

For the meeting on 22 April 2005

LEGISLATIVE COUNCIL
Subcommittee on West Kowloon Cultural District Development

West Kowloon Reclamation Concept Plan Competition

Purpose

This paper addresses enquiries about the West Kowloon Reclamation Concept Plan Competition (the Competition) set out in the appendix to the letter of 12 April 2005 from the Clerk to Subcommittee to the Government.

Concept Plan Competition

2. The Government would wish to enhance Hong Kong's position as a centre of arts, culture and entertainment in Asia. We believe that the private sector can and should play a major role in assisting us to achieve this objective. To this end, we have earmarked a waterfront site of about 40 hectares at the southern tip of the West Kowloon Reclamation for the development of an integrated arts, cultural and entertainment district. In April 2001, we launched an international competition to invite submission of concept plans for the development of the district, i.e. the West Kowloon Cultural District (WKCD).

3. Given the significance of the development of the WKCD, we had carefully designed the details of the Competition with the assistance of renowned international experts in the field to ensure that the Competition was in line with best international practice. We made reference to international practices for competitions in architecture and town planning, and drawn on the experience of other well-run competitions. We had also consulted relevant bodies, including the Town Planning Board, the Arts Development Council, the Culture and Heritage Commission and the Legislative Council Panel on Home Affairs and Panel on Planning, Lands and Works before finalising the terms of the Competition. The final

Competition Document, containing the general conditions of the Competition, the Competition brief and full details of the site, was published in April 2001¹.

4. We appointed Mr Bill Lacy, who had been the Executive Director of the Pritzker Architecture Prize² for 10 years and was experienced in organising international design competitions, as Professional Advisor to the Competition. He provided advice on the organisation and management of the Competition through various stages, and on compliance with the Competition rules and submission requirements as set out in the Competition Document. This arrangement is in line with international practice.

Adjudication of Entries

5. The Competition attracted 161 entries by the closing date of 29 September 2001 with 71 from Hong Kong and 90 from the Mainland, Macau and 28 other countries. The entries were adjudicated by a jury chaired by Lord Rothschild GBE and comprised nine other local and international experts. The Jury had the ultimate adjudication responsibility and the adjudication was based on a set of assessment criteria in the published Competition Document, covering both the planning and design merits of the entries as well as the overall benefits to Hong Kong.

6. In accordance with the Competition Document, the Jury was advised by a Technical Panel. The Technical Panel was chaired by the Director of Planning, with the Director of Architectural Services and Director of Leisure and Cultural Services or their representatives, as well as seven non-official local professionals, as members. The role of the Technical Panel was to provide advice to the Jury on the technical assessment of individual entries. The Technical Panel was not charged

¹ Already uploaded onto the website for the Competition (www.hplb.gov.hk/competition).

² The Pritzker Architecture Prize was established by The Hyatt Foundation in 1979 to honor annually a living architect whose built work demonstrates a combination of those qualities of talent, vision, and commitment, which has produced consistent and significant contributions to humanity and the built environment through the art of architecture. It has often been described as “architecture’s most prestigious award” or as “the Nobel of architecture”.

with the responsibility to screen out or shortlist the entries.

7. The Technical Panel met in December 2001 to assess the entries, and completed the Report of the Technical Panel in January 2002. All the 161 entries, together with the Report of the Technical Panel, were submitted to members of the Jury towards the end of January 2002. The Jury met in February 2002 to adjudicate the entries. The Chairman of the Technical Panel attended the Jury meetings to present the findings of the Technical Panel, but did not take part in the determination of the winning entries.

8. In line with international practice, the identities of the competition entrants were anonymous to the Jury and the Technical Panel until the Jury had determined the winning entries.

Competition Results and Jury's Commentary

9. The results of the Competition were announced on 28 February 2002 with wide publicity. Five prizes were offered in the Competition – first and second prizes and three honourable mentions. The first prize winning entry is from a team led by Foster and Partners, which has come up with a design that features the canopy as the signature design and centrepiece of the development (Foster's Scheme).

10. The Report of the Jury was published in September 2002 (**Annex A**). The Report sets out fully the Jury's commentary on the winning entries of the Jury.

11. The Jury considered that the Foster's Scheme *“is a clear and deserving winner of the Competition. The great canopy would create an unmistakable landmark for Hong Kong. It would be a major tourist attraction. It would symbolise the community's vision of their city as a future centre of arts and culture, and realise that vision with great style”*.

12. In its commentary, the Jury has addressed the advice given by the Technical Panel on the Foster's Scheme. In particular, the Jury commented that *“the viability of the scheme, which is technically*

straightforward, consisting of a large mall, two taller structures at either end of the site – one associated with the arts and cultural complex – and a large roof that is well within the ambit of known technology and experience”. The Jury also commented that “one aspect of the project which gave rise to concern was the lagoon which struck the Jury as perhaps impractical. However, this concern would not negate the construction of a similar public space, including a water body disconnected from the harbour”.

13. The Panel on Planning Lands and Works was briefed on the results of the Competition and the details of the Foster’s Scheme in May 2002. We also held exhibitions for the public in various parts of the territory displaying winning entries between March and October 2002.

Disclosure of the Report of the Technical Panel

14. The Competition was governed by the Competition Document (see paragraph 3). The Competition Document sets out, inter alia, the rules, procedures, and modus operandi of the Competition. It binds the Government as the organiser, the competition entrants and parties involved in the assessment and adjudication of the entries. Specifically, paragraph 33 of Section I of the Competition Document stipulates that “the assessment process will be carried out in strict confidence. The organiser **shall not** disclose the details of the assessments”. This arrangement is in line with Government’s established policy as set out in the Code on Access to Information. It seeks to promote frankness and candour of advice given to, and deliberations of, the Technical Panel and the Jury. Disclosure of details of assessments may also harm the competitive or financial position of the competition entrants. In addition, members of the Technical Panel were well aware of the arrangement that their assessments were confidential and privy to the Jury only.

15. In the light of the Subcommittee’ request, and to allow the public to better understand the work of the Technical Panel, we have considered, in consultation with our legal advisors, how the Report of the Technical Panel may be disclosed to the extent that the principle of confidentiality will not be breached. In this regard, Part 2.14(a) of the Code on Access to Information provides that information held for, or provided by a third party under an explicit or implicit understanding that it would not be

further disclosed, may be disclosed with third party's consent.

16. Since receipt of the Subcommittee's request, we have followed the due process and obtained the consent of the Chairman and members of the Technical Panel to disclose the Report of the Technical Panel (**Annex B**, English version only) without its annex and the assessment forms. The Report of the Technical Panel sets out the role of the Technical Panel and how the Technical Panel proceeded with the technical assessment of entries. The Report of the Technical Panel also identifies the important technical considerations including provision of arts and cultural facilities, landmark features, extension of the scheme area through additional reclamation, modification and integrity of the existing sea-wall, construction over rail and road tunnel reserves, linkage with adjoining areas and feasibility of implementation.

Preparatory Work Done for Adopting the Foster's Scheme as the Basis of the Masterplan for the WKCD

17. The Administration took into account the results of the Competition, the commentary of the Jury, and positive public reaction during the exhibition of the winning entries. We had also sought assurance from Foster and Partners on the feasibility of the canopy and potential solutions to relevant technical issues. Professional departments considered the information provided by Foster and Partners and reviewed the technical feasibility of the Foster's Scheme. We came to the view that the technical challenges presented by the Foster's Scheme were not insurmountable and that most could be addressed in later design stages. It was in these circumstances that the Steering Committee for the Development of the WKCD (SC) adopted the Foster's Scheme as the basis for preparing the masterplan for the WKCD. The decision was announced in October 2002. In the announcement, the Government made it clear that the key features of the Foster's Scheme, including the distinctive canopy, would be retained.

Invitation for Proposals

18. In drawing up the Invitation for Proposals for the Development of the WKCD (IFP)³, we have fully taken into account the technical

³ Uploaded onto the WKCD website (www.hplb.gov.hk/wkcd).

issues in relation to the Foster's Scheme. As a result, certain modifications have been made to the Foster's Scheme and they are set out in the IFP. The following are some examples -

- (a) the lagoon in the Foster's Scheme is modified to become a Water Amphitheatre of reduced size that is closed off from the sea;
- (b) the marina in the Foster's Scheme is not to be pursued;
- (c) proponents are required to accommodate the Foster's Scheme within existing reclamation as far as possible; and
- (d) modification works to the existing seawall are to be minimised.

All these modifications are clearly set out in Section 4 of the IFP.

19. The IFP also requires proponents to submit broad technical assessments and solutions to demonstrate the technical feasibility of their proposals and propose solutions to mitigate the impact or overcome development constraints. We attach importance to these assessments and solutions, as reflected in item 9 of the assessment criteria for the proposals (Annex 3.1 of the IFP).

20. In particular, we have put emphasis on the canopy in the IFP. The canopy is the key feature of the Foster's Scheme. The distinctive canopy will produce an impressive and captivating visual effect and become an icon around the world. It can attract the public and tourists to visit the WKCD, thus bringing us actual economic benefits. Moreover, the canopy is essential to the overall layout and design of the WKCD for it will link various facilities in the district and integrate different kinds of land use. Providing an open yet comfortable environment for the outdoor cultural facilities and the extensive open space in the WKCD, the canopy makes it possible for the public and arts and cultural groups to enjoy the facilities even during inclement weather. It can also reduce the noise generated by outdoor activities in the WKCD, thus minimising the impact on nearby residents. The unique advantages of the canopy cannot be replaced by other designs. We therefore consider it an indispensable element and should be set as a mandatory requirement in the IFP.

21. The IFP allows for design flexibility and the proponents may propose canopies different from that in the Foster's Scheme. To ensure

that the canopy design proposed by the proponents is technically feasible, the IFP specifically sets out relevant requirements for the design and construction of the canopy. The following are some examples -

- (a) the proponents are required to conduct engineering studies, including wind engineering study to address the structural safety of the canopy, especially under extreme weather conditions;
- (b) the canopy must comply with all applicable statutory requirements, including the Buildings Ordinance;
- (c) the canopy should be designed with appropriate built-in redundancy to prevent progressive collapse of the canopy in case of damage to part of the structure due to exceptional hazards; and
- (d) computerised modeling should be used to demonstrate heat and smoke dissipation as well as the micro-climate environment under the canopy.

Details of these requirements are set out at Annex 4.5 of the IFP. We attach importance to the design and solutions for the canopy, as reflected in item 8 of the assessment criteria for the proposals.

22. The draft IFP was endorsed by the SC in May 2003. Subsequently, we briefed the Executive Council on the plan to issue the IFP and, before issuing the IFP, submitted a progress report on the development of the WKCD to the Panel on Planning, Lands and Works in July 2003 setting out Government's decision to invite interested developers to submit proposals and that the canopy in the Foster's Scheme would be retained. We addressed Members' concerns on the technical feasibility of the canopy at the meeting. In general, we received positive response from Members at the meeting on the various arrangements set out in the progress report. The final IFP was issued in September 2003.

23. The Government has received five proposals in response to the IFP by the close of submission on 19 June 2004. Three proposals meet all the mandatory requirements set out in the IFP and have been screened-in. All three screened-in proponents have proposed a canopy design which is technically feasible. They are now on public display at the exhibition being staged at the Hong Kong Heritage Museum, as part

of the public consultation which will run till end June 2005.

Housing, Planning and Lands Bureau
18 April 2005