]. It was founded *'due to a concern about how developments in and around our harbour could have a negative impact upon the future development of Hong Kong'* and because *'at present … business involvement is relatively weak'* [SCMP, 03-06-2005, HBF, 2011]. HBF is *'mainly a research driven think-tank'* which strives for more research on the harbour, government engagement, awareness raising and design competitions [HBF, 2011]. Regarding reclamation, the HBF has a *'presumption against reclamation'* [Interview Margaret Brooke, 2011]. This new actor was not only the result of a successful translation, being an alliance of a large number of companies and a leading actor for businesses, it was also actively starting its own process of translation. It was actively enrolling several actors by using different kinds interessement devices, such as research on harbour planning, design contests and regular meetings with government officials.

Even though the SPH changed its strategy, became one of many actors who were critical of the government's reclamation plans and, in a way, became part of the government by joining the HEC, interessement continued, albeit in a different way. Instead of organizing protests and enrolling a large number of actors in their network, they now switched to a strategy where they were *'going to hire a*

full-time staff and an office and .. spend our time producing important information with which to edu-cate the public' (The Standard, 16-04-2004). So over the next months, the SPH not only advised people to vote for parties which would protect the harbour, but they also warned the people in a special supplement in the SCMP that *'members of the government, including the chief executive, have con-sistently misled the public about what they have planned for the site'* (The Standard, 03-09-2004, SCMP, 07-09-2004). Furthermore, the SPH started new signature campaigns and presented alternative, less commercially oriented plans for Central phase III (The Standard, 23-09-2004, SCMP, 27-01-2006). Nonethe-less, all this did not keep the SPH from slowly becoming a more intermediary actor, part of a larger actor-network led by the government, instead of the mediating actor they had been in the previous years.

The government's association remained strong, even though it had lost a considerable amount of power since the anti-reclamation protests began. It might not have the support of the majority of the general public and it could not speak for the harbour and the PHO, but it could still mobilize a lot of actors in the professional and business world. For Winston Chu, the power of the government's association became clear when *'we went to court … we couldn't find any extra witness to help us'*, mainly because very few people wanted to oppose the government, because *'the government here is a very powerful body and it has a lot of invisible power'* (Interview Winston Chu, 2011). Another example of the enrolment of actors in the government's associations came in March 2004, when the government said *'the urgent implementation of the reclamation plans was supported by professio-nal groups including the Hong Kong Institute of Architects and the Hong Kong Institute of Planners'* (SCMP, 22-03-2004). But, apart from public consultation, the government also continued to interesse-ment the public with an extensive PR campaign, which led to leaflets such as 'Our Living Harbour', which summarized the government's goals regarding reclamation (see figure 5.10) (HPLB, 2005a).

However, all these efforts did not result in easy planning for the government or an easy campaign for the SPH. Only a few months after the dust that was kicked up by the court cases settled, the next controversial subject in the harbour reclamation story entered the stage. As stated before, the main reason the Wan Chai phase II required reclamation, was because of the Central-Wan Chai Bypass (see figure 5.11). However, as designs for this bypass became more and more detailed, people began to doubt this design and its effectiveness. It was now the CWB that became a mediating actor and that influenced the course of the conflict and the changes in Hong Kong's urban planning system.

In the years before, no one really doubted the use of the bypass; even the SPH believed the bypass to be necessary, as they *'did not object to the main purpose of the project - to provide a traffic bypass from Central to Wan Chai - [they] opposed to the added extras that were attached to the 26-hectare scheme, such as commercial buildings'* (SCMP, 08-04-2003). The bypass wasn't the problem, it was the reclamation that was needed for its construction that was seen as a problem. However, in 2003 the Hong Kong Automobile Association argued that there is no need for the CWB, in January 2004, green group Save Our Shores criticized the estimated increase in traffic and also doubted the use of

OUR LIVING HARBOUR

Past

- Hong Kong's rugged, mountainous terrain and small area have always been a natural constraint on the amount of land suitable for development. That is why, since the mid-19th Century, reclamation has proved one of the best ways to meet the economic, transport, housing and social needs of the community. This, in turn, has significantly contributed to the development of Hong Kong as Asia's world city.
- Hong Kong has benefited greatly from reclamation. Most of the Central Business District and Tsim Sha Tsui East, as well as much of our essential infrastructure – roads and railways, convention and exhibition facilities, hotels and commercial offices and the former Kai Tak Airport – have been built on reclaimed land.

Former Kai Tak Airport

New Star Ferry Pier

Present

- Community aspirations change. In recent years there have been strong calls from the community to protect Victoria Harbour.
- The Government shares this view and is committed to protecting and preserving Victoria Harbour as a special public asset and a vital part of our natural heritage.
- The Government strongly supports the Protection of the Harbour Ordinance (PHO). Indeed, it was the Government that took the initiative in 1999 to amend the Ordinance to extend its coverage from the Central harbour area to the whole of Victoria Harbour.
- The Government is committed to transforming Victoria Harbour into a harbour for the people – a harbour full of life and activity and easily accessible for the enjoyment of all.
- To achieve this goal, the Government has:
  - Undertaken that apart from Central Reclamation Phase III (CRIII) and the proposals for Wan Chai Development Phase II (WDII) and Kai Tak (South East Kowloon), there will be no more reclamation within the harbour;
  - Abandoned previously proposed reclamations at Kowloon Point and Tsim Sha Tsui East;
  - Deleted proposed reclamations at Tsuen Wan Bay and off Green Island and amended the relevant outline zoning plans accordingly;
  - Pledged to abide by the PHO and comply with the 'overriding public need' test stipulated by the Court of Final Appeal (CFA) in January 2004* for all remaining reclamation projects; and

* 'Public needs' include the economic, environmental and social needs of the community. A need should only be regarded as 'overriding' if it is compelling, present and cannot be met by another reasonable alternative. The extent of the reclamation should not go beyond the minimum of that required by the overriding need.

– Established, in May 2004, the Harbour-front Enhancement Committee (HEC) with broad-based community representation to advise the Government on planning, land use and development along the existing and planned harbour-front.

Central Reclamation Phase III (CRIII)

- In light of the CFA ruling, the CRIII project has been reviewed. The study, completed in April 2004, showed that CRIII met the 'overriding public need' test laid down by the court.
- CRIII is needed to provide essential transport infrastructure. It has undergone thorough scrutiny. At just 18 hectares – reduced from 32 hectares – the scope of reclamation has been kept to the minimum.

TSUEN WAN

Proposed reclamation abandoned on 19.12.2003

TSING YI

KOWLOON

SOUTH EAST KOWLOON

GREEN ISLAND

Proposed reclamation abandoned on 19.12.2003

CENTRAL

Reduced

WAN CHAI

CAUSEWAY BAY

Under review

HONG KONG ISLAND

Central Reclamation Phase III (reduced)

South East Kowloon Development and Wan Chai Development Phase II (under review)

Development proposals involving reclamations in the Harbour

Figure 5.10: Part of the leaflet 'Our Living Harbour', aimed to interesse the general public. Source: HPLB, 2005

the CWB and from March 2004, several more organizations, professionals and academics joined the growing group of people who weren't convinced of the CWB's positive effect on traffic in Hong Kong (SCMP, 14-10-2003, SCMP, 13-01-2004, The Standard, 10-03-2004). In April 2004, further criticism was heard, as for example DHK argued that the proposed roads on the surface, including a large highway called 'P2', would *'choke the foreshore and further hinder public access to the waterfront'* (SCMP, 07-04-2004). In the following months, many more would argue that the alternatives to bypass had not been fully researched, the road structure, especially the P2 road, would definitely not enhance the harbourfront and the government withheld information regarding these roads (The Standard, 1-9-2004). The bypass had become the new focal point of the harbour activists.

A new problem came up in January 2005. The HEC started a public consultation regarding Wan Chai phase II and released a document showing suggestions for the CWB, but these were interpreted by the media as options. This shocked some HEC members, as they had not seen these suggestions before and did not agree with them. This led to a botched interessement device, because, as the SCMP wrote *'the public consultation will not be taken seriously if the government has not even consulted the members of its own advisory committee'* (SCMP, 25-01-2005). The government apologized and blamed the error on the fact that it was still *'a learning process'* and added that people were still welcome to offer alternatives (The Standard, 26-01-2005). The paper was retracted a few weeks later with a HEC member saying that *'this time round, we'll make it clear that there are a whole range of options, from do nothing to various solutions (for the bypass) either above ground, at ground level or below ground'* (The Standard, 08-02-2005).

As a result of this error, the debate regarding the CWB and whether it would be useful or not, became even more active; the controversial document transformed from an intermediary to a mediating actor as it influenced the debate. In February 2005, the AGPH, in reaction to the suggestions unveiled by the HEC in January 2005, said that no reclamation was needed for the CWB, that the government should consider electronic road pricing (ERP) and should do more to enhance the waterfront (The Standard, 01-02-2005). In the following weeks, the CWB critics, including the SPH, DHK and SOS, were joined by the Royal Hong Kong Yacht Club, green group Clean the Air and the Royal Institution of Chartered Surveyors (The Standard, 07-02-2005, SCMP, 05-03-2005, SCMP, 07-03-2005). All of them thought the government had to look at other options before going ahead with the Bypass. But the secretary for Planning, Housing and Lands reacted to these arguments by saying *'the proposed Central-Wan Chai bypass is the only answer to reducing heavy traffic congestion'* and by adding *'I promise that for the minimum reclamation for the bypass, the reclaimed land will only be used by the public for enjoyment of the harbor front'* (The Standard, 23-02-2005). A few months later, the HEC reacted to the increasing criticism by *'setting up a panel to reach a broad consensus on transport matters, including the question of the need for the Central-Wan Chai bypass and its connections with local roads'* (SCMP, 23-08-2005). One of the main conclusions of this panel was that *'even with these … new Highways, traffic will be saturated by 2016 and other measures - including further reclamation and electronic road pricing - will have to be considered'* (SCMP, 22-09-2005).

A new round of public consultation, the government's interessement device to enrol the public into its network, was started in May 2005. But the document used for this was badly received by LegCo, because, as one LegCo member told, *'it failed to give the public viable options from which to choose answers'* (SCMP, 27-04-2005). In the first stage, the HEC wanted the public *'telling us how they want their waterfront to look'*, in the second stage *'the committee and its consultants will map out more concrete options for the public to choose from'* and in the third stage a *'master plan will be drawn up for the scrutiny and approval of the Town Planning Board'* (SCMP, 23-05-2005).

But while public consultation on Wan Chai phase II was underway, the SPH demanded access to TPB hearings regarding Central phase III, as this would help the TPB *'to demonstrate its determination to improve governance'* (The Standard, 20-07-2005). A few days later, the SPH was given access to the hearings (The Standard, 23-07-2005). At the same time, SOS accused the government of having double standards regarding their proposal for a tunnel for the CWB in Central, as *'the consultants - hired by the government - did not rule out the possibility of the tunnel'*, but the government refused to look at this option (The Standard, 22-07-2005). Though in the end, the TPB rejected all the opponents proposals for amending the Central phase III plans, because *'board members agreed with the government's argument that the current reclamation is already at a minimum'* (SCMP, 06-08-2005).

In December 2005, the HEC approved of constructing the CWB, but they did not specific in which form it would be constructed; a fly-over or a tunnel. (SCMP, 13-12-2005). That decision would be made in the first half of 2006. In this period, the government told the public that there was only *'one viable option for the controversial Central-Wan Chai bypass: reclamation'* (SCMP, 14-02-2006). When these government recommendations were presented to the HEC in March 2006, the majority of the HEC criticized this report, because *'they did not evaluate the situation from the perspective of harborfront enjoyment or reclamation'* (The Standard, 09-03-2006). The did however endorse the bypass, but asked for more time, because they *'believed that there was not sufficient information from the consultants for us to make a decision on any of these [options] as they have not sufficiently looked at the no-reclamation option'* (SCMP, 10-03-2006). A month later, the government consultants revealed a more detailed report, in which a tunnel was endorsed because it *'performs better than the flyover in terms of environmental impact because it would cause less traffic disruption, noise and air pollution, and provide more access to the harborfront'* even though it would require at least 15,5 hectares of reclamation (The Standard, 14-04-2006). The reports did not enrol the HEC firmly into the government's network, as many opposed the options laid out before them or the way in which they were presented, which even led to one member resigning from the HEC, saying that *'the administration's refusal to look at the `big picture' in terms of harborfront preservation has rendered his past two years of membership 'useless''* (The Standard, 28-04-2006).

Going against the criticism of the HEC, the government's Transport Advisory Committee spoke out in favour of a tunnel in May 2006 (The Standard, 18-05-2006). This decision was quickly criticized by the LegCo and HEC for the amount of reclamation, for not heeding the expert panel's recommendations and also, for beings based on reports made by subjective consultants (The Standard, 10-06-2006, SCMP, 27-07-2006).
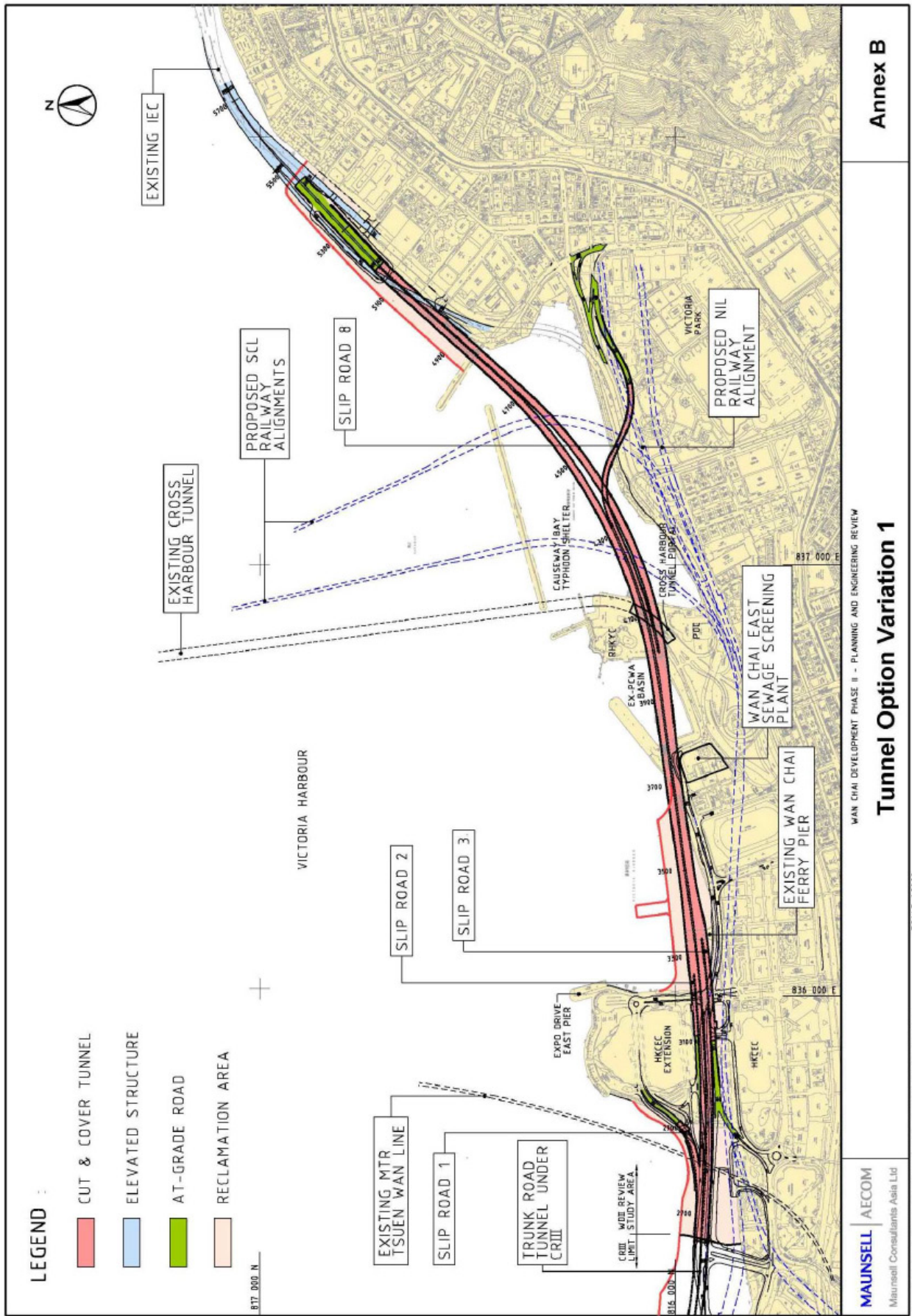
Figure 5.11: New , updated plan for Wan Chai phase II, featuring minimal reclamation and clearly showing the CWB. Source: Source: LegCo, 2007.

The government continued to argue that the CWB was necessary to combat growing traffic problems and in August 2006, the Central Engineering and Development Department (CEDD) submitted the proposal for a tunnel and 15 hectares of reclamation (Wan Chai phase II) to the TPB (The Standard, 26-08-2006). This created another round of criticism, as members thought the HEC was bypassed in this decision and that *'the government is jumping the gun and departing from the normal process'* (The Standard, 26-08-2006). Activists soon demanded the plan to be withdrawn, but the government added that it *'was an update on progress, and had not been a public consultation'* (SCMP, 28-08-2006).

The government pushed through and a few weeks later, the plan for the CWB and Wan Chai phase II was put out for public consultation, as the government, now acting as a spokesperson for the general public, said that *'the people want the bypass; they want it to be built as soon as possible'* and the *'Wan Chai District Council endorsed the project in May [2006]'* (SCMP, 01-09-2006). But ongoing criticism seemed to have an effect. After a review by the CEDD and Maunsell Consultants, which concluded that there was an overriding public need for the CWB and that the Wan Chai phase II reclamation was needed for the CWB, the plan was again changed in April 2007 to make sure less reclamation was needed; 12,7 hectares instead of 15,5 (see figure 5.11) (CEDD, 2007, SCMP, 07-04-2007). This new plan was put out for public consultation in July 2007 (SCMP, 28-07-2007). However, the SPH soon found out that the government was trying to push ahead with the reclamation by using 'temporary' reclamation'. The SPH, afraid that reclamation would just continue, sued the government and started another judiciary review (see paragraph 5.7).

At the end of 2005, another non-human actor became hotly debated by the government and the harbour activist; the already reclaimed land. As stated above, the SPH's main goal had changed from just stopping the reclamation, to enhancing the harbour, which meant that attention had turned to managing the problem instead of fighting it. Comparable opinions were already heard in 2004, when, for example, the SCMP stated that *'the focus should now turn to the uses to which the reclaimed land will be put'* (SCMP, 17-04-2004). The issue became a problem, however, when activists, including the SPH, started to criticize the commercial development in Central phase III, stating that *'no other city would introduce extensive development in its heart, as it would just attract more traffic and aggravate congestion'* or, as Kwok Ka-ki stated *'there should only be one purpose for reclamation, which is to return the harbor to the public'* (SCMP, 22-09-2005, The Standard, 26-10-2005). In October 2005, this even led to a LegCo debate, in which the government defended its plan to add commercial features to Central phase III by saying that *'the introduction of the commercial element in the reclaimed area is for the sake of long-term economic development'*, that *'people don't go to the waterfront if they have nothing to do there'* and that they wanted to *'provide for the development of a vibrant waterfront promenade for direct access and enjoyment by the community'* (SCMP, 26-10-2005, HPLB, 2005b). But this did not stop the LegCo from passing *'a non-binding motion to call for a substantial reduction of the commercial element in the project area, and a ban on the creation of new offices, shopping malls and hotels in the area'* (The Standard, 26-10-2005). However, the next day, amending the plan was ruled out by the government (SCMP, 26-10-2005). In the following months, the subject remained controversial, as several individuals and organizations, such as the Hong Kong Institute of Planners and the SPH, voiced out their criticism on the large-scale commercial development, or the so-called 'ground-scraper', or moving the government headquarters to the Tamar site (Central phase II).

Opposition to the plans for Central phase III continued to grow and seemed to reach a high point when the LegCo passed a motion *'calling on the government to revise existing plans, reducing space allotted for commercial development and increasing green, open areas for public use'* (The Standard, 07-10-2006). Meanwhile, the government had asked the Planning Department *'to refine the existing urban design framework and to prepare planning/design briefs to guide future development of the key sites in the Central reclamation'* (Planning Department, 2006). The goal of this Urban Design Study was to create an Urban Design for central phase III. But the government also used this project as an interessement device to enrol critics and the general public into their network. An important part of the Urban Design Study were the various stages of public engagement in which public views were collected and distilled into a new plan (HPLB, 2007). This public engagement, coupled with a PR campaign in which the media was used, leaflets were made, informing the public of the progress of the study, such as the colourful 'The New Central Waterfront' leaflet, helped the government in getting the public's attention and in becoming a spokesperson of the public (HPLB, 2006). The result of this urban design study was presented in 2011 (see figure 5.12). Still, the planning of the reclamation continued to attract criticism, for example from the AGPH and the SPH, who called the plans for commercial development *'frightening'* (The Standard, 28-09-2007).

In retrospect, this period shows that because of the conflicts, especially the court cases, both leading actors changed their attitude towards each other. The government even went as far as to make some small changes to how planning works in Hong Kong by founding a new advisory committee. It also shows how the government tried to enrol a large number of actors with this advisory committee and how this often failed, mostly because the government wasn't used to consulting or the way planning worked in Hong Kong just didn't create an atmosphere that was conducive for the HEC to function optimally. Furthermore, it showed how the government also tried to enrol the public by inviting them for public consultation. On the one hand, one could argue that this was just done because 'they want some legitimacy in carrying on with their work', but on the other hand, one could argue that they are 'genuine to … listen to the views of the committee' and of the public (Interview Mee Kam Ng, 2011). And, importantly, it showed that a number of non-human actors, such as the reclaimed land, a botched consultation document and the CWB changed the debate and throught his, changed the way planning worked. Lastly, this period shows that the actor field became a busy and heterogeneous field; the SPH was no longer a leading actor because other actors tried to form their own associations and thus 'stole' actors from the SPH's association. However, with a new judiciary review on the horizon, the SPH might just as well become a leading actor again.

Box 5.5: Pier Pressure: An Example of non-human actors in action.

With the reclamation works on Central phase III progressing, a third problem came into the spotlights in 2006; the fact that the Star Ferry Pier and the Queen's Pier had to be demolished. The fact that these piers had to be demolished and moved to the new waterfront had already become clear after the government drafted their first plans for Central phase III in 1999. At first, the only

Legend 圖例

Anchoring Public Spaces along the waterfront 沿海濱的重要公共空間

Leisure and Recreation Facility 消閒及康樂設施

A1 Board Walk 木板步行徑
A2 Ferry Plaza 渡輪廣場
A3 Statue Square Corridor
(with Landscaped Dock and Landscaped Open Space at-grade) 皇后像廣場走廊 (包括景觀碼頭及地面園林休憩用地)
A4 Clock Tower & Gallery 鐘樓及展覽館
A5 Entrance Plaza 入口廣場
A6 Reassembled Queen's Pier 重組的皇后碼頭
A7 Bicycle Station 單車站
A8 Visual / Pedestrian Corridor 景觀/行人走廊
A9 Water Feature 水景
A10 Edinburgh Place 愛丁堡廣場
A11 Harbour Place
(Waterfront-related Commercial and Leisure Uses) 海濱廣場 (與海濱有關之商業及休憩用地)
A12 Viewing Platform 觀景平台
A13 Cycle Track 單車徑
A14 Food and Beverage Kiosk 飲食亭
A15 Festival Lawn 節慶草坪
A16 Harbourfront Promenade 海濱長廊
A17 Viewing Platform (Sculpture Garden Theme) 觀景平台 (雕塑花園主題)
A18 Woodland 園景休憩處
A19 Waterfront Event Plaza 海濱廣場
A20 Green Carpet 綠毯
A21 Marina Place
(Waterfront-related Commercial and Leisure Uses) 海濱廣場 (與海濱有關之商業及休憩用地)
A22 Les Ramblas 林蔭大道
A23 Arrival Plaza 抵達廣場
A24 Public Landing Steps 公眾登岸梯級
A25 Marine Place Boardwalk 海濱廣場木板步行徑

Public Facility 公共設施

B1 Elevated Walkway 架空行人走廊
B2 CWB Ventilation Building 中環灣仔繞道通風大樓
B3 Landscaped Deck 園景平台
B4 Electricity Supply Station (below elevated walkway) 電力供應站 (於架空行人走廊之下)
B5 Environmentally Friendly Transport Reserve 環保交通工具預留空間
B6 Tree-Lined Boulevard 林蔭林蔭道
B7 PLA Berth 解放軍泊位
B8 Military Access 軍事通路
B9 Ventilation Shaft 通風槽
B10 Electricity Supply Station 電力供應站
B11 Landscaped Podium 園景平台
B12 Hong Kong Academy for Performing Arts Extension 香港演藝學院擴建部分
B13 Proposed Hong Kong Visual Arts Education Centre 建議之香港視覺藝術教育中心
B14 Landscaped Dock to HKCEC West 通往香港會議展覽中心西面的景觀平台

Commercial Facility 商業設施

C1 Retail / Cafe / Alfresco Dining over the Pier 碼頭上蓋之零售/咖啡室/露天餐飲設施
C2 Retail / Exhibition / Gallery 零售/展覽/畫廊
C3 Iconic Building 地標性建築物
C4 Office with Retail below 新公及大樓及低層零售商店
C5 Landscaped Podium with Retail below 園景平台及低層零售商店
C6 Retail 零售商店
C7 Office 辦公室大樓
C8 Hotel 酒店

Figure 5.12: Results of the Urban Design Study, presenting a greener Central phase III reclamation with less commercial development. (Source: HPLB, 2011).

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complaints received were those of the owners, who feared a loss of customers as people had to walk 350 metres further to the new piers (SCMP, 24-07-1998). Two years later, the environmental impact assessment regarding historical buildings warned that 'the removal of the Star Ferry Pier to Piers 4-7 [the new piers] leading to its destruction would likely raise public objection and dismay' because 'it merits itself of great significance in her role played in Hong Kong's transport history of modern era' (TDD, 2001). Regarding the Queen's Pier, the report concluded that 'to a certain degree [the pier] performed some civic and political functions in the colonial period of post-war Hong Kong after their completion … their demolition for reclamation would scrap forever the concrete link to a brief past of local development' (TDD, 2001). This report had thus constructed a meaning for the piers and acted as a speech prosthetic for them. Nonetheless, the Antiquities Advisory Board approved of the demolition and relocation a year later (Standard, 07-12-2006).

Once again, people were reminded of the coming demolition in 2003, when Kevin Sinclair reported that 'modernisation plans under the Central reclamation plan called for the existing piers to be demolished, making way for the controversial new roads. This plan would see relocation of the piers with the Territory Development Department charged with their refurbishment and renovation' (SCMP, 29-11-2003). But it took until the summer of 2006 for the first petitions to save the piers started and the issue became a hot topic (SCMP, 18-07-2006). At first, protests were aimed at saving the Star Ferry Pier, as this would be the first pier to be demolished. Because of this pier, new groups were formed, such as See Network and a group of local artists called 'We Are Society', while at the same time, already existing groups, such as the Hong Kong Institute of Architecture and the HEC joined the controversy. (Standard, 27-07-2006, Standard, 07-12-2006). Activists claimed that the pier and its clocktower were 'an historic piece of Hong Kong's bustling downtown core' and that they spoke for a majority of the Hong Kong citizens as they had received more than 6000 autographs and believed that 'almost all of them will say they have some sort of feeling about it' (Standard, 14-08-2006). However, even though a motion had been passed in LegCo to preserve the Pier, the government ruled out declaring the pier a monument, as was demanded by conservationists pointing out the assement made in 2001, and they continued with their plans, starting the demolishing of the pier in December 2006 (Standard, 07-10-2006, Standard, 07-12-2006). However, they promised to save the iconic clock tower and to bring it back to another location on the reclamation works were finished.

However, the opposition to demolishing the piers had grown, with people and conservation groups from all over Hong Kong rallying at the pier. Sit-in were held, a human chain surrounding the pier was formed and when demolition resumed, the police had to intervene to keep protesters at bay (Standard, 15-12-2006). But in the end, the pier was demolished and work on the reclamation could continue.

Even though protests had ended now that the pier had been demolished, the newly formed conservationist groups, pledged to continue their opposition to the government. As the leader of the protests, Chu Hoi-dick said, 'the government is deliberately trying to remove the unique culture and history of Hong Kong … we should not only confine ourselves to the Star Ferry … Queen's Pier will be our next battle' (SCMP, 18-12-2006).

The government, ready to demolish the Queen's Pier in the beginning of 2007, responded to this call for more protests by delaying the closure of Queen's Pier until it had reached a consensus with the most important actors and by promising to retain some components of the pier and relocating it if possible (SCMP, 09-01-2007). *However, it also mentioned that public consultation had already been done when the impact assessment was released in 2001 and consequently, did not promise to preserve the pier* (SCMP, 05-02-2007). *But once again, backed by survey results concluding that a majority of the Hong Kong people wanted the Queen's Pier to be preserved, conservationists, backed by several organizations, argued that in-situ preservation was possible and that it should be awarded a monument status by the Antiquities Advisory Board (AAB)* (SCMP, 05-02-2007). *But even though organizations such as the HKIA stressed the Queen's Pier historical significance and the AAB graded the pier as a monument in May 2007, the government continued with their preparations to demolish the pier, stating that the AAB did not have governmental authority, that 'the pier's demolition has long been discussed' and that removing it was vital for continuing with the reclamation works* (SCMP, 04-03-2007, Standard, 10-05-2007, Standard, 30-07-2007). *Meanwhile, a new actions group was formed, Local Action, which occupied the pier from April 2007 and organized several activities to increase public awareness and thus help to preserve the pier. However, just as with the Star Ferry pier's occupation, they were removed by the police in the end of July and work on reclamation could continue once again. And even though they couldn't save the pier in the end, it was demolished in the beginning of 2008, they, along with all the other activists were influential in creating an awareness in the government of the role heritage was now playing in the lives of Hong Kong citizens. This is shown by the Secretary for Development's remarks after the activists had been removed from the Queen's Pier site, when she said 'I hope that in the future I can continue communicating with those who care about heritage conservation - including those students and scholars who have stayed at Queen's Pier - and that everybody can adopt an open and pragmatic attitude in the discussions'* (SCMP, 05-08-2007).

However, even though this controversy had a major impact on how urban planning works in Hong Kong, it remains mostly outside the scope of this research, because, as Dennis Li said 'protecting the Queen's Pier is a conservation project.. it's cultural heritage' and even though the problem was caused by reclamation plans, it had very little to do with the whole reclamation debate (Interview Dennis Li, 2011). *Most harbour activists, such as the SPH, didn't even join in the*

protests that erupted when the government decided to go on with the demolition, because they had to 'have very clear objectives' and could not 'step into every civil movement, otherwise we will give out a very bad public image' (Interview Dennis Li, 2011).

What is important to know, though, is that these pier and this conflict and the massive protests it sparked, created a whole new group of activists. For example the group called 'Local Action', consisting of mainly young people, was formed 'after the demolition of Star Ferry' and before that 'it was just a group of no identity. The only common identity is that we want to protect the Star Ferry, But then we sort of like think that we need to organize a big.. so in order to protect the Queen's Pier, so then Local Action was formed in January [2007]' (Interview Y.C. Chen, 2011). *It shows clearly that non-human actors, in this case the piers, can bring people together create new groups and new identities. And it also shows how non-human actors, through influencing humans, the way in which they see the world around them and the groups they form, can change the urban planning system of a city. The piers were thus influential in creating a government policy for heritage.*

5.7 An On-going Conflict

After the new plans for the CWB and the Wan Chai phase II reclamation were gazetted in July 2007, the SPH found out that the government wanted to bypass the PHO with a new *'trick'*, as Winston Chu called it (Interview Winston Chu, 2011). By arguing that a large part of the reclamation needed for the bypass was temporary, i.e. it would be removed after the CWB was completed, the government hoped the new plan did not fall under the PHO. This would mean they could start the reclamation without much trouble. However, for the SPH this meant that regarding Central phase II, they'd lose the law as an actor in their network; they could no longer speak for the law and tell everyone that their construction of reality was right; they'd lose their speech prosthetic. This was unacceptable for the SPH and they thus filed for and were granted a judiciary review in October 2007 (The Standard, 05-10-2007). The hearings would be held in February 2008.

In this case, the government argued that *'the areas affected by the temporary reclamation are not considered as areas affecting the harbor under the [ordinance] insofar as they are short term and solely for the purpose of achieving the end product'* and that *'many public bodies, including the Town Planning Board, Hong Kong Island district councils and the Legislative Council's former planning, land and works panel, had been told about the plan'* (The Standard, 05-10-2007, SCMP, 04-02-2008). But the SPH stated that *'you can't make a distinction between temporary and permanent reclamation'* and that *'the government violated its own technical circular when it left a temporary breakwater out of public consultation on the Wan Chai harborfront reclamation'* (SCMP, 05-02-2008, The Standard, 06-02-2008). On March the 20th 2008, the court ruled that the temporary reclamation is subject to the PHO.

For the SPH, this decision meant that once, again, regarding the Wan Chai phase II reclamation, the law was still firmly enrolled in their network. For the government, this decision meant that they had to

go back to the drawing board again, as their plans for temporary reclamation could no longer be executed and that several other plans, such as the Sha Tin – Central rail link would be delayed (SCMP, 28-03-2008, SCMP, 04-05-2008). For all actors involved in the harbour, the decision created a situation in which *'nothing could be done any more on the waterfront'* (Interview Margaret Brooke, 2011). As Margaret Brooke stated *'The government … they have interpreted, particularly after the Court of Appeal, they have interpreted that decision so tightly to protect themselves, that there's no going forward. They've completely sterilized the waterfront'* (Interview Margaret Brooke, 2011). And while none of this was the intention of the SPH, it created a situation in which even *'landings steps'* could no longer be constructed (Interview Margaret Brooke, 2011).

The decision did not signal the end of the conflict about the CWB, because just a few weeks after the ruling, opponents *'accused the government of using the road pricing issue [ERP] to speed up reclamation of Victoria Harbour to build the bypass, a road aimed at easing traffic congestion on Hong Kong Island'* (SCMP, 31-03-2008). A month later, users of the Wan Chai typhoon shelter said *'plans for temporary reclamation in Causeway Bay typhoon shelter are unworkable and will place intolerable pressures on its fishermen and boat dwellers'* (SCMP, 20-04-2008). In response to the court case and the criticism, the government unveiled in June 2008 that they could shrink the reclamation needed for the CWB to 8.3 hectares and remove the temporary reclamation from the plan (SCMP, 30-06-2008).

Nonetheless, the government continued with planning for the CWB and Wan Chai phase II reclamation as they believed that *'without temporary reclamation, the Trunk Road Tunnel cannot be safely and practically constructed'* and that *'there is an overriding public need for the temporary reclamation in the construction'* (The Standard, 19-11-2008). In November, the government proposed to spend more than HK$ 170 million on the project to mitigate some of the dallying effects of the court case and because *'the extra works are needed to allow public access'* (SCMP, 19-11-2008). Without any problems, the amended CWB project and the reclamation needed for it, were approved of by the government in May 2009. Even the SPH said that they *'will not oppose the projects as long as they are conducted in accordance with the Protection of the Harbour Ordinance'* and that *'the government had fulfilled its promise by including plans to put reclaimed land to public use'* (The Standard, 21-05-2009).

However, soon after the project was given a green light, a new problem came up. It became clear that coordination between the government and the Mass Transit Railway (MTR) was lacking and that there was doubt about whether the new metro rail and CWB would share the same tunnel. Winston Chu said in response to this that *'he would not rule out another legal challenge if the government failed to show the bypass and the railway projects were well co-ordinated'* (SCMP, 27-05-2009). The SPH and DHK feared that if there would be two tunnels, more reclamation would be needed and the project would need more time and cost more money. Nevertheless, construction started in January 2010 even though its use continued to be doubted by a number of critics (SCMP, 03-11-2010).

Meanwhile, the controversy regarding the planning of the reclaimed land continued like it did since 2005. In November 2007, AGPH warned the public that the CWB *'could mask a hidden agenda for the military'* as a large part of the harbourfront would become a berth for the Chinese Army (The Standard, 03-11-2007). From 2009 and onwards, the HEC, DHK and a number of activists *'were worried that new pump rooms and utilities [such as an air vent in front of IFC] will ruin the ambience and accessibility of the new Central waterfront'* (SCMP, 15-08-2009). At the same time, the government reacted to the ongoing criticism that they were planning too many commercial features in Central and they relocated almost 60 000 m² of planned office space from Central to Wan Chai (SCMP, 04-11-2009). But criticism on the use of all the new roads rose again, when Lung Wo road opened on newly reclaimed land in Central phase III (SCMP, 10-04-2010).

Even though, with the multitude of other harbour reclamation opponents, the process of translation became increasingly difficult, the SPH continued to use interessement devices to enrol the public and other organizations, with mixed success (see figure 5.13). For example, in November 2007, the SPH could find no schools that were willing to join in the annual harbour walk and the walk only attracted about a 100 protesters (The Standard, 31-10-2007, The Standard, 05-11-2007). In 2009, a walk aimed at educting children *'how to appreciate and care for the harbor'* attracted 400 people (The Standard, 09-11-2009).

The government also continued with using interessement devices to enrol professionals, the private sector and the public into their network. Apart from using PR, public consultation, for example on the new Urban Design Study for Central phase III (see figure 5.14), the government also used more creative interessement devises. For example, in November 2008, the government *'promised to give priority in its works projects to local construction workers and professionals'* to enrol the private sector, especially the construction companies, into its network (SCMP, 28-11-2008). However, one of their biggest moves, in respect of interessement devices, was setting up a new harbour authority.
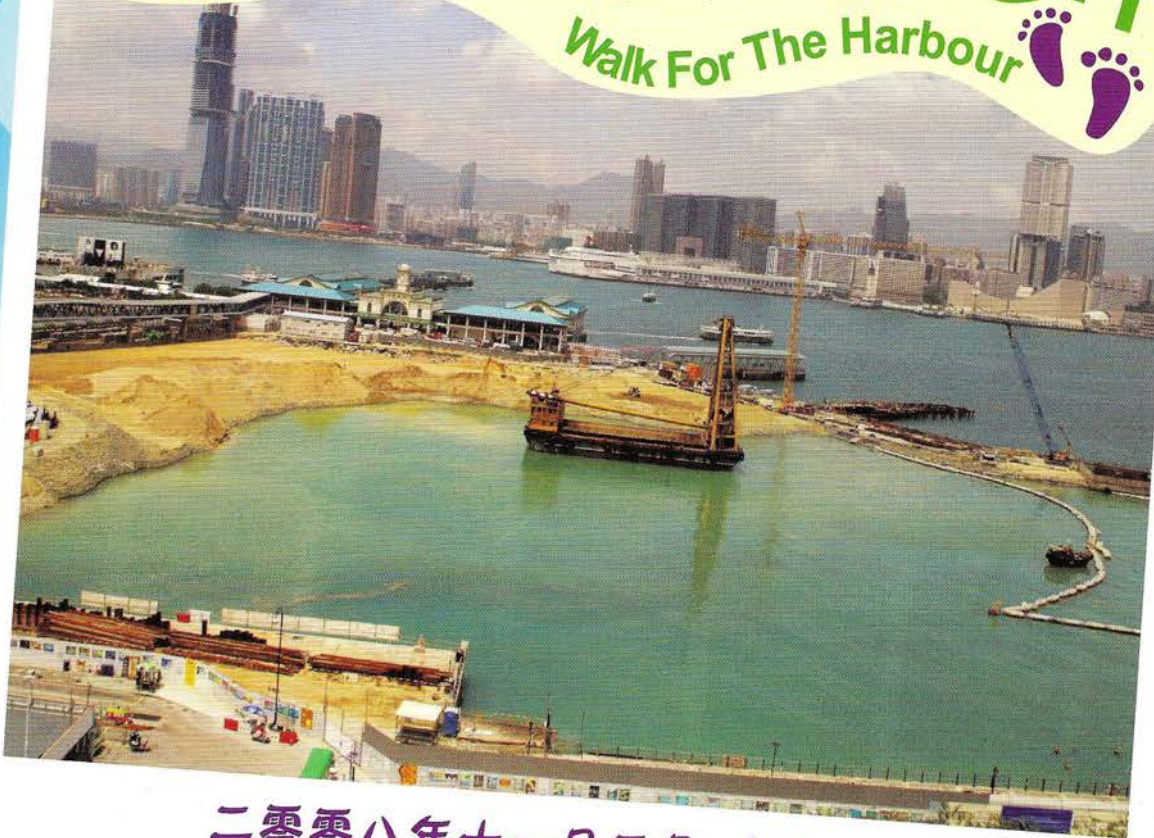
In June of 2010, after many proposals for a real harbour authority had been made by a large number of organizations, the government decided to continue its strategy of enrolling the citizens of Hong Kong by increasing public consultation and by enrolling the professional organizations and activists by using the HEC. The HEC was replaced by the Harbourfront Commission (HC), an organization with more power to start their own initiatives and which the government or any other party had to consult before accepting a plan in the Victoria Harbour area. Because, while the HEC *'was largely advisory and reactive, in the sense that we waited for things to put to us … we were a source if reference for the government'*, the HC was much more pro-active (Interview Nicholas Brooke, 2011). It was thus also much more able to successfully enrol a large number of different actors, such as activsts, developers and professional organizations. Just as the SPH made themselves into an actor which people had to reference during the court cases, the government now created another actor which almost everyone who was dealing with the harbour had to pass through. And to do this, the government gave the HC three main objectives; 1: it *'is to be the champion for the waterfront'*, 2: it *'is to coordinate the planning, the design, the implementation, the management and the operation of all activities on the waterfront'* and
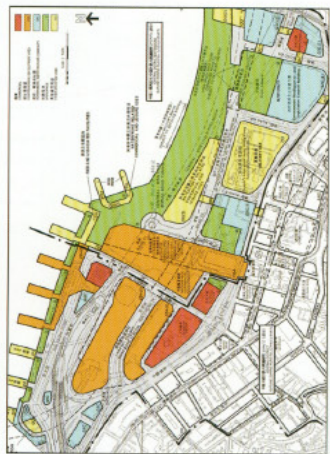
Figure 5.13: Interessenment device of the SPH. Leaflet inviting people to join in the yearly 'Walk for the Harbour'.

Figure 5.14: Interessement device of the government. Leaflet from 2007 informing people of the new Urban Design of Central phase III.

3: it *'is to come up with a whole series of public-private models for the management of the waterfront'* (Interview Nicholas Brooke, 2011). Especially the last goal seems to be important, as this means that the HC is now actively enrolling the private sector into its association.

This last period in the harbour debate shows that strategy both the government and the SPH adopted after the court cases continued. On the one hand, the government continued to interesse en enrol a large number of actors, for example by inviting them to talk about the projects in public consultations or by inviting them on an official committee like the HEC or later on, the HC. On the other hand, the process of translation by the SPH seemed to become less and less active as a large number of actors joined the many other organizations, such as DHK or the HBF and public support for the SPH seemed to wane, as the low number of protesters indicates. Perhaps the opponents or critics of harbour reclamation became tired of constantly opposing the government and were looking for other ways to make sure the plans were built according to their wishes. All of this, however, could not prevent more conflicts to arise; how the reclaimed land should be use continued to be a much debated issue and the planning of the CWB even led to a new judiciary review which, once again, enrolled the law firmly into the counter-association's network. Nonetheless, reclamation works continued (see figure 5.15), albeit a lot less grander then they were envisioned to be in the beginning of the 1990's.

5.8 Conclusions

If we want to answer the subquestion of this chapter, we should be lLooking back at the last 30 years, in which the harbour debate gives an excellent example of Hong Kong's changing urban planning system. The debate started in a time when the government had hardly any problems with planning the city and harbour reclamation was a universally accepted method of creating new land and thus making sure Hong Kong's economy would continue to develop. In the beginning of the 1980's, the government started a process of translation. They identified a problem (problematization), which was the lack of space in central Hong Kong, enrolled a number of actors in their network who could help them with reclaiming land in Victoria Harbour to tackle this problem and finally, mobilized their actor-network and started reclaiming large parts of the harbour in the beginning of the 1990's.

But in 1994, a number of actors started to object the reclamation. They had a different view of the harbour, as they saw it not as a land bank, but as a heritage which should be protected. During this conflict, one man, Winston Chu, started a very successful process of translation and enrolled a large and heterogeneous number of opponents from and critics in his actor-network. This meant that he could mobilize his new counter-association and, together with Christine Loh and his new organization, the SPH, enacted the PHO in 1997. With this new ordinance, he believed the harbour would be protected from further massive reclamation.

The government continued to have different views of the harbour and also thought the PHO would just be a guide and not a piece of law that would stop them from proposing further reclamations. These different viewpoints would even lead to several courts cases in 2003, 2004 and 2008. A number of them were won by the SPH, but regarding the already on-going Central phase III project, the gover-
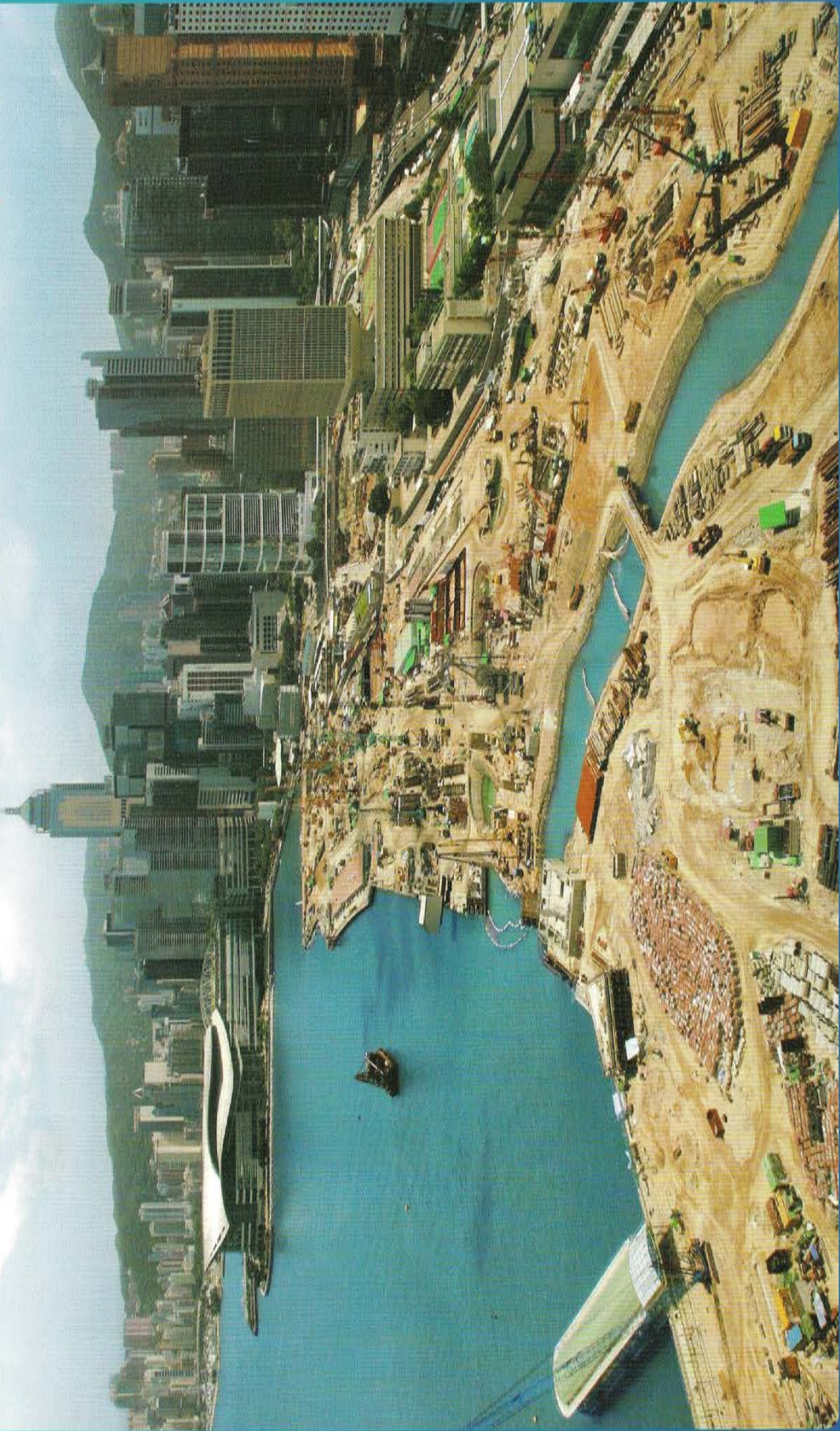
中環海傍之未來？

Figure 5.15: Backside of a calendar made by the SPH showing the reclamation works on Central phase III at the end of 2010.

nment won and continue its reclamation. These court cases and the growing public opposition to the reclamation, made the SPH into a very important actor at that time. The government, at the same time, was put in a difficult situation as a lot of actors who were once part of their actor-network, were now actively opposing them.

In the following years, both he SPH and the government changed their strategy. The government started a new process of translation and by using a combination of PR, public consultation and setting up a new advisory committee, was able to enrol a large number of actors in its association. Not only could they now more easily legitimize their plans, they now also had more public support for their plans. The SPH on the other hand, confronted with a multitude of new actors who also opposed the government's plans for the reclamations, became less and less active and changed their strategy to helping the people enhance the harbour and educating them about the need to preserve the harbour. Nevertheless, even after the court cases, the controversy continued on, with people opposing the planned use of the reclaimed land or the reasoning behind building a bypass.

In the end, even after a conflict that lasted 20 years. The reclamation is still continuing. It has been hugely scaled down, delayed for more than 15 years and will probably be the last line of reclamation, but the harbour activists did not succeed in stopping it all together. On the other hand, the conflict, along with other urban planning controversies, like the West Kowloon Cultural District and the Lee Tung Street, changed some facets of the urban planning system. First of all, land reclamation is no longer an accepted way of creating more land and helping the city develop; other solutions are now needed. And secondly, public consultation is used more and more by the government; perhaps they now understand the importance of a translation in which many people and organizations are enrolled into an actor-network.

[6]

[CONCLUSIONS]

6.1 Theoretical & Methodological Conclusions

Urban controversies have become an increasingly 'hot topic' in urban planning and geographical studies. Especially since 1970's, they are known to delay large and costly urban projects for several years or in some extreme cases, even mean the end of large projects. Meanwhile, governments are looking for answers and solutions to prevent the next 'great planning disaster' to take place in their city and in response, numerous studies have taken place into the emergence and evolution of these urban controversies. Nonetheless, to this day, governments continue to struggle with these controversies.

For years, the city of Hong Kong seemed to enjoy a relative absence of these urban controversies; large projects, such as the construction of new towns, the reclamation of large tracts of sea in the central area and the construction of new metro lines could continue without any problems. But all of this changed in the 1990's. Just as in other large urban areas in Europe and the US, urban development encountered opposition from various civil groups. Urban controversies became an important part of urban planning in Hong Kong, especially after the handover in 1997, when the amount of urban controversies grew rapidly, with projects such as the West Kowloon Cultural District, the High Speed Rail Link to mainland China and the reclamation in Central and Wan Chai, encountering public opposition. Yet, even though these controversies were well-known, hardly any research has been done to find out what exactly happened and how these conflicts changed the way planning works in Hong Kong. It is in this light that the following research question was presented in chapter 1:

How did the urban controversy regarding the Central & Wan Chai Reclamation project evolve and how has this case influenced the structure of decision-making regarding urban development in Hong Kong?

This research first concluded that reclamation has played a very important role in Hong Kong's structure of decision making regarding urban planning, as it has practiced ever since Hong Kong became a British colony and has been used many times to accommodate Hong Kong's hunger for new land and new urban developments. At the same time, research about reclamation and reclamation in Hong Kong showed that this was seen an something static and these would not help with answering the main question of this thesis.

In order to answer a research question like this, this research has showed that a relational view on society and space is needed. In this relational view, space and society are not a static movie set in which social life is played out. Rather, space and society are intrinsically relational; people change the world around them, but at the same time, the world around them is also changing the people. And since these people often can't change the world by themselves, they engage in a multitude of relationships to reach their goals. This is what makes space and the society relational and turns it into living entities instead of lifeless movie sets.

But this research has also showed that most theories on relational space are still not adequate enough to answer this research question. This is why the Actor-Network Theory (ANT) was introduced. It argued that the world is made up out of a large number of actor-networks, each trying to reach their

goals. It is these associations, that, once they have been established and accepted, constitute society and thus explain the world around us. If one wants to understand how the world is constructed, one should look at how associations (or networks) consisting of a number of actors emerge.

ANT also introduced a number a new elements to this research. First of all, actors can be both human and non-human, as the founders of ANT believed that these non-human actors can also actively construct the social and natural world. And when describing how associations form, human and non-human actors should be described in the same way. Secondly, a researcher should follow the actors, see how they constructed their own world and associations and the researcher shouldn't judge the actor's actions. Thirdly, ANT presented a new way to analyse how associations were build; the process of translation. Within this process, a focal actor would construct an association in 4 steps, identifying the actors that he needs, persuading them to join him and finally locking them in a firm position in his network. This way, he could become a spokesperson for all the actors in his network and his association could eventually be institutionalized.

Another aspect for this research ANT offered, was its explanation of controversies. According to ANT, a controversy is born when a spokesperson's representativity is being questioned by other actors. The process of translation is halted, as different actors try to construct their own association to further their own, often conflicting goals. Controversies are when the processes of translation are the most visible and thus also when the construction of space and society are the most visible. This is why ANT encourages researchers to study these conflicts. And it is this, combined with the relational view on space and society and the clear explanation it gives of how associations are formed through translation, that makes ANT into a suitable theoretical framework for this study. By describing this case study with the methodological principles ANT gives, new perspectives on the course of this case study and its effect on Hong Kong's structure of decision making regarding urban planning can be given.

6.2 Empirical Conclusions

Chapter 2 showed that reclamation had been a way for the government to cope with urban growth for many years and that the Central & Wan Chai reclamation was just another strip of reclamation in Victoria Harbour. It also showed that Hong Kong's structure of decision-making regarding urban planning had long been a top-down process. The government decided what was best for the economic and civil development of Hong Kong, made plans to help reach these decisions and held hardly any public consultation. The government agreed, either because they didn't care or didn't know or because they agreed with the developmental course of Hong Kong's urban planning. However, Hong Kong's society began to change, especially after the handover, when people began to see Hong Kong as a place where they were going to stay for a long time. Quality of living, heritage and public consultation become important for the people of Hong Kong, even though the planning system wasn't prepared for these changes. So, while society was changing, the government continued on, as everything was still the same. However, the events caused by the controversy regarding the Central & Wan Chai reclamation would change this in the following years.

The first part of the main questions deals with how the controversy evolved. The first phase of translation started at the end of the 1970's, beginning of the 1980's, when the government concluded that new land was necessary to accommodate new urban developments such as offices and infrastructure. This process of translation was fairly straightforward; the government mobilized the most important actors, encountered no one who questioned their role as a mediating actor and could eventually start reclamation in the first phases of the plan in the beginning of the 1990's. The people of Hong Kong accepted their role as an intermediary actor and did not try to speak for the harbour.

But the government's comfortable position changed in 1994. For the first time, people started to object the reclamation plans, stating that further reclamation would turn the harbour into a river and objecting the government's view of the harbour as a land bank from which they could just take land. No longer did everyone agree with the government's view on reality and people quickly constructed their own, conflicting views. A counter-association was formed, led by Winston Chu and his Society for the Protection of the Harbour, which aimed at protecting the harbour and stopping further reclamation. This counter-association started a process of translation in which they enrolled a number of professional organizations and a large part of the general public. By 1996, instead of the government, they had now become the spokesperson for the people and for the harbour, as these actors had voiced out their opposition to reclamation through a number of speech prosthetics, such as surveys and maps showing the harbour becoming smaller. The government's association had lost some of its power by this and their first steps aimed at enrolling the public, the harbour and the professional organizations back into their association, had little to no effect.

However, the government still had a very powerful actor in its network; the law. Even though a powerful counter-association had emerged, they could still legally continue with reclamation and the preparation of plans. But this ended in 1997 when Winston Chu and several other actors were able to pass the Protection of the Harbour Ordinance (PHO) in LegCo after another successful phase of translation in Hong Kong's political realm. This meant that the law was now part of the counter-association and further reclamation had been halted. The government tried to turn their disadvantageous position around by calling for a suspension of the PHO immediately after the handover to China, but the counter-association was too strong and mobilized its actors once more to cancel this move.

For a while, things seemed to go in the right direction. Cooperation between the government and the counter-association grew as the government had to acknowledge the mediating force of the PHO and the government tried to pacify the conflict. But at the same time, planning of the two last two phases continued and new plans, albeit heavily scaled down variants, were unveiled almost every year after the PHO was adopted. The government argued that harbour reclamation was absolutely necessary and that it outweighed protecting the harbour. So on one side, there was the government, arguing that even though the PHO was in place, reclamation would still be possible, thus contesting the counter-association's role as spokesperson of the PHO and on the other side the counter-association, which demanded a stop to all reclamation works. When the government continued with their planning in 2002 and 2003, the SPH sued the government and a new conflict was born.

It had been a while since the last time the counter-association had to mobilize it's allied actors and in the meanwhile, the whole actor-network field had changed. Several green groups, professional organizations and private companies had over the years also expressed their discontent with the plans and they were now one of many organizations. If they wanted to win this battle, they'd have to start a new process of translation to become the spokesperson for the people of Hong Kong, the harbour and the PHO again. The most important step was to sue the government, as this made Winston Chu and the SPH the one actor to support in this phase of the controversy as individuals and likeminded organizations now had to pass through them in order to reach their mutual goal of stopping further reclamation. They rounded this position off with a publicity campaign involving mass-demonstrations, campaigns, conferences, media appearances and many more interessement devices, all to enrol the public in their counter-association.

This new process of translation paid off, as two out of three court cases held between 2003 and 2004 were won by the SPH. The first court case, dealing with reclamation in Victoria Harbour in general, was won by the SPH. The verdict laid out three principles which the government had to abide to and which made further reclamation harder to legalize. In the last two cases, the SPH demanded all works on Wan Chai phase II and Central phase III to be halted as they deemed them illegal. Only the case of Wan Chai phase II was won, which meant that for this project the government had to go back to the drawing boards and for Central phase III it meant that they could continue their works. Nonetheless, the government's association was now even weaker than before, as the even stronger counter-association could now act as a spokesperson for the PHO, the harbour and a large part of the population.

The court cases put the government in a difficult position as their association had weakened and they were no longer able to continue with new reclamations. This meant a change of strategy was needed; the government started their own process of translation to enrol the actors they lost in the previous years. One important step in the process was the creation of the Harbourfront Enhancement Committee (HEC, later changed into the Harbourfront Commission or HC) in 2004. With this new government commission, a forum was created where reclamation and harbour related plans could be discussed and where a number of actors involved in the harbour could meet. By also including actors of the counter-association, the government was able to pacify the conflict, as the most important activists were now slightly involved in the planning of the waterfront. Consequently, they were thus able to enrol actors in their network and were on their way to becoming the spokesperson of the harbour and harbour related actors once again. Next to the formation of the HEC, the government also initiated in a series of public consultation programmes for newly developed plans for the harbour, in which the general public was asked for their opinion. Even though this wasn't always as successful as it was hoped to be, it did show that the government at least had the intention to listen to other actors and was looking to become their spokesperson once again.

Meanwhile, the actor-field continued to become more heterogeneous as any more actors involved in harbour reclamation, such as the Harbour Business Forum, several professional organizations and environmental organizations entered the arena. The SPH, once the focal actor regarding the counter-

association, was now one the many actors in the field. None of them seemed to take on a leading role and none of them started a process of translation to become one. Every organization had its own goals, which they often laid out in the newly formed HEC.

Yet, as the conflict lost its sharp edges, the period lasting from 2004 to 2011 saw the emergence of a number of smaller controversies. The most important ones were the heritage based conflicts in 2006 and 2007 over the Star Ferry Pier and Queen's Pier, in which a new generation of activists was formed. More reclamation based conflicts dealt with the meaning of temporary reclamation in 2007, how the reclaimed land should be used, whether the bypass should be build or not or with how the government dealt with the public consultation for new plans. Just as the actor field, the controversies also become less clear and more heterogeneous; both human and non-human actors became more diversified.

Analysing the course of the controversy also gives us an opportunity to investigate how this changed Hong Kong's structure of decision making regarding urban planning and thus gives us an answer to the second part of the main research question. Looking at everything that has changed, four general tendencies can be discerned:

1. Victoria Harbour is now protected. Before the controversy arose, there was no law protecting the harbour and government could reclaim when and what they wanted. After the adoption of the PHO and the court cases, in which legal tests were laid out, reclamation became only possible if there was an overriding need to it. This changed the government's strategy to urban development, as they had to search for other places to develop instead of the decades old tried and tested method of land reclamation.
2. Consultation is now much more available. When the first plans for the Central & Wan Chai reclamation scheme were developed, consultation was nearly absent and if there was any, only available to professional organizations. Right now, for almost every plan, a public consultation is held, for example for the Urban Design plan for Central phase III. Coupled with that, there is now also a commission, the HC, which has members from both the government camp as well as the activists camp and through which every plan now has to pass. Even though the amount and the quality of consultation is still being criticized, compared to 20 years ago, there has been a massive increase in consultation
3. The government is no longer the only actor influencing urban planning. Unlike the 1980's, when the government was a focal and mediating actor and when all the other actors accepted their role and followed the government's plans, the whole actor field is now much more heterogeneous. The emergence of a counter-association actively questioning this mediating role in the 1990's, followed by the emergence of a large number of other influential actors in the 2000's, who each on their own thought that their view on what was best for the city was the view that the government should have, brought the government in a difficult position. In the last 10 years, the government is slowly recognizing that they'll have to take all these actors, including the activists, more seriously. Most of these actors have completed a successful phase of translation and are spokesperson for a large

number of actors, so if the government wants to plan their city in an effective on controversy-free way, they'll have to listen to them and include them in the planning process.

4. The idea that Hong Kong has no land and should thus reclaim new land from the sea has been challenged. As Wissink (2007) stated, there has been an urban planning system in Hong Kong in which the assumption that there is no land plays an important role. The fact that reclamation is no longer a viable solution to a lack of space, means that this assumption no longer holds true. This controversy has shown that this assumption was constructed and that there is space available for urban development. But it just needed a controversy to do so and as Christine Lo stated, *'the harbour discussion has actually started, I think, the entire debate about urban planning and urban design'* (Interview Christine Lo, 2011).

6.3 Discussion

Just as interesting as answering the main question is finding out what we can learn from the analysis of the controversy regarding the Central & Wan Chai reclamation. What can we say about urban conflicts in general and what does this case tell us about the theoretical framework used?

What this description has taught us in the first place is how a complex urban controversy evolves and how it can change the way urban planning works in a city. But since this is case study, it will be hard to make any generalizations. It would be surprising if there are other urban controversies with the same history and evolution as this one. Add to this the fact that Hong Kong is part of a whole other culture than Europe of the US and it is clear that in detail, this case study is bad material for generalization.

What we can learn from this are general lessons of the evolution and effects of an urban conflict. What this study has shown is that first of all, the theory that society and space are relative is right. This study has shown that the controversy changed the way urban planning works in Hong Kong. But it also showed that the controversy itself was caused by a number of reasons. It shows how society can change the institutions and the physical space and, coupled with the conclusions from the previous paragraph, how this also works the other way around. So the most important reasons for the emergence of this conflict were either caused by society itself or by institutions. They are:

- A changing society. In the 1980's and before, people in Hong Kong were mainly living there to make money and then move on to another place. It didn't really matter what happened in the long term, as long as there was money to be made. This fuelled a very development orientated urban planning. But in the 1990's and especially after the handover, people were more and more starting to see Hong Kong as their home for years to come. Quality of living and planning in the long term slowly become important. Coupled with this, there was also a growing sense of civil awareness in which people wanted to influence the way in which their city changed and grew.

- Changing interpretations. As a result of the changing society, opinions and ideas on how the city should develop became more diverse and more outspoken. Often these opinions and ideas conflicted with those of the government. These conflicting ideas lay at the basis of almost every conflict in this case.

- Lack of public consultation. The more outspoken citizens of Hong Kong quickly demanded more consultation. For those citizens, the lack of public consultation was often a reason to block plans and thus resulted in a number of conflicts. In the first few years, the government ignored this and only after reclamation had been halted by the law, did the government acknowledge the need for more intensive consultation.
- Late reaction from the citizens of Hong Kong. Often a controversy started when people found out about a plan when the plan was already underway or had been approved of by all the necessary governmental bodies. For instance the sudden outcry over reclamation in 1994, even though reclamation was already underway and had been planned since the 1980's. Another example are the Star Ferry and Queen's Pier, who's demolition had already been announced in the late 1990's. These last-minute actions often intensified the conflict, as the government did not understand why all of a sudden their actions were a problem and as the citizens often used all measures needed to block the plans.

But this study has also shown us that the Actor-Network Theory's main assumptions are right and that using it as a theoretical framework does help with describing an urban conflict and finding out how this conflict changed the way urban planning works in Hong Kong. It has shown that actors indeed engage in building associations through translation and that describing a controversy with Callon's 4 steps helps in creating an organized and deep story. It shows that controversies are indeed situations when the social world is being changed. But most importantly, this case shows us that the world is indeed relational, that it consists of numerous associations of human and non-human actors, often battling for supremacy and lastly, that this is also applicable to urban planning. To illustrate that also in this case space is relational and that both human and non-human actors can become mediating actors, 4 examples of influences from this case study are given below.

- Human actor influencing a non-human actor: A simple example would be the government starting reclamation in Victoria Harbour. This way, the government (a human actor) influences the harbour (a non-human actor)
- Human actor influencing a human actor: The emergence of a counter-association to stop harbour reclamation influenced the government's reclamation strategy and eventually influenced the way in which urban planning works in Hong Kong
- Non-human actor influencing a human actor: On a large scale, the harbour influenced the course of the controversy by helping the emergence of a powerful counter-association led by Winston Chu and later on the emergence of a number of actors who were involved in protecting the harbour. The Star Ferry and Queen's pier had the same role; they too were influential in the creation and growth of new action groups such as Location Action. In the end, one could argue that these actors were influential in the creation of new kind of civil awareness in Hong Kong, in which urban planning is constantly scrutinized by it's citizens. On a smaller scale, good examples of this relation are the maps used by the SPH in the middle of the 1990's. They showed the extent of the planned reclamation and helped in garnering public support for their actions. The maps were thus influential in creating a strong association in which the SPH could speak for the public

- Non-human actor influencing a non-human actor: An example is the tunnel for the CWB influencing the design and eventually the morphology of the reclaimed land.

What can thus be concluded, is that this research has multiple uses. Firstly, it gives a historical overview of how the Central & Wan Chai reclamation controversy evolved and how this changed the way urban planning works in Hong Kong. This knowledge might help the government and citizens of Hong Kong to understand what this conflict is about and it might prevent the government and the citizens from making the same mistakes twice. Secondly, it shows how one urban conflict can change the way urban planning works and how one conflict can last for years. This knowledge might interest practitioners of urban planning around the world, as some aspects of this conflict and the way it evolved might be familiar to them. And thirdly, this study has verified that the Actor-Network Theory as a framework to research urban conflicts works very well. This study has shown that society and space, and so urban planning too, is intensely relational, that these relations consist of both human and non-human actors and that controversies do indeed show society and space in the making. This knowledge might interest other researchers who are looking for a way to study other urban conflicts. Something which is badly needed, as this one case study is not enough to create a general theory of urban conflicts.

[SUMMARY]

Urban controversies have become an increasingly 'hot topic' in urban planning and geographical studies. Especially since 1970's, they are known to delay large and costly urban projects for several years or in some extreme cases, even mean the end of large projects. Meanwhile, governments are looking for answers and solutions to prevent the next 'great planning disaster' to take place in their city and in response, numerous studies have taken place into the emergence and evolution of these urban controversies. Nonetheless, to this day, governments continue to struggle with these controversies.

For years, the city of Hong Kong seemed to enjoy a relative absence of these urban controversies; large projects, such as the construction of new towns, the reclamation of large tracts of sea in the central area and the construction of new metro lines could continue without any problems. For years, harbour reclamation has played a very important role in Hong Kong's structure of decision making regarding urban planning, as it has practiced ever since Hong Kong became a British colony and has been used many times to accommodate Hong Kong's hunger for new land and new urban developments. But all of this changed in the 1990's. Just as in other large urban areas in Europe and the US, urban development encountered opposition from various civil groups. Urban controversies became an important part of urban planning in Hong Kong, especially after the handover in 1997, when the amount of urban controversies grew rapidly, with projects such as the West Kowloon Cultural District, the High Speed Rail Link to mainland China and the reclamation in Central and Wan Chai, encountering public opposition. Yet, even though these controversies were well-known, hardly any research has been done to find out what exactly happened and how these conflicts changed the way planning works in Hong Kong. It is in this light that the main question of this thesis is:

How did the urban controversy regarding the Central & Wan Chai Reclamation project evolve and how has this case influenced the structure of decision-making regarding urban development in Hong Kong?

Answering such a question asks for a theoretical framework that can accurately describe how the world around us is changing and how controversies come into being and actively change an urban planning system. This is why the Actor-Network Theory (ANT) is used in this thesis. It argues that the world is made up out of a large number of actor-networks, each trying to reach their goals. It is these associations,that, once they have been established and accepted, constitute society and thus explain the world around us. If one wants to understand how the world is constructed, one should look at how associations (or networks) consisting of a number of actors emerge.

ANT also introduces a number a new elements to this research. First of all, actors can be both human and non-human, as the founders of ANT believed that these non-human actors can also actively construct the social and natural world. And when describing how associations form, human and non-human actors should be described in the same way. Secondly, a researcher should follow the actors, see how they constructed their own world and associations and the researcher shouldn't judge the actor's actions. Thirdly, ANT presents a new way to analyse how associations were build; the process of translation. Within this process, a focal actor would construct an association in 4 steps, identifying the actors that he needs, persuading them to join him and finally locking them in a firm position in his network. This way, he can become a spokesperson for all the actors in his network and his association could eventually be institutionalized.

Another aspect for this research ANT offers is its explanation of controversies. According to ANT, a controversy is born when a spokesperson's representativity is being questioned by other actors. The process of translation is halted, as different actors try to construct their own association to further their own, often conflicting goals. Controversies are when the processes of translation are the most visible and thus also when the construction of space and society are the most visible. This is why ANT encourages researchers to study these conflicts. And it is this, combined with the relational view on space and society and the clear explanation it gives of how associations are formed through translation, that makes ANT into a suitable theoretical framework for this study. By describing this case study with the methodological principles ANT gives, new perspectives on the course of this case study and its effect on Hong Kong's structure of decision making regarding urban planning can be given.

By applying the principles of ANT to the controversy regarding the Central & Wan Chai Reclamation, this case was researched in Hong Kong between February and May 2011. In the first phase of this research, a preliminary description of the evolution of the conflict was made with information from scientific literature and newspaper articles. But since one of ANT's main concepts is to 'follow the actors', a series of interviews were held with people who had played a key role in this conflict and who were knowledgeable about its history. The information from both types of sources were then combined into one detailed description, after which the main question could be answered.

The first part of the main question deals with the way in which the conflict evolved. The first phase of translation started at the end of the 1970's, beginning of the 1980's, when the government concluded that new land was necessary to accommodate new urban developments such as offices and infrastructure. This process of translation was fairly straightforward; the government mobilized the most important actors, encountered no one who questioned their role as a mediating actor and could eventually start reclamation in the first phases of the plan in the beginning of the 1990's.

But the government's comfortable position changed in 1994. For the first time, people started to object the reclamation plans, stating that further reclamation would turn the harbour into a river and objecting the government's view of the harbour as a land bank from which they could just take land. No longer did everyone agree with the government's view on reality and people quickly constructed their own, conflicting views. A counter-association was formed, led by Winston Chu and his Society for the Protection of the Harbour, which aimed at protecting the harbour and stopping further reclamation. This counter-association started a process of translation in which they enrolled a number of professional organizations and a large part of the general public. By 1996, instead of the government, they had now become the spokesperson for the people and for the harbour, as these actors had voiced out their opposition to reclamation through a number of speech prosthetics, such as surveys and maps showing the harbour becoming smaller. The government's association had lost some of its power by this and their first steps aimed at enrolling the public, the harbour and the professional organizations back into their association, had little to no effect.

However, the government still had a very powerful actor in its network; the law. Even though a powerful counter-association had emerged, they could still legally continue with reclamation and the preparation of plans. But this ended in 1997 when Winston Chu and several other actors were able to pass the Protection of the Harbour Ordinance (PHO) in LegCo after another successful phase of translation in Hong Kong's political realm. This meant that the law was now part of the counter-association and further reclamation had been halted. The government tried to turn their disadvantageous position around by calling for a suspension of the PHO immediately after the handover to China, but the counter-association was too strong and mobilized its actors once more to cancel this move.

For a while, things seemed to go in the right direction. Cooperation between the government and the counter-association grew as the government had to acknowledge the mediating force of the PHO and the government tried to pacify the conflict. But at the same time, planning of the two last two phases continued and new plans, albeit heavily scaled down variants, were unveiled almost every year after the PHO was adopted. The government argued that harbour reclamation was absolutely necessary and that it outweighed protecting the harbour. So on one side, there was the government, arguing that even though the PHO was in place, reclamation would still be possible, thus contesting the counter-association's role as spokesperson of the PHO and on the other side the counter-association, which demanded a stop to all reclamation works. When the government continued with their planning in 2002 and 2003, the SPH sued the government and a new conflict was born.

It had been a while since the last time the counter-association had to mobilize it's allied actors and in the meanwhile, the whole actor-network field had changed. Several green groups, professional organizations and private companies had over the years also expressed their discontent with the plans and they were now one of many organizations. If they wanted to win this battle, they'd have to start a new process of translation to become the spokesperson for the people of Hong Kong, the harbour and the PHO again. The most important step was to sue the government, as this made Winston Chu and the SPH the one actor to support in this phase of the controversy as individuals and likeminded organizations now had to pass through them in order to reach their mutual goal of stopping further reclamation. They rounded this position off with a publicity campaign involving mass-demonstrations, campaigns, conferences, media appearances and many more interessement devices, all to enrol the public in their counter-association.

This new process of translation paid off, as two out of three court cases held between 2003 and 2004 were won by the SPH. The first court case, dealing with reclamation in Victoria Harbour in general, was won by the SPH. The verdict laid out three principles which the government had to abide to and which made further reclamation harder to legalize. In the last two cases, the SPH demanded all works on Wan Chai phase II and Central phase III to be halted as they deemed them illegal. Only the case of Wan Chai phase II was won, which meant that for this project the government had to go back to the drawing boards and for Central phase III it meant that they could continue their works. Nonetheless, the government's association was now even weaker than before, as the even stronger counter-association could now act as a spokesperson for the PHO, the harbour and a large part of population.

The court cases put the government in a difficult position as their association had weakened and they were no longer able to continue with new reclamations. This meant a change of strategy was needed; the government started their own process of translation to enrol the actors they lost in the previous years. One important step in the process was the creation of the Harbourfront Enhancement Committee (HEC, later changed into the Harbourfront Commission or HC) in 2004. With this new government commission, a forum was created where reclamation and harbour related plans could be discussed and where a number of actors involved in the harbour could meet. By also including actors of the counter-association, the government was able to pacify the conflict, as the most important activists were now slightly involved in the planning of the waterfront. Consequently, they were thus able to enrol actors in their network and were on their way to becoming the spokesperson of the harbour and harbour related actors once again. Next to the formation of the HEC, the government also initiated in a series of public consultation programmes for newly developed plans for the harbour, in which the general public was asked for their opinion. Even though this wasn't always as successful as it was hoped to be, it did show that the government at least had the intention to listen to other actors and was looking to become their spokesperson once again.

Meanwhile, the actor-field continued to become more heterogeneous as any more actors involved in harbour reclamation, such as the Harbour Business Forum, several professional organizations and environmental organizations entered the arena. The SPH, once the focal actor regarding the counter-association, was now one the many actors in the field. None of them seemed to take on a leading role and none of them started a process of translation to become one. Every organization had its own goals, which they often laid out in the newly formed HEC.

Yet, as the conflict lost its sharp edges, the period lasting from 2004 to 2011 saw the emergence of a number of smaller controversies. The most important ones were the heritage based conflicts in 2006 and 2007 over the Star Ferry Pier and Queen's Pier, in which a new generation of activists was formed. More reclamation based conflicts dealt with the meaning of temporary reclamation in 2007, how the reclaimed land should be used, whether the bypass should be build or not or with how the government dealt with the public consultation for new plans. Just as the actor field, the controversies also become less clear and more heterogeneous; both human and non-human actors became more diversified.

The second part of the main question deals with the way this conflict changed urban planning in Hong Kong. Four major changes can be identified from the description of this conflict:

1.   Victoria Harbour is now protected by law, which changed the government's strategy to urban development, as they had to search for other places to develop instead of the decades old tried and tested method of land reclamation.

2.   Consultation is now much more available

3.   The government is no longer the only actor influencing urban planning. A lot of new players have entered the stage and the government is slowly recognizing that they'll have to take all these actors, including the activists, more seriously.

4.   The idea that Hong Kong has no land and should thus reclaim new land from the sea has been challenged.

These changes have been caused by four important processes

1.   A changing society, in which democracy, quality of living and civil awareness made the people much more likely to oppose government plans
2.   As a result of the changing society, opinions and ideas on how the city should develop became more diverse and more outspoken and often clashed with the government's ideas.
3.   Lack of public consultation, which was often a reason to block plans and thus resulted in a number of conflicts
4.   Late reaction from the citizens of Hong Kong. Often people started to oppose plans which had been in the making for a long time or which had been approved of by all the necessary governmental bodies.

In the end, this research can have multiple uses. Firstly, it gives a historical overview of how the Central & Wan Chai reclamation controversy evolved and how this changed the way urban planning works in Hong Kong. This knowledge might help the government and citizens of Hong Kong to understand what this conflict is about and it might prevent the government and the citizens from making the same mistakes twice. Secondly, it shows how one urban conflict can change the way urban planning works and how one conflict can last for years. This knowledge might interest practitioners of urban planning around the world, as some aspects of this conflict and the way it evolved might be familiar to them. And thirdly, this study has verified that the Actor-Network Theory as a framework to research urban conflicts works very well. This study has shown that society and space, and so urban planning too, is intensely relational, that these relations consist of both human and non-human actors and that controversies do indeed show society and space in the making. This knowledge might interest other researchers who are looking for a way to study other urban conflicts. Something which is badly needed, as this one case study is not enough to general theory of urban conflicts.

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SCMP (31-03-2008), Linking bypass and fate of road pricing is deceitful, say activists

SCMP (20-04-2008), Typhoon shelter move is unworkable, say fishermen; Community leaders hit out at temporary reclamation plan

SCMP (04-05-2008), Planners face harbour rail, road rethink

SCMP (30-06-2008), Move to cut opposition to bypass plan

SCMP (19-11-2008), HK$172.6m to give harbourfront access

SCMP (28-11-2008), Locals get 'priority' in works projects

SCMP (27-05-2009), Legco told of rail link reclamation peril

SCMP (15-08-2009), Waterfront's ambience at risk, harbour activists fear

SCMP (04-11-2009), Exco backs relocation of high-rise projects from Central to Wan Chai

SCMP (10-04-2010), Lung Wo Road is just another monument to 'concrete coalition'

SCMP (03-11-2010), Benefits of bypass 'cancelled out by big developments'

Standard, The (04-12-2002), Harbour Society Threatens Legal Action on North Wan Chai

Standard, The (07-12-2002), Harbour Park Faces Court Fight

Standard, The (16-04-2003a), Harbour's Future on the Line

Standard, The (16-04-2003b), 'Scheme Ignores Living Things'

Standard, The (09-07-2003), 'Landmark Victory' in Wan Chai Harbour Battle

Standard, The (17-09-2003), Harbour Group in New Legal Threat

Standard, The (18-09-2003), Last One Out, Turn Off the Lights

Standard, The (23-09-2003), Harbour Meeting Ends in Failure

Standard, The (25-09-2003), 'Reclamation Won't Stop'

Standard, The (07-10-2003a), Activists Call for People Power To Save the Harbour

Standard, The (07-10-2003b), A Pyrrhic Victory

Standard, The (08-10-2003), Activists Set To Meet Suen on Harbour Crisis

Standard, The (11-10-2003), People Just Too Emotional, Says Liao

Standard, The (07-11-2003), Harbour Talks Spark Call for New Review

Standard, The (10-12-2003), 'Court Had No Right To Seek Harbour Tests'

Standard, The (11-12-2003), Rethink in Event of Harbour Defeat

Standard, The (13-02-2004), 'Public Consulted' on Harbour Reclamation

Standard, The (14-02-2004), 'Jobs, Reputation At Risk'

Standard, The (19-02-2004), United Front over Harbour

Standard, The (06-03-2004), HSBC Urges Scrapping Harbour Reclamation

Standard, The (10-03-2004), Bypass Will Fail To Stop Car Chaos: Experts

Standard, The (22-03-2004), Protesters Bold but Broke

Standard, The (16-04-2004), Harbour Appeal Dropped

Standard, The (03-05-2004), 12.000 in Harbour March

Standard, The (29-06-2004), March To Save Our Harbour, Urges Chu

Standard, The (01-09-2004), Information Withheld

Standard, The (02-09-2004), Harbour Must Come First, Pleads Activist

Standard, The (03-09-2004), Save Harbour, Voters Told

Standard, The (23-09-2004), Harbour Activists To Target Tourism

Standard, The (30-10-2004), 'Harbour Plan Can Cut Reclamation by 70pc'

Standard, The (26-01-2005), Public Input Urged on Harbour Plans

Standard, The (01-02-2005), 'Reclamation Work for Bypass Not Needed'

Standard, The (07-02-2005), Yacht Club Opposes Bypass Plan

Standard, The (08-02-2005), Public Consultation Paper on Wan Chai Recalled

Standard, The (23-02-2005), Bypass Only Answer: Suen

Standard, The (25-02-2005), Bid To Halt Bypass Work

Standard, The, (20-07-2005), Let Hearings Be Open to Public, Say Harbour Groups

Standard, The, (22-07-2005), 'Double Standards' Jibe on Harbour PLan

Standard, The (23-07-2005), Planning board to let groups into meeting

Standard, The (26-10-2005), Harbour Promise Not Kept

Standard, The (09-03-2006), Harbour Panel Members To Fight Central Transport Plan

Standard, The (14-04-2006), Flyover is cheaper to build, but planners still favour tunnel vision

Standard, The (28-04-2006), Activist quits 'useless' post on harbor committee

Standard, The (18-05-2006), Tunnel option for bypass wins favour

Standard, The (10-06-2006), Bypass project hits roadblock of criticism

Standard, The (27-7-2006), Star Ferry Pier To Be Demolished

Standard, The (14-08-2006), Last Minute Fight for Clock Tower

Standard, The (26-08-2006), Advisors Body Bypassed on Harbour

Standard, The (07-10-2006), Harbour Debate Restarts as plan review sought

Standard, The (07-12-2006), Attempts to Save Old Pier Losing Steam

Standard, The (15-12-2006), Protesters Retake Star Ferry Tower

Standard, The (10-05-2007), Antiquities backing to save Queen's Pier

Standard, The (28-07-2007), 'Frightening' findings on Central Scheme

Standard, The (30-07-2007), Death Knell on Pier

Standard, The (05-10-2007), Harbour Reclamation Plan Challenged

Standard, The (31-10-2007), Harbour walk runs out of schools

Standard, The (03-11-2007), Reclamation Seen as 'Hidden Plot'

Standard, The (05-11-2007), Conservationists March Against Reclamation

Standard, The (06-02-2008), People Left short on harbour plans lawyer

Standard, The (19-11-2008), Planners want to drive over court ruling on bypass

Standard, The (21-05-2009), Wan Chai Bypass Gets Nod After 10-year fight

Standard, The (09-09-2009), Saving Victoria Harbour One Step at a Time

World New Connection (06-10-2003), WEN WEI PO EDITORIAL: HKSAR GOVERNMENT SHOULD CONSULT PUBLIC ON POLICIES

Xinhua (15-10-1992), Hong Kong To Reclaim More Land for Future Development

Appendix A: List of People Interviewed about Harbour Reclamation

Date	Time	Name	Organization
04-04-2011	13:00	Y. C. Chen	Activist Local Action / Assistant Professor Social Science, HK University of Science and Technology
06-04-2011	13:00141	Mee Kam Ng	Director of the Urban Planning Programme; The University of Hong Kong
08-04-2011	13:00	Peter Cookson Smith	Vice-president Hong Kong Institute of Planners/ Special Consultant Urbis Limited
11-04-2011	9:30	Nicholas Brooke	Chairman Harbourfront Commission / Chairman Professional Property Services Ltd.
11-04-2011	13:00	Paul Zimmerman	Designing Hong Kong
14-04-2011	13:00	Dennis K. W. Li	Society for the Protection of the Harbour / Treasurer of Friends of the Harbour
15-04-2011	9:00	Margaret Brooke	Harbour Business Forum / Professional Property Services Ltd.
15-04-2011	16:30	Roy Li	Senior Town Planner, Special Duties Section, Planning Department
28-04-2011	12:00	Winston K. S. Chu	Advisor & Former Chairman of the Society for the Protection of the Harbour
09-05-2011	15:00	Christine Loh	CEO of Civic Exchange, Chairman of the Society for the Protection of the Harbour