

CONTENTS

Section		Page
	Introduction	1 – 3
1	The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies	4 – 15
2	Mode of development and implementation strategy	16 – 29
3	The Canopy as a mandatory requirement for the project	30 – 38
4	Management mode for cultural and communal facilities	39 – 48
5	The role of the community in the planning and implementation of the project and management of the facilities	49 – 59
	Abbreviations	63 – 64

Appendix		Page
1	List of submissions received by the Legislative Council on West Kowloon Cultural District Development	67 – 78
1.1	List of core and optional facilities included in the Competition Brief of the West Kowloon Reclamation Concept Plan Competition	79
1.2	Views expressed by the public and stakeholders on the contents of the core arts and cultural facilities of West Kowloon Cultural District	80 – 82
1.3	Views expressed by various organizations on the role of West Kowloon Cultural District in the development of arts and culture in Hong Kong	83 – 84

Introduction

The Subcommittee on West Kowloon Cultural District Development (the Subcommittee) publishes this Compendium as a supplement to its Report on Phase II study (Phase II Report) for presentation to the House Committee (HC) of the Legislative Council (LegCo) in January 2006. The Subcommittee was established by HC in January 2005 to study and follow up issues relating to the development of the West Kowloon Cultural District (WKCD). The Subcommittee conducted its study in phases, with its Report on Phase I study (Phase I Report) published in July 2005. In both Phase I and Phase II Reports, the Subcommittee has stressed the importance of consulting the public, in particular the arts and building sectors, in a structured manner so that the cultural contents of the WKCD project, its mode of development and implementation strategy would meet the needs of the community and attribute to the sustainable development of Hong Kong. The Subcommittee is deeply grateful to the groups and individuals who have submitted oral and written views on WKCD to the Subcommittee. These views, which have also been put to the Government at various stages of the development of WKCD, are most valuable and should have been taken into account by the Government in deciding on the way forward for WKCD. However, as explained in the Compendium, it does not appear that too many of these views were taken heed of and there was no explanation on why such views could not be considered either.

2. One of the findings in the Phase II Study is that the Government has not established any mechanism for conducting public consultation in a structured manner. The public consultation exercise it conducted from December 2004 to June 2005 was originally set out to solicit views on the three screened-in Proposals for the WKCD project rather than on the project itself. In Chapter V of the Phase II Report, the Subcommittee, by making reference to overseas practice, has put forward suggestions on how a more structured form of public consultation can be conducted. These suggestions include the setting-up of consultation panels to obtain and study the views of stakeholders and the public as a whole. The Subcommittee considers it important that the authorities concerned should have the obligation to consult and explain to the public if any of the views put

Introduction

forward by the consultation panels are not accepted. In view of the public's aspiration for the early implementation of the WKCD project, the Subcommittee, in its conclusions and recommendations in Chapter VI of the Phase II Report, recommends the early establishment of the consultation panels. To facilitate the early commencement of consultation work, the Subcommittee compiles this Compendium so that the valuable views and opinions expressed by groups and individuals on the various aspects of the WKCD project are duly recapitulated for immediate follow-up.

3. This Compendium serves two main purposes. First, it summarizes in a systematic manner the views received by LegCo on the WKCD development. Second, it provides a convenient starting point to understand the specific aspects of the development of WKCD and examine how the matters should be taken forward. Five major areas pertaining to WKCD have been identified^{Note}, as follows –

- (a) The hardware and software contents of WKCD with regard to the sustainable development of Hong Kong, in particular its cultural development;
- (b) The mode of development and financing and implementation strategy, in particular the use of public private partnership (PPP);
- (c) The Canopy as a mandatory component of the project;
- (d) The management mode for cultural and communal facilities; and
- (e) The role of the community in the planning and implementation of the project and management of the facilities.

^{Note} Paragraph 5.36 in Phase II Report

Introduction

4. In respect of each of these identified areas, this Compendium sets out the public views and concerns including those of the Subcommittee along two critical stages of the WKCD development. These two critical stages are the launching of the Invitation for Proposals (IFP) in September 2003 and introduction of the modified approach to the IFP framework in October 2005. Each section of the Compendium covers one major area listed in paragraph 3 above, and is presented chronologically in the following manner –

- Historical background or current situation, where appropriate;
- Proposed arrangements under IFP and public views and concerns about the proposals;
- Recommendations of the Subcommittee in its Phase I Report;
- Government's modified approach and public views and concerns about the modified approach; and
- Recommendations of the Subcommittee in its Phase II Report.

5. Each section of the Compendium is self-contained. Readers are advised to refer to the Subcommittee's two Reports for detailed analysis of different aspects of WKCD. The submissions received by LegCo with their hyperlinks in the LegCo website are in **Appendix 1**.

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

Historical development in deciding the hardware and software contents of WKCD

1.1 In October 1998, the then Chief Executive, Mr TUNG Chee-hwa, announced in his Policy Address the planning of a new, state-of-the-art performance venue on West Kowloon Reclamation (WKR) for more world-class cultural events and as a catalyst to upgrade Hong Kong's image as an Asian entertainment capital. On 16 November 1999, the Chief Executive in Council (CE-in-C) ordered that the use of the southern portion of WKR be fundamentally reviewed to facilitate the development of a world-class integrated arts, cultural and entertainment district.

1.2 In March 2000, the Administration announced its plan to conduct an open Concept Plan Competition (CPC) to invite conceptual plans for WKR. By then the facilities to be developed on WKR had grown from "a major world-class Performance Venue" to a range of core and optional facilities, as given in **Appendix 1.1**. The core facilities had been expanded to include a number of theatres, a museum complex and an arts village, while optional facilities included residential development and Grade A offices. CPC was launched in April 2001. The submission made by Foster and Partners (the Foster Scheme) was awarded the first prize by the Jury.

1.3 When the Administration announced in mid 2003 its intention to launch IFP for the development of WKCD into a world-class arts, cultural and entertainment attraction, the core arts and cultural facilities (CACF) of WKCD had undergone further changes from those specified at the CPC stage.

Requirements relating to CACF in IFP

1.4 CACF included in IFP were as follows:

- (a) A theatre complex comprising three theatres with seating capacities of at least 2 000, 800 and 400 seats respectively;

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

- (b) A performance venue with a seating capacity of at least 10 000 seats;
- (c) A museum cluster comprising four museums of differing themes with total Net Operating Floor Area (NOFA) of at least 75 000 square metres. The four preferred themed museums were Museum of the Moving Image, Museum of Modern Art, Museum of Ink and Museum of Design;
- (d) An art exhibition centre with NOFA of at least 10 000 square metres;
- (e) A water amphitheatre; and
- (f) At least four Piazza Areas.

1.5 Under IFP, the Successful Proponent would be required to operate, maintain and manage the above CACF for a period of 30 years. Proponents were allowed to propose other arts and cultural facilities such as circuses, theatres, cinemas, commercial art galleries, art space, arts training facilities, workshops and studios to be included in WKCD in addition to CACF. The Proponents might also propose other themes for the four museums with justifications.

Public views and concerns on the hardware and software contents under IFP

1.6 When the decision to develop a mega arts and cultural complex on WKR was announced, the arts and cultural sector was keen to grasp the opportunities provided by WKCD to realize their visions on arts and cultural development. Their aspirations can best be reflected in the Culture and Heritage Commission (CHC)'s vision as stated in the CPC Document that *“WKCD should aim to enliven the city’s cultural life and animate the people’s participation. It should reflect the ideals of equality and public participation in its physical, emotional and intellectual accessibility for both*

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

locals and visitors to the city. It should also embrace the richness of both the Chinese civilization and its historical past. It should be a place that grows with time, is able to meet the challenges, encourages exchange and cultural development in the long run, and places emphasis on values beyond the purely commercial and utilitarian". CHC further affirmed its position and expectation of WKCD in its Report (the CHC Report) published in April 2003, about the same time when the IFP Document was drawn up.

1.7 The creation of a cultural district of a magnitude like WKCD is something new to Hong Kong. Most people of Hong Kong support the idea and look forward to seeing its success. The arts community, in particular, are keen to ensure that its hardware and software contents could help promote arts and culture in Hong Kong. In the ensuing paragraphs, views of the public and the arts community on the hardware and software contents of WKCD are set out under the following areas –

- (a) Contents of CACF and how far they meet the present and future needs of the community;
- (b) In what manner would WKCD help promote arts and culture in Hong Kong; and
- (c) Sustainable development of arts and culture and its impact on the long-term development of Hong Kong.

Contents of CACF and how far they meet the present and future needs of the community

1.8 The contents of CACF are the main features of WKCD. Because of its magnitude, the Government has considered it necessary to bring in resources and expertise from the private sector to finance and operate CACF which are to be of world-class standards. With the ambitious plan for CACF, the arts community has expected that WKCD would provide enough venues for staging arts and cultural programmes for longer periods of time. The project should also help resolve the present shortfall in arts and cultural facilities and services, as well as address the long-term needs of Hong Kong

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

in the development of arts and culture. In particular, local arts groups look forward to better rehearsal facilities as well as more studios and exhibition facilities for local art. Where feasible a permanent base should be provided for flagship performing groups. However, many have found that the requirements relating to CACF in IFP are not well-thought out and are not given sufficient professional input. Moreover, with no formal consultation conducted with the cultural sector, there is no information on how the proposed CACF in IFP are determined. Some of the stakeholders also cast doubt on the sudden inclusion of four themed museums and the usage of 75 000 square metres NOFA. As such, there is a strong view that public consultation and research should be conducted to evaluate the necessity of the proposed CACF and the rationalization of existing facilities, and to effectively involve the public, in particular the arts community, in determining the hardware contents of CACF.

1.9 There are, however, also views that the need for CACF has already been clearly established by consultancies which looked into the utilization of existing venues. WKCD project can provide much needed cultural and recreational facilities in Hong Kong, and can help spur the development of creative industries. The proposed museums should have no problem in attracting visitors because their themes have been chosen on the basis of previously expressed community expectations or popular culture. Other views expressed by the public and stakeholders regarding the contents of CACF are in **Appendix 1.2**.

1.10 The Government's position is that the development of new facilities, particularly at territorial level, must be supply-led. It is believed that with additional facilities, the cultural sense of the community would be developed in time to generate sufficient interest for the arts and cultural programmes from both local and worldwide audiences.

In what manner would WKCD help promote arts and culture in Hong Kong

1.11 According to the information provided by the Housing, Planning and Lands Bureau on their website, WKCD aims to, inter alia, be a landmark development that enhances Hong Kong's position as a world city of culture.

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

Where promotion of arts and culture is concerned, it will also benefit Hong Kong in the following aspects –

- (a) Enriching the cultural life of the public by attracting internationally acclaimed performances and exhibitions;
- (b) Nurturing local arts talent and creating more opportunities for arts groups;
- (c) Enhancing international cultural exchange;
- (d) Putting Hong Kong on the world arts and culture map;
- (e) Providing state-of-the-art performance venues and museums;
- (f) Offering more choices to arts patrons; and
- (g) Encouraging creativity.

1.12 Many stakeholders consider that the WKCD project has a positive impact on Hong Kong’s future arts and cultural development, including the improvement of the cultural quality of the people, the nurturing of local talents, the cultivation of local interest in Chinese arts and culture, promotion of arts appreciation, etc. WKCD is expected to benefit the community as a whole and help promote Hong Kong’s status as a cultural hub and as a capital for the creative industries in the Asia Pacific region. To enhance the cultural quality of the people and promote arts appreciation, there is a suggestion that a visual art academy should be provided in WKCD to reflect the importance of the creative industry.

1.13 There is a strong call from stakeholders that the Government should formulate a clear long-term cultural policy as the backbone of WKCD development taking into account the principles of “people oriented” and “community driven” as highlighted in the CHC Report. The present WKCD project is all about hardware in arts and cultural development. The development of cultural targets, procedures, world vision, urban planning,

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

and concept of cultural development, etc. are all missing. Without a clear vision and master plan on the future development of arts and culture in Hong Kong and the complimentary software, the effectiveness of the WKCD project is doubtful. In particular, with no corresponding cultural policy to support the development of WKCD, there is no yardstick in IFP to measure whether at the end the Successful Proponent can properly deliver WKCD.

1.14 On the other hand, there are also views that arts and cultural hardware and software can be developed simultaneously, and that the hardware should be able to spearhead and encourage the development of software as it will attract the best foreign and local cultural events and talents. Some deputations support the early implementation of the WKCD project without waiting for the development of a cultural blueprint. They consider that there may not be a need for Government to take a lead in mapping out a cultural policy for Hong Kong. The market should be allowed to play a certain role in the development of culture and entertainment, and that arts and culture should be allowed to develop on their own under the auspices of a proper set-up equipped with sufficient resources. In their view, the provision of an environment conducive to the development of culture is more important than the formulation of a cultural policy to enable arts and culture to develop in Hong Kong. In this regard, WKCD should help create a satisfactory business environment in Hong Kong to enable arts practitioners to experiment with and improve the commercial operation of arts and cultural productions and facilities, such as by maximizing the target audience, providing long rental period and low rentals to facilitate productions, assisting in financing and publicity matters, constructing the necessary transport infrastructure, gearing up arts education, etc.

1.15 Many organizations have also highlighted the need to place equal emphasis on both world culture and local culture, high culture and popular culture, and to achieve a balance between profit making and non-profit making artistic activities when promoting arts and culture through WKCD. Other views expressed by various organizations on the role of WKCD in the development of arts and culture in Hong Kong are in **Appendix 1.3**.

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

Sustainable development of arts and culture and its impact on the long-term development of Hong Kong

1.16 There are views that WKCD should establish a foundation on which a lively and vigorous environment for nurturing creative talents may be created, and that the success or otherwise of the project should be measured by its impact on the nurturing of creative talents and the environment it provides to facilitate the growth of arts and cultural groups and cultivation of audiences. What is lacking today is the mindset to connect and integrate different policy areas, including those for cultural, social, economic and urban development, to create an environment conducive to letting creative minds to perform and excel. The provision of an environment which allows creativity to become marketable products is an important way to help Hong Kong maintain its momentum in adjusting to the economic restructuring.

1.17 Along this line, there are also views that arts are a very important and central component of society, and therefore a city which is able to deal with culture in its widest sense will not only be more competitive but will begin to establish new models concerning financing and management. As such, apart from aiming to develop WKCD into an attraction for tourists and increase novelty to the city's cultural activities, there should be a strategy to integrate the development of culture together with social and economic development.

Findings of Government's public consultation

1.18 The public views collected during the public consultation exercise conducted by the Administration from mid-December 2004 to the end of June 2005 are largely in line with those received by LegCo. A large number of respondents support further discussion on Hong Kong's cultural policy before proceeding with the WKCD development even if it would cause a delay to the implementation of the project.

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

Recommendations of the Subcommittee in its Phase I Report

1.19 In its Phase I Report, the Subcommittee pointed out that in developing cultural infrastructure, there was a need to promote “cultural software” such as audience development and arts education, which must be thoroughly considered before planning the “hardware”. However, the Government decided on CACF in the absence of well-defined cultural policy objectives and a detailed analysis of the needs for such facilities. The Administration incorporated CACF in IFP without conducting feasibility studies on the technical requirements of individual facilities, but leaving such studies to be decided by the Proponents^{Note 1.1}.

1.20 The Subcommittee recommended in its Phase I Report that the Administration should conduct structured and extensive consultation with the general public, in particular the relevant professional sectors and the arts community, to map out the priority of needs in the development of the WKCD project. The Subcommittee considered that only in close consultation and partnership with the community would the Government be in a position to plan and develop a cultural policy which could meet the community’s needs^{Note 1.2}.

1.21 The Subcommittee also urged the Administration to expeditiously conduct studies to affirm the needs and technical requirements for each type of the cultural facilities to be provided in WKCD. Such feasibility studies should also assess the recurrent resources required for the provision and operation of such facilities. The information should be used as the basis for negotiations in the future procurement exercises^{Note 1.3}.

1.22 For the purpose of assessing the priorities of hardware facilities to be provided in WKCD and how the hardware contents could correlate with software requirements, the Subcommittee also considered it necessary to establish an impartial and transparent overseeing authority. The overseeing authority should undertake comprehensive review jointly with the

Note 1.1 Paragraphs 5.3 and 5.16 in Phase I Report
Note 1.2 Paragraphs 5.27 and 5.28 in Phase I Report
Note 1.3 Paragraph 5.33 in Phase I Report

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

Government to assess the shortfalls in facilities and services and prioritise the development programme of cultural facilities, in particular those in WKCD^{Note 1.4}.

Government's modified approach announced in October 2005

1.23 Under the modified approach announced on 7 October 2005, proposals relating to the hardware and software contents of WKCD are as follows –

- (a) A minimum NOFA for CACF at 185 000 square metres, accounting for some 30% of the total gross floor area (GFA), would be specified;
- (b) The Successful Proponent should assume the role of coordinating the WKCD project and be charged with the obligation of developing all CACF; and
- (c) An independent statutory body would be established for taking forward WKCD which would have a longer term on-going role in managing CACF. The cultural sector would be represented on the governing body and consultative setup of the statutory body.

1.24 CACF remains unchanged under the modified approach. The modified approach is also silent on the cultural policy. In other words, despite public concerns about the contents of CACF and the lack of a cultural policy, the Administration has retained CACF and sees no strong ground for shelving WKCD for the sake of discussions on cultural policy. The Administration stated in the LegCo Brief on the way forward for WKCD development that “*We believe our existing cultural policy has provided a sufficiently sound basis for the development of the WKCD. Our policy towards arts and culture is to create an environment which is*

Note 1.4 Paragraphs 5.34 and 5.35 in Phase I Report

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

conducive to the freedom of expression and artistic creation, and which encourages participation in such activities. The Culture and Heritage Commission (CHC) Policy Recommendation Report is the blueprint of Hong Kong's cultural policy, and has given its support to the WKCD project. We envisage that the WKCD, with integrated planning and management, will be a hub for local and international creative talent. Through it, new resources and venues will be provided for the arts and cultural sector for its healthy development. Jobs for art administrators, artists and arts graduates will be created; and new opportunities for cross sector co-operation between arts and commerce will arise. All these will nurture the growth of a smarter and healthier culture and creative industry in Hong Kong. While discussions on cultural policy would continue, there is no strong ground for shelving the WKCD for the sake of such discussion."

Public views and concerns on the modified approach

Hardware contents

1.25 Many organizations are concerned that the Administration has still failed to recognize the need to consult the cultural sector on what cultural facilities are needed, and there is virtually no change in CACF. The Successful Proponent will continue to be the one to decide on the themes of CACF and the standard of facilities to be provided. There are calls that given the proposal to establish the statutory body, the Administration should seek expert advice about what types of cultural venues would be suitable and needed to build on WKCD. Ideally, the statutory body should determine the cultural contents.

1.26 There is also concern that in the modified approach, the cultural sector as end-users are no longer required to be in partnership with the Successful Proponent. Without the necessary input from the eventual end-users, it is questionable whether the cultural hardware would be fit for the purpose. As the statutory body will be responsible for managing the cultural facilities, the risk will rest with it and not the developer. It would be unfair for the statutory body to take on the duty to operate and manage

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

CACF if it is in no position to determine what arts and cultural facilities are genuinely required in WKCD.

1.27 Some organizations, however, are glad to note that CACF takes up at least 30% of the WKCD site. These organizations call for early implementation of the WKCD project to provide world-class performance facilities, and facilities in short supply in Hong Kong such as those for Cantonese Opera.

Software contents

1.28 Many organizations consider that the modified approach has still failed to address the concern about the lack of a cultural policy to give direction to the development of WKCD. The focus of WKCD development is still on the infrastructure, with no targets or parameters for cultural software. They are disappointed that the way forward has not taken on board their proposal to develop WKCD in phases to provide flexibility to implement the project in keeping with the dynamic evolution of Hong Kong's cultural vision.

Recommendations of the Subcommittee in its Phase II Report

1.29 The Subcommittee notes that WKCD is so important a project that its successful design and implementation will have immense impact on the arts and cultural development of Hong Kong as a whole. If the project is not well thought out, not only will it have an adverse effect on areas in its immediate vicinity, for example by shielding them off from the harbour, the community will also lose a golden opportunity to take the development of arts and culture to new heights. The development of WKCD is therefore much more than putting in place a cluster of cultural facilities. To quote the words of one interested organization, "the planning of WKCD is the planning of Hong Kong as a cultural metropolis". The global trend of cultural planning is to adopt an approach so that the planning can be integrated into other spheres of planning for a city, such as macro urban master planning, social and economic planning and environmental planning.

Section 1: The hardware and software contents of West Kowloon Cultural District with regard to the position of Hong Kong, in particular long-term cultural policies

For that degree of integration and coordination to be realized, different Government bureaux and departments, after consultation with different sectors of the community and professional groups, must first agree on a policy plan. The Subcommittee recommends that related policy bureaux should forthwith jointly review the potentials of WKCD and agree on what are there to be achieved by the project in terms of policy. The Administration should articulate on what the development of WKR should help to achieve in the overall development of Hong Kong and how WKCD is strategically placed to catalyze the realization of a long-term arts and cultural vision for Hong Kong^{Note 1.5}.

1.30 The Subcommittee considers that the present approach adopted by the Home Affairs Bureau is passive and does not help in formulating a cultural vision for Hong Kong through the strategic planning and implementation of WKCD. The Administration should actively devise a means of establishing a forum that would allow stakeholders to put forward their views in a structured and systematic manner and for such views to be channelled to a body vested with the responsibility for arts and cultural development. The Subcommittee maintains that it is the Government which should be ultimately responsible for policy formulation. It is inadequate for the Administration to simply endorse the CHC Report as its policy without articulating any plan or strategy to implement the recommendations put forward in the Report^{Note 1.6}.

1.31 The Subcommittee further considers that subject matters which affect the long-term development of arts and culture should also be matters for consultation with the consultation panels proposed to be set up to conduct structured public consultation on WKCD^{Note 1.7}.

Note 1.5 Paragraph 6.20 in Phase II Report
Note 1.6 Paragraph 6.21 in Phase II Report
Note 1.7 Paragraph 6.31 in Phase II Report

Section 2: Mode of development and implementation strategy

Current arrangements for development and implementation of public cultural facilities

2.1 In Hong Kong, the Government has traditionally assumed a dominant role in undertaking the development, financing and implementation of all large-scale arts and cultural projects. Recognizing the need to contain public expenditure especially following the economic downturn since 1997, the Government has striven to adopt other development approaches and financing arrangements, such as PPP, for developing major projects, including arts and cultural facilities. In the case of WKCD, the idea is to integrate the development of arts and cultural facilities with property developments so as to make it attractive to the private sector to bring in financial strength and commercial expertise to work for the long-term improvement of arts and culture in Hong Kong.

2.2 As for implementation, Hong Kong has extensive experiences in developing cultural or infrastructural projects on an incremental basis. Based on a master layout plan or a conceptual plan, the Government has developed individual facilities or released residential/commercial sites for auction sale according to a timetable which takes into account the community's needs at the time and the market value of the land.

MODE OF DEVELOPMENT AND FINANCING ARRANGEMENTS

Mode of development under IFP

2.3 In the IFP Document released in September 2003, the Government adopted the single-package development approach for WKCD. This approach contained the following key elements –

- (a) With a land grant to be awarded for the development of WKCD for a term of 50 years, the Successful Proponent would be required to plan, design, finance, construct, procure, fit out and complete facilities relating to WKCD, and subsequently

Section 2: Mode of development and implementation strategy

operate, maintain and manage CACF for an operation period of 30 years;

- (b) IFP provided for the sale and lease of residential and commercial developments in WKCD; and
- (c) WKCD was to be run on a self-financing basis. The Successful Proponent would be required to provide guarantees, undertakings, indemnities and performance bonds to secure project implementation and operation.

Public views and concerns on the mode of development under IFP

Controversy over Single-package development approach

2.4 Arts organizations, professional bodies and concern groups have raised various views and suggestions on how WKCD should be developed. Most views are against the single-package development approach. They opine that given the large scale of the WKCD project, such an approach would preclude the participation of small and medium-sized construction enterprises in the project and restrict the number of bidders, thus placing the Government in an unfavourable position in negotiating the best deal for WKCD. They urge the Government to consider the multi-package approach under which more than one private developer can participate in the development of WKCD so as to facilitate keener competition and generate larger overall financial benefits. Some concern groups also suggest that the Government should abort the approach of “selecting one out of three”, and review the development of WKCD in full consultation with the public. To enable medium-sized developers to participate in WKCD, some organizations suggest that the commercial and residential portion of the land should be carved into smaller lots for disposal by public auctions and/or joint venture development schemes. To integrate the development of WKCD with the surrounding cultural facilities, the Government should specify detailed planning parameters for each lot of land, including the

Section 2: Mode of development and implementation strategy

requirement for developers to strictly comply with the overall master layout plan for WKCD. Some professional organizations consider that the Government should have adequate control over the master layout plan as well as the specifications for the various arts and cultural facilities and services in WKCD.

2.5 On the other hand, a few concern groups argue that if there are sufficient safeguards built into the contractual relationship between the Government and the Successful Proponent, there is no need to argue for the involvement of multiple developers in the development or operation of CACF in WKCD. They opine that the involvement of multiple developers may lead to reduction of architectural values and overall quality of facilities.

Separating cultural development from property development

2.6 While most public views are not against the making use of proceeds from land sales and property development in WKCD to cover the costs of CACF, there are views that the development of CACF should be separated from the commercial and residential developments in WKCD in that CACF should not be developed by a single or a few private developers.

Maintaining financial support to local art and cultural groups

2.7 Most arts organizations and concern groups express discontent over the Government's lack of a long-term financial commitment to developing arts and culture in Hong Kong. They urge the Government to at least maintain the same level of resources, if not more, provided to local arts and cultural community, apart from the development of WKCD.

Public private partnership

2.8 Some professional organizations support the engagement of the private sector in the construction and operation of WKCD. They emphasize the need for the Government to follow best international practices in implementing the project by preparing its own business case comprising

Section 2: Mode of development and implementation strategy

at least a public sector comparator (PSC), cost benefit analysis, risk analysis and detailed output specifications. They support re-examining the present Government's guidelines on PPPs, and conduct public consultations on the necessity of CACF proposed for WKCD and the usefulness of existing facilities outside WKCD.

Establishment of trust fund

2.9 There are suggestions that while the supporting infrastructure in WKCD should be provided by the Government through a genuine PPP, the rest of WKCD can be parcelled up for sale through the Land Application List system, with proceeds from land sales being put into a trust fund to finance the construction and on-going operation of CACF. If all incomes generated from the trust fund are inadequate to cover the capital and operational cost of WKCD, the Government has to inject public money into WKCD from time to time or in a one-off manner.

Diversifying funding sources

2.10 Some concern groups consider that while the maximum value of the land in WKCD should be realized, the revenue sources for WKCD should not be solely derived from land; instead, they should be as diversified as possible. They argue that property prices are susceptible to market fluctuations and hence would affect the income of the Successful Proponent. This would directly affect the Successful Proponent's financial commitment to WKCD where arts and cultural development can only be nurtured under a financially sustainable environment. Some organizations suggest that following modern practices, CACF should make efforts to self-generate income from sources other than public funding, such as fundraising, trading activities and admission charges.

Findings of Government's public consultation

2.11 In the Report on Analysis of Public Views on the Development of West Kowloon Cultural District, the telephone polls commissioned by the

Section 2: Mode of development and implementation strategy

Government find that 50.8% expresses disapproval of the single-package approach, while 26.1% expresses approval. The Government also received the results of six opinion surveys/studies conducted by different organizations. In three of these surveys/studies the respondents had been asked about the single-package development approach. They find that the majority does not support the single-package development approach. According to written submissions received and records of meetings and forums, many view the approach as benefiting developers, suggesting “government-business collusion” and “transfer of interests”. Concerns are also expressed over the limited opportunities small and medium-sized enterprises would have in the project.

2.12 On the financing of WKCD, findings from written submissions received by the Government and records of meetings and forums show that many views urge the Government to disclose more information on financial matters, and suggest setting up a trust fund to operate WKCD. Some express worry about the financial sustainability of WKCD and in particular the price of admission tickets for the arts and cultural events. Views on the involvement of the private sector in the development of WKCD are divided among both the public and LegCo. Those who support such involvement think that revenues from the residential/commercial sector in WKCD can support the cultural development, whereas those against it fear that WKCD would turn into another property development project. Meanwhile, some respondents to Comment Cards distributed during the Government’s public consultation hope to see more financial support being given to local arts and cultural groups.

Recommendations of the Subcommittee in its Phase I Report

2.13 In its Phase I Report, the Subcommittee criticized the single-package development approach for running the risk of passing the responsibility of long-term planning of cultural hardware and software in WKCD to a private developer. The approach would make it difficult for smaller developers to participate in WKCD. The Subcommittee considered

Section 2: Mode of development and implementation strategy

that even if the Canopy was desirable, the single-package approach was not a must^{Note 2.1}. On the financing of WKCD, the Subcommittee found it difficult to assess the financial viability of WKCD owing to the insufficient reference data disclosed by the Government. The Subcommittee held that without such data, the Government would not be equipped to negotiate with the screened-in Proponents for the best deal for WKCD^{Note 2.2}.

2.14 Based on its findings, the Subcommittee recommended that the Government should abandon the single-package approach and consider the feasibility of other development approaches, such as multi-package, which would encourage competition and mobilization of resources and expertise from the private sector^{Note 2.3}. The Government should also re-examine the financial implications at various development stages of WKCD, and the extent of private partnership for WKCD based on objective value-for-money analysis and financial viability studies. The findings of the financial analysis should be released expeditiously for public information to demonstrate transparency and public accountability^{Note 2.4}. The Subcommittee also held that if the disposal of the 40-hectare land for WKCD is likely to be at less than market value or any public subsidy in money or in kind is required, the Government should seek approval from LegCo^{Note 2.5}.

Government's modified approach announced in October 2005

2.15 After taking into account the findings of its public consultation and various concerns expressed by LegCo and the public, the Government announced in October 2005 a modified mode of development for WKCD. As explained in Chapter III of the Phase II Report, the modified mode of development has the following key aspects –

Note 2.1 Paragraphs 3.42 and 5.26 in Phase I Report
Note 2.2 Paragraphs 3.30, 3.31 and 5.32 in Phase I Report
Note 2.3 Paragraph 5.26 in Phase I Report
Note 2.4 Paragraph 5.31 in Phase I Report
Note 2.5 Paragraph 5.26 in Phase I Report

Section 2: Mode of development and implementation strategy

- (a) The Successful Proponent will be required to carve out the development rights of at least 50% of the residential and commercial GFA at the WKCD site. Only developers other than the Successful Proponent will be allowed to bid for the carved out portions under an open and fair process which is acceptable to the market and the general public. The Successful Proponent should be given at most half of the development rights of the residential and commercial GFA;
- (b) The Successful Proponent should assume the role of coordinating the project and be charged with the obligation of developing all CACF, the Canopy and other communal facilities of WKCD, while the control over the quality of CACF and communal facilities would be vested with the Government and/or a new statutory body scheduled for establishment in the second quarter of 2006;
- (c) The Successful Proponent is required to pay an amount of HK\$30 billion upfront to establish an independent trust fund. The amount is estimated on the basis that it would generate a recurrent return which could cover the net operating expenditure of CACF and other communal facilities like the Canopy, automated people mover and open space, as well as the recurrent cost of a new body. While preserving the size of the principal, i.e. the upfront payment in real terms. The Government guesstimates that the average return rate of the trust fund is 5% per annum against the inflation rate of 2.5% per annum; and
- (d) Proceeds from the sale of the carved-out developments will be used for arts and cultural and other communal facilities and services provided in WKCD through a suitable arrangement.

Section 2: Mode of development and implementation strategy

Public views and concerns on the modified approach

Single-package approach of a reduced scale

2.16 Many submissions to LegCo from the arts community and professional and concern groups opine that the Government's modified approach is better than the single-package approach as proposed under IFP, but still falls short of public expectations because it remains in essence a single-package development approach of a reduced scale.

Lack of financing details

2.17 Most public views do not object to the arrangement under which the costs for operating and maintaining CACF will be borne by the trust fund. Nevertheless, they are concerned that many important details of the revised proposal remain unclear, which include:

- (a) On what basis the amount of the trust fund is calculated;
- (b) When the Successful Proponent should pay the \$30 billion;
- (c) Whether the \$30 billion is a minimum "admission fee" for the Successful Proponent to be granted the development rights of WKCD; and
- (d) Whether the Government would abandon the WKCD project if the three screened-in Proponents request for a reduction of the "admission fee".

2.18 Some concern groups find it difficult to judge whether the \$30-billion trust fund will be sufficient for the long-term development of WKCD, given the insufficient data disclosed by the Administration about the estimates upon which the trust fund is based.

Section 2: Mode of development and implementation strategy

Lack of control over the quality of arts and cultural facilities

2.19 Some organizations are worried about whether the financial arrangement under the Government's modified approach would compromise the quality of CACF. They opine that since the Successful Proponent will only be responsible for developing CACF but has no obligation to operate and maintain such facilities, it may tend to minimize the development cost of CACF in order to maximize its profit. The quality control of CACF will largely rely on the specifications to be set between the Government and the Successful Proponent.

Recommendations of the Subcommittee in its Phase II Report

2.20 In its Phase II Report, the Subcommittee considers that the Administration's modified approach is in substance a single-package development approach though of a reduced scale. It would in substance still allow monopoly by a single developer, resulting in very little market competition^{Note 2.6}.

2.21 The Subcommittee notes that since the Government will take up direct responsibility and control over the non-profit-generating facilities, the WKCD project will no longer be self-financing. However, the rough financial data released by the Administration fails to convince the Subcommittee that the recurrent annual return of the trust fund is enough to cover the recurrent and capital expenditure for the long-term operation and maintenance of CACF and other communal facilities. The Subcommittee is particularly concerned about the very fluid stance of the Government over the mechanism for handling the proceeds from the sale of the 50% residential and commercial GFA to be carved out for open bidding. The Subcommittee considers that such proceeds are generated from the sale of land and should therefore go to the Capital Works Reserve Fund. Any

^{Note 2.6} Paragraphs 3.14 and 6.11 in Phase II Report

Section 2: Mode of development and implementation strategy

deviation from this standard arrangement should require formal approval by LegCo^{Note 2.7}.

2.22 The Subcommittee also notes that part of the reasons for the arts community's support to the PPP approach in developing WKCD is the opportunity to change the Leisure and Cultural Services Department (LCSD)'s monopoly position in managing cultural venues. The Subcommittee does not consider that this reason alone could support the adoption of the IFP approach over the whole of the WKCD project without its full financial implications and feasibility objectively analysed and the scope of private participation clearly articulated and defined^{Note 2.8}.

IMPLEMENTATION STRATEGY

Implementation strategy under IFP

2.23 As explained in Chapter III of the Phase II Report, IFP did not propose any implementation strategies for WKCD. It only proposed that the construction of CACF should commence in April 2007, and all of them were expected to be completed and to commence operation by October 2013. In view of this implementation schedule, the proposed delivery of WKCD appeared to be one-off rather than incremental.

Public views and concerns on implementation strategy under IFP

2.24 In the case of WKCD, the public concerns over the implementation strategy have been fewer than those over the development approach and financing. These concerns are summarized below.

Note 2.7 Paragraphs 6.12, 6.13, 6.14 and 3.56 in Phase II Report
Note 2.8 Paragraph 6.26 in Phase II Report

Section 2: Mode of development and implementation strategy

Early implementation of WKCD

2.25 Many public views support the early implementation of WKCD because the project provides a golden opportunity for enhancing the arts and cultural development in Hong Kong. Some arts organizations suggest that to expedite the development of WKCD, the site should be used for temporary cultural and leisure uses as early as possible, while the permanent cultural facilities can be determined later and added progressively. Some also hold the view that there is no need to wait for the development of a cultural blueprint before developing WKCD because the Government already has cultural development policies.

Adoption of incremental approach

2.26 Some arts organizations consider that as the WKCD development has been in step with the existing needs for Hong Kong, there is no compelling reason to construct it in several phases. However, some professional organizations and concern groups suggest an incremental approach as the basis for the planning of WKCD which should be developed in stages in accordance with the outcome of public consultation.

Drawing up of Master Layout Plan by Government

2.27 Some professional organizations suggest that the Government should draw up a Master Layout Plan for the whole WKCD site. Under such a plan, WKCD can be developed in phases without compromising the integrated design and operation of WKCD, while reducing the risks associated with property market fluctuations.

Adoption of integrated approach

2.28 Many arts organizations and concern groups emphasize that WKCD, which overlooks the Victoria Harbour, should complement the harbour development and must interface with nearby districts. The WKCD planning should be more than the planning of West Kowloon in that it

Section 2: Mode of development and implementation strategy

should be the planning of Hong Kong as a world-class cultural metropolis. A private developer suggests using an integrated approach to develop a unified cultural harbour incorporating performance venues and a harbour park at West Kowloon, a new cultural point at Tsim Sha Tsui, and a museum complex and theatres along the Central Waterfront on the Hong Kong Island.

Findings of Government's public consultation

2.29 The telephone polls commissioned by the Government during its public consultation find that around 65% of the respondents support the early implementation of the WKCD project. Nevertheless, the polls find that the public supports further discussion on Hong Kong's cultural policy before proceeding with WKCD, even if such discussion would cause a delay to the project.

Recommendations of the Subcommittee in its Phase I Report

2.30 In its Phase I Report, the Subcommittee opined that the one-off implementation strategy would not allow enough flexibility to respond to the evolution of the community needs over time. It considered that an incremental implementation strategy would be a better option for the long-term development of WKCD^{Note 2.9}.

Government's modified approach announced in October 2005

2.31 As explained in Chapter III of the Phase II Report, when putting forwards its revised proposal for WKCD, the Government says that it cannot give a specific timetable for the development of the project because the timetable is subject to the responses of the screened-in Proponents and the time required for revision of their Proposals. Nevertheless, the

Note 2.9 Paragraph 5.26 in Phase I Report

Section 2: Mode of development and implementation strategy

Government says that early completion of the development of CACF has always been its target.

Public views and concerns on the modified approach

2.32 Some organizations are disappointed that the Government has made no changes to the IFP framework. There is a suggestion from a professional organization representing architects that the Government should adopt an incremental approach to the development of WKCD so that public views can be taken into full account during each stage of development. The organization holds that the Government has had profound experience in applying such an approach to infrastructural and town planning projects.

Recommendations of the Subcommittee in its Phase II Report

2.33 The Subcommittee notes that the modified approach fails to deal with professional bodies' appeal for adopting an incremental implementation strategy to allow scope for changes in the overall planning of WKCD to cope with the evolving needs of the community. The Subcommittee is also disappointed that the Government has made no changes to the IFP framework and allowed the construction timetable to proceed when the themes of CACF are still subjects of debate in the community. The Subcommittee believes that without consensus and support from the community, CACF may become white elephants, not only costing the public the 40-hectare land on WKR but also committing enormous resources to upkeep the facilities and to maintain their services^{Note 2.10}.

2.34 The Subcommittee recommends that different government bureaux and departments, after consultation with different sectors of the community and professional groups, must first agree on a policy plan. Related policy bureaux should forthwith jointly review the potentials of WKCD and agree

^{Note 2.10} Paragraph 6.15 in Phase II Report

Section 2: Mode of development and implementation strategy

on what there are to be achieved by the project in terms of policy. The Administration should articulate on what the development of WKR should help to achieve in the overall development of Hong Kong; how WKCD is strategically placed to catalyse the realization of a long-term arts and cultural vision for Hong Kong, and what to do to make the design and implementation of WKCD exemplary of good governance and a structured and systematic public engagement process. The Subcommittee also recommends that the Government should consider separating the cultural and non-cultural components on WKR so that real estate developers would only be purchasing and developing land while the statutory body will oversee the construction of hardwares and development of softwares in strategically implementing a long-term sustainable arts and cultural vision for Hong Kong^{Note 2.11}.

Note 2.11 Paragraphs 6.20 and 6.22 in Phase II Report

Section 3 : The Canopy as a mandatory requirement for the project

3.1 In April 2001, the Government launched an open CPC to invite conceptual plans for the development of WKCD, and received a total of 161 entries from local and overseas participants. For this purpose, a jury chaired by Lord Rothschild and comprising nine members including local and international experts was appointed. All entries were initially assessed by a Technical Panel which was chaired by the Director of Planning^{Note 3.1}. The Technical Panel completed its report and submitted it to members of the Jury towards the end of January 2002. The Jury met in February 2002 to adjudicate the entries.

3.2 The result of the Competition was announced on 28 February 2002. The first prize was awarded to Foster Scheme. The Jury considered that this submission had *“fulfilled the purpose of the competition to define a conceptual architectural plan to establish Hong Kong as a city of world class arts and cultural activity. The signature feature of the design, a great canopy, “flows over the various spaces contained within the development” to create a unique landmark. The sinuously flowing form of the site contours and the canopy produce a memorable effect.*”^{Note 3.2}

Provision of the Canopy as a mandatory requirement under IFP

3.3 In its IFP for the development of WKCD launched on 5 September 2003, the Administration stipulated that certain development concepts and key features of the Foster Scheme should be retained in the formulation of the Preliminary Masterplan. One of those key features is the Canopy. The size of the Canopy covers at least 55% of the development area and that its height ranges from about 130 mPD at the cultural headland to about 50 mPD near the commercial gateway. The structure for the Canopy must comply with the relevant provisions of the

Note 3.1 Members of the Technical Panel include the Director of Architectural Services, Director of Leisure and Cultural Services or their representatives and seven non-official local professionals. The role of the Technical Panel was to provide advice to the Jury on the technical assessment of individual entries.

Note 3.2 Five Prize Winning Entries of West Kowloon Reclamation CPC and Commentary of Jury in Volume Two, IFP Attachments.

Section 3 : The Canopy as a mandatory requirement for the project

Buildings Ordinance, and should be designed in such a manner and with appropriate built-in redundancy to prevent progressive collapse of the entire or a large portion of the structure in case of damage to a part of the structure due to exceptional hazards. Under the IFP, the Canopy is envisaged to be of considerable height, open at all sides, well ventilated and partly open/transparent.

3.4 Under IFP, the Successful Proponent will be responsible for the operation, management and maintenance of the Canopy until the expiry or early termination of the term of the Land Grant. In this connection, a Broad Technical Assessment and Solution for the Canopy to demonstrate the technical feasibility should be provided.

Public views and concerns on the Canopy

Views collected by LegCo

3.5 The inclusion of the Canopy as a mandatory component for WKCD has sparked off heated debates in the community. A lot of views were received when the subject was discussed in LegCo Panels and in the Subcommittee. Deputations came from architects, engineers, surveyors, people from the arts and creative industry, professional organizations, political parties and the general public.

Canopy is the central theme of the winning design

3.6 Those who are in support of the Canopy consider that the Canopy is a central theme of the Foster Scheme and due regard should be given to the winning design when adopting a design for implementation.

Section 3 : The Canopy as a mandatory requirement for the project

Landmark for Hong Kong

3.7 Some agree that the Canopy does produce an impact and is capable of serving as a landmark for Hong Kong. They consider that cultural facilities around the world vary in their international public profiles and the ‘iconicity’ of the architecture of its prominent facilities does contribute to local tourism industry.

3.8 However, those against the provision of the Canopy stress that the Canopy is oversized and the design does not have any relevance to the history or culture of Hong Kong. Whether a canopy can become Hong Kong’s new icon remains doubtful. Besides, a landmark is not necessarily restricted to the Canopy option. Many of the landmarks in Hong Kong as well as in other cities are not costly man-made structures. Many of the iconic structures have gradually developed into landmark features because of their historical values.

Sustainability of the Canopy

3.9 The building professions are particularly concerned about the need to build a high glass canopy which will give rise to significant long-term maintenance and replacement problems similar to those of aging high rise buildings in Hong Kong.

3.10 Some have suggested that the Canopy should be subject to a sustainability impact assessment, covering areas such as environmental impact, energy efficiency and conservation. Due consideration should also be given to the necessary contingency measures for maintenance.

Substantial cost involved

3.11 It is generally recognized that both the capital cost and the recurrent maintenance cost of the Canopy will be extremely high and this will eventually create a financial burden on the community. It has been guesstimated that the capital construction cost may amount to some

Section 3 : The Canopy as a mandatory requirement for the project

HK\$3 - 4 billion. Coupled with the high maintenance cost, there is a need to conduct a value management assessment.

3.12 In addition, further details on the maintenance costs to be borne by the Government after the 30-year operation period should be made available to the public to facilitate an objective and rational discussion on whether the Canopy should be included in the first place.

Compliance with other relevant legislation

3.13 Some deputations have pointed out that the preliminary design of the Canopy does not comply with the requirements under both the Buildings Ordinance and the Fire Services Ordinance. Yet, the Government fails to respond positively to the problem and simply treats the Canopy as a part of the future design for WKCD. Hence, the feasibility of using the Canopy as the design is still doubtful but it has already been included as a mandatory requirement for WKCD.

Limitation on the scope of future development

3.14 There is also concern about limitations which the Foster design may impose on the scope of future development of the site. The planning of WKCD will inevitably affect the development of other areas, such as regional town planning, environmental planning, chances for the participation of small developers, planning strategies of diversified enterprises in the business circle and further scope of development for the cultural sector in the following 30 years.

Temperature reduction and energy savings

3.15 There is a view that if the Canopy can help achieve temperature reduction for year-round enjoyment of the open spaces under it, it will then serve to save energy and is worth pursuing.

Section 3 : The Canopy as a mandatory requirement for the project

3.16 Nevertheless, the possible energy savings achieved from the Canopy design as well as the adverse impact of the possible green house effect should be properly and scientifically addressed.

Terrorist attacks and natural disasters

3.17 Considerations should also be given to terrorist attacks (e.g. aeroplane strike and bomb threat) and natural disasters (e.g. typhoon, tsunami and earthquake).

Findings of Government's public consultation

3.18 The Government conducted a public consultation exercise after three of the five proposals submitted in response to IFP were screened in. In February 2005, the Government commissioned the Public Policy Research Institute (PPRI) of The Hong Kong Polytechnic University to carry out a consultancy on public opinions on WKCD. The public consultation exercise ended in June 2005. According to the Administration, the results of the public consultation exercise revealed that public opinions on the Canopy were inconclusive. There were mixed views on the Canopy. While many respondents to the opinion surveys welcomed the construction of the Canopy as a landmark, there were considerable opposing views over the maintenance problems and high maintenance costs. Many respondents expressed dissatisfaction over the Canopy's appearance and size. Following the release of the findings of the public consultation, there were queries on the way the public consultation exercise was conducted. Observations in this respect are given in paragraphs 3.25 to 3.26 below.

Recommendation of the Subcommittee in its Phase I Report

3.19 In its Phase I Report published in July 2005, the Subcommittee considered the provision of the Canopy as a mandatory component of the proposal illogical because Proponents were given the flexibility to propose

Section 3 : The Canopy as a mandatory requirement for the project

even CACF, such as the themes of museums, but they were required without option to provide a canopy, which was basically a design aspect^{Note 3.3}.

3.20 The Subcommittee also noted from the Report of the Technical Panel on the technical assessment of individual entries such remarks, “*The Panel observed that some of the conceptual proposals could be difficult to implement in practice. For example several submissions proposed large canopies covering all or substantial parts of the Scheme Area, the construction of such structures and of buildings within them might be feasible, but the ownership, management and maintenance of the Canopy could well present problems.*”^{Note 3.4}

3.21 In view of the wide public concern on the technical and financial viability of the Canopy, the Subcommittee endeavoured to obtain information and records of deliberations on the acceptability, and subsequently the inclusion, of the Canopy design as a mandatory requirement in IFP. The Subcommittee passed a motion urging the Administration to release the comments of the Technical Panel on the Foster design and its studies on the financial arrangements in constructing the Canopy. Notwithstanding the motion passed by the Subcommittee, the Administration refused to provide the information requested. The reasons given were that it had been stated in CPC documents that the assessment process would be carried out in strict confidence; disclosure of the information would harm the competitive and financial position of the competition entrants; the Technical Panel had been advised that their assessments were confidential and privy to the jury only; and premature disclosure of the studies on the financial aspects might weaken the Government’s negotiation position^{Note 3.5}.

Note 3.3 Paragraph 3.36 in Phase I Report

Note 3.4 Paragraph 3.37 in Phase I Report

Note 3.5 Paragraph 3.39 in Phase I Report

Section 3 : The Canopy as a mandatory requirement for the project

3.22 As regards the questions on the ownership and management of the Canopy, the Administration did not dispute that the single-package approach was only one way to address the matter^{Note 3.6}.

Government's modified approach announced in October 2005

3.23 In its modified approach announced on 7 October 2005, the Administration puts forward additional development parameters and conditions to address public concerns about the single-package development approach, etc. However, there is no attempt to alter the provision of the Canopy as a mandatory requirement. Specially, the Government would attempt to retain the signature ingredients of the project, namely, CACF and the Canopy. The reasons given by the Administration are that the results of the public consultation indicate that public views on the Canopy are divided and hence inconclusive. There is a certain degree of support for the Canopy. There appears to be no compelling reason at this stage to change this mandatory requirement.

3.24 Nevertheless, in the modified approach, the Administration has taken out the maintenance responsibility for the Canopy from the Successful Proponent. All future operating expenditure on CACF, the Canopy and other communal facilities will be shouldered by the Government through a statutory body established to oversee WKCD. The net annual operating costs for these facilities and the overseeing body are guesstimated at about \$500 million and some \$60 million respectively which will be covered by the recurrent income from an independent trust fund of \$30 billion to be paid by the Successful Proponent.

^{Note 3.6} Paragraph 3.40 in Phase I Report

Section 3 : The Canopy as a mandatory requirement for the project

Public views and concerns on the modified approach

3.25 The concerns about the technical, financial, environmental and even health implications of the Canopy have not been allayed by the modified approach. A deputation has further submitted to the Subcommittee highlighting that the Canopy is a public health hazard and is against all principles of environmental sustainability (based on the Hannover Principles). The Canopy blocks the sun's ultraviolet light which is the most powerful natural disinfectant. Common sick-building syndrome might prevail under the coverage of the proposed Canopy. These include –

- (a) Hay Fever (hypersensitivity, allergy, etc.) – due to excessive growth of fungi in a hot and humid environment;
- (b) Legionnaires Disease – due to the absence of natural UV light which permits spreading of the microbial Legionella Pneumophila without inhibition; and
- (c) Insects and foul odours – due to migration and settlement of insects, birds and rodents in the area and decay and fermentation of their bodies.

3.26 Apart from the concerns on the technical, environmental and health aspects of the Canopy which have yet to be clarified by the Government, there are additional concerns about the implications of not requiring the Successful Proponent to manage the Canopy, such as -

- (a) How far the consideration for maintenance will be taken into account in deciding the design and materials for the Canopy; and
- (b) Arrangements for the repair and maintenance of the Canopy.

Section 3 : The Canopy as a mandatory requirement for the project

Recommendations of the Subcommittee in its Phase II Report

3.27 In its Phase II Report, the Subcommittee reiterates its stance that the Canopy should not be made a mandatory component of the WKCD development. Apart from the concern on the large size of the Canopy, its technical and resource implications have not been critically assessed. Under the modified approach, the repair and maintenance cost of the Canopy will be covered by the trust fund which in effect is public money, but the design and materials to be used for constructing the Canopy are matters to be decided by the Successful Proponent. Huge maintenance cost will have great impact on the sustainability of the trust fund and eventually on the public purse^{Note 3.7}.

3.28 The Subcommittee notices from the views collected during the Government's public consultation exercise that opinions on the Canopy were divergent. It was inconclusive whether the public supported the construction of the Canopy. Further, no detailed information on the financial and technical assessment of the Canopy was made available to the public. In the circumstances, the public's concerns are not addressed. The Subcommittee sees no reason why the provision of the Canopy should remain a mandatory component for the WKCD project. The Subcommittee considers that the desirability of retaining the Canopy in WKCD is one of the issues which should be fully discussed by the consultation panels recommended for establishment under the new consultation mechanism^{Note 3.8}.

Note 3.7 Paragraph 6.32 in Phase II Report
Note 3.8 Paragraph 6.33 in Phase II Report

Section 4 : Management mode for cultural and communal facilities

4.1 The type of facilities to be included in WKCD has been one of the focal points in the discussion of WKCD. Public views on the subject are set out and analyzed in Section 1 of this Compendium. The inclusion of appropriate facilities in WKCD is the first step in bringing the development towards its goals. How the facilities should be managed is another equally important issue that has generated public discussion. The design of a suitable management structure and management mode will increase the likelihood that the facilities would achieve their intended objectives.

4.2 Different stakeholders have expressed views on the subject. There is no doubt that the arts and cultural community is the sector most keen to offer their professional input as WKCD is aimed to be a cultural district and how the cultural facilities will be managed has profound impact on the arts and cultural groups themselves and on the future development of arts and culture.

Current management of public cultural facilities

4.3 Before 1999, the two Municipal Councils were responsible for the construction and management of all public cultural facilities. Following their dissolution, LCSD was established in 2000 to take over part of the two Municipal Councils' duties in respect of arts and culture. The Home Affairs Department is responsible for the formulation of cultural policies and LCSD the management and operation of the public cultural facilities.

4.4 According to a study commissioned by the Planning Department (PD) in 1998 to examine the requirements of cultural facilities and formulate the planning standards for cultural facilities, Hong Kong has the highest level of government involvement in terms of ownership and management of cultural and performance venues when compared to nine cities including Shanghai, Singapore, Tokyo, Sydney, Tel Aviv, Lyon, London, Manchester and Boston. The CHC Report published in April 2003 recommended greater community involvement in the management and programming of cultural venues as a step towards the "community-driven" approach. CHC

Section 4 : Management mode for cultural and communal facilities

suggested that the Government should introduce community involvement by stages through (i) capitalising on the strength of territory-wide/thematic venues; (ii) developing the character of venues and partnering with professional arts groups; and (iii) involving District Councils and district cultural and arts bodies in the management of district venues. CHC considered that the Government should gradually shift from the role of an “administrator” to a “facilitator” in the management of public cultural facilities. The CHC Report was endorsed by the Government as the blueprint for the local cultural policy.

Management of cultural and communal facilities in WKCD under IFP

4.5 As explained in Section 2, the Government adopted the single-package development approach for WKCD in the IFP Document published in September 2003. In this Document, it was stated that the Successful Proponent will be awarded a Land Grant for a term of 50 years and required to plan, design, finance, construct, procure, fit out and complete the Development as well as to operate, maintain and manage the Development for 30 years^{Note 4.1}. As a mandatory requirement, the Successful Proponent is required to provide a range of CACF and communal facilities. CACF include a theatre complex comprising three theatres, a performance venue, a museum cluster comprising four museums of differing themes, an exhibition centre, a water amphitheatre and at least four piazza areas. The communal facilities include a canopy covering at least 55% of the Development area and the Automated People Mover.

4.6 The IFP Document also set out in details the operation, maintenance, management and related aspects of WKCD. Among others, the IFP Document included the following provisions in relation to the management of cultural and communal facilities –

^{Note 4.1} Sections 1.1.4 and 1.1.6, Volume One, IFP Main Document

Section 4 : Management mode for cultural and communal facilities

- (a) The Proponent is required to submit a business plan which should include the mode of governance, business strategy and operation plans for CACF^{Note 4.2}.
- (b) The Proponent may set up a statutory or non-statutory profit or non-profit organization to govern CACF. The mode of governance proposed should be conducive to enhancing the long term cultural development of Hong Kong and attracting public support^{Note 4.3}.
- (c) Different modes of governance may be proposed for different CACF^{Note 4.4}.
- (d) The Proponent is required to give a mission statement which should describe the aims and objectives for operating the proposed facilities and the goals to be achieved^{Note 4.5}.

4.7 By the submission deadline in June 2004, the Government had received five proposals. In November 2004, the Government announced that three out of the five proposals met all the mandatory requirements of IFP and were screened in for further assessment.

4.8 The three screened-in Proponents suggested setting up independent or non-profit-making governing boards or trust funds to manage and operate CACF.

Public views and concerns on the proposed management of cultural and communal facilities under IFP

4.9 Since the launch of IFP for the development of WKCD, many organizations have collected public views through different channels. The

Note 4.2 Section 6.1.4(a), Volume One, IFP Main Document
Note 4.3 Section 6.2.2 (a), Volume One, IFP Main Document
Note 4.4 Section 6.2.2(b), Volume One, IFP Main Document
Note 4.5 Section 6.2.3, Volume One, IFP Main Document

Section 4 : Management mode for cultural and communal facilities

LegCo Panel on Planning, Lands and Works (PLW Panel) held a series of meetings to receive oral presentation from professional bodies of the cultural, building and property sectors. The Government conducted a public consultation exercise from mid-December 2004 to the end of June 2005. Opinion surveys/polls were also conducted by organizations of varying nature. The following summarizes the major views and concerns of members of the public and organizations on management of arts and cultural facilities in WKCD which are accessible to LegCo.

Diversification of management of arts and cultural facilities

4.10 There is strong support for diversification of management of arts and cultural facilities. Instead of continuing with the current management mode under which LCSD operates and manages all public cultural facilities, the arts and cultural groups consider WKCD an opportunity for the introduction of a new mode of management and operation of arts and cultural facilities.

Management responsibility

4.11 Many arts and cultural groups are concerned about leaving the responsibilities for managing the arts and cultural facilities entirely to private developers. Some groups consider that there should be greater public involvement in this respect. The participation of the arts and cultural sector is necessary.

Establishment of an independent authority

4.12 There is overwhelming support for the establishment of an independent authority comprising representatives from various sectors to manage the cultural facilities.

4.13 On the composition of the independent authority, different views have been expressed. Some organizations consider that the independent authority should include the Government and there should be public

Section 4 : Management mode for cultural and communal facilities

involvement in the management of cultural facilities. Others consider that the Government should not participate in the management of these facilities. There is a consensus that the arts and cultural sector should be represented in the independent authority.

4.14 Some organizations are of the view that the proposed mode of governance to set up independent, autonomous board structures by the three screened-in Proponents follows good practice.

Different management bodies for different facilities

4.15 Some organizations propose that while an independent authority should be established for the entire WKCD, different management bodies should be set up for different facilities. As far as possible, the cultural facilities should be managed by arts and cultural groups.

4.16 There is a suggestion from a number of organizations that an independent museum authority should be established to oversee and manage not just the museums on WKCD but all publicly funded museums.

Management strategy

4.17 To introduce a new mode in managing the cultural facilities in WKCD and improve the existing management of cultural facilities, some arts and cultural groups have suggested adopting an arts accountability system for performance venues. There is also a suggestion that “place management” should be adopted to ensure that events, activities and the environment of the cultural spaces are maintained at a high standard to attract visitors and local residents alike.

Sustainability of arts and cultural facilities

4.18 There is concern about the sustainability of the arts and cultural facilities. Many arts and cultural groups consider that the Government’s

Section 4 : Management mode for cultural and communal facilities

financial support to arts and cultural activities should not be cut as a result of the WKCD project.

Recommendation of the Subcommittee in its Phase I Report

4.19 Having considered the views expressed by different sectors, the Subcommittee, in its Phase I Report, recommended the setting up of an overseeing authority for the development of WKCD. One of the responsibilities of the overseeing authority should be to exercise overall control and monitoring of the management and operation of the core facilities in WKCD in partnership with the arts community. The Subcommittee also pointed out in the Phase I Report that in determining the hardware to be provided for the future development of arts and culture and specifically in WKCD, there should be rationalization of the use of existing facilities and a review of the performance gap between the current level of services and arts community expectation. The Subcommittee believed that the cultural facilities currently under the management of LCSD had great potential for further development^{Note 4.6}.

Government's modified approach announced in October 2005

4.20 The Government announced in October 2005 a modified approach in its way forward for WKCD. The Government proposes the establishment of a statutory body to take over IFP from it at a "suitable juncture". According to the Administration, the powers and functions of the statutory body would predicate on the modifications to IFP which, in turn, would depend on the response from the screened-in Proponents, public reaction and comments from LegCo and the Town Planning Board (TPB). This statutory body should have a significant role in the overall project development and management plus a longer-term on-going role in managing CACF. The governing body of the statutory body will comprise well respected personalities from the arts and cultural circles, tourism industry,

^{Note 4.6} Paragraphs 5.34 and 5.35 in Phase I Report

Section 4 : Management mode for cultural and communal facilities

property development and management sector, financial services, town planning, architecture, surveying and engineering fields, etc. The aim of the Administration is to establish the statutory body in the first quarter of 2007.

4.21 Apart from the proposal to set up a statutory body, the Government also proposes to establish an independent trust fund of \$30 billion to be paid by the Successful Proponent upfront. This trust fund is estimated on the basis that it would generate a recurrent return which could cover the net operating expenditure of CACF and other communal facilities like the Canopy, Automated People Mover and open space, as well as the recurrent cost of the new body for WKCD, while preserving the size of the principal. The net annual operating expenditure of CACF, the Canopy, the Automated People Mover and the open space is guesstimated at about \$500 million while the recurrent cost of the statutory body for WKCD is guesstimated to be some \$60 million. All these guesstimates are based on comparable Government facilities and services with some adjustments.

Public views and concerns on the modified approach

Statutory body

4.22 Based on the views expressed so far, the Subcommittee considers that most members of the public welcome the proposed establishment of a statutory body for WKCD. There is also support that the statutory body will have an on-going role in managing CACF. However there are concerns about the timing for the setting up of the statutory body and the uncertainty of its powers and functions.

4.23 In relation to management of cultural and communal facilities in WKCD, organizations have raised the following issues concerning the statutory body –

Section 4 : Management mode for cultural and communal facilities

- (a) Whether the statutory body's responsibilities will include the cultural facilities in WKCD only or in Hong Kong;
- (b) To whom the statutory body will be accountable;
- (c) The role of the statutory body vis-à-vis the Government and the Successful Proponent in future management of the cultural and communal facilities;
- (d) How the statutory body will determine the management of the cultural and communal facilities should this be one of its responsibilities; and
- (e) The role of local arts and cultural groups in the management of the cultural facilities.

4.24 Without details on the composition of the statutory body, its powers, functions and mode of operandi, there are practical difficulties for members of the public and LegCo to comment whether and how far the statutory body could address the concerns raised in relation to management of cultural facilities.

Trust fund

4.25 There is support for the setting up of an independent trust fund to cover the recurrent cost of CACF and other communal facilities. However, queries have been raised by various organizations concerning the trust fund which remain to be answered by the Administration. As far as sustainability of CACF is concerned, the following issues have not been clarified –

- (a) Whether \$30 billion is the minimum amount for the initial setting up of the trust fund;

Section 4 : Management mode for cultural and communal facilities

- (b) The basis for assuming that \$30 billion is sufficient for covering the operating costs of CACF and other communal facilities;
- (c) The respective costs for the construction and maintenance of CACF, the Canopy and the Automated People Mover;
- (d) How CACF and the communal facilities will be financed in the event that the \$30 billion trust fund is exhausted; and
- (e) Whether the proceeds from the sale of the carved-out development will be ploughed into a fund separated from the trust fund and used for arts and cultural and other communal facilities and services provided in WKCD.

Recommendations of the Subcommittee in its Phase II Report

4.26 In its Phase II Report, the Subcommittee calls on the Administration to look into the general discontent towards LCSD's rigid management of the current cultural facilities, which is regarded as a major factor attributing to the slow progress in the development of the creative art. Part of the reasons for the arts community's support for partnering with the private sector is the opportunity to alter LCSD's monopolistic position in the management of the cultural venues. The Administration should consider introducing an appropriate mode of partnership with the private sector in the management of cultural facilities in both new and existing facilities, which is subject to the supervision of relevant authorities^{Note 4.7}.

4.27 For the purpose of collecting and analyzing public views in a systematic and structured manner to assist the planning and implementation of WKCD, the Subcommittee recommends the expeditious establishment of consultation panels so that their views and suggestions would be properly channelled to the decision-making authority. The long-term development

^{Note 4.7} Paragraph 6.26 in Phase II Report

Section 4 : Management mode for cultural and communal facilities

of arts and culture including the management of cultural facilities should be matters for consultation with these panels^{Note 4.8}.

4.28 As the Subcommittee has recommended separating the development of cultural and non-cultural components in WKR^{Note 4.9}, the issue of sustainability of cultural facilities in WKCD would need to be further examined after a decision has been made on the financing arrangement for WKCD. The Subcommittee considers that this is another issue the consultation panels should look into.

Note 4.8 Paragraph 6.31 in Phase II Report

Note 4.9 Paragraphs 6.22 to 6.24 in Phase II Report

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

5.1 Public involvement is of paramount importance for the WKCD project which affects various sectors of the community. In developing the first project of its kind in Hong Kong, the Government must take into account the views, needs and aspirations of the general public and the stakeholders from contemplation to implementation. However, from the very beginning of the project, different sectors, in particular the arts and cultural sector, feel that their views have been ignored and have not been reflected in the contents of the project and the way it has been proceeded. These issues have been covered in previous sections of this Compendium. This section summarizes the public views on consultation work done by the Administration on the WKCD project.

Consultation conducted by the Administration

Decision to develop WKCD into a cultural district

5.2 In October 1998 the Government announced its intention to build a world-class performance venue in WKR. This intention was changed in October 1999 to the decision to build an integrated arts and cultural district to create a new look for the Victoria Harbour. From the period between mooting the idea of developing a new performance venue to the making of a decision to develop WKCD, the following survey and study/consultancy were conducted the findings of which were made reference to by the Government –

- (a) The Visitor Exit Survey Statistics for 1996 compiled by the Hong Kong Tourist Association (HKTA);
- (b) Study on the Feasibility of a New Performance Venue for Hong Kong commissioned by HKTA in early 1998 (the HKTA Study); and

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

- (c) Cultural Facilities: A Study on their requirements and the Formulation of New Planning Standards and Guidelines commissioned by PD in early 1998 (the PD Study).

5.3 The targets of the Visitor Exit Survey were the millions of tourists visiting Hong Kong. In the PD Study, over 400 cultural facility users were interviewed and more than 45 relevant stakeholders in the arts community were consulted.

5.4 As far as LegCo was concerned, the Panel on Home Affairs (HA Panel) was briefed of the findings of the HKTA Study in September 1998. After CE-in-C had ordered the land use of WKR be fundamentally reviewed to make way for the development of WKCD on 16 November 1999, the Administration briefed the PLW Panel the decision two days after. In the following month, the HA Panel was explained of the Government's stance on the clustering effect in planning for new cultural facilities. Another occasion when the PLW Panel was consulted on the WKCD project was in March 2000 before CPC for WKCD was held.

Launch of Invitation for Proposals

5.5 The Government launched IFP for WKCD in September 2003. From the holding of CPC in April 2001 to the launch of IFP in September 2003, the following reports were released to which the Government made reference –

- (a) Consultancy Study on the Provision of Regional/District Cultural and Performance Facilities in Hong Kong commissioned by the Home Affairs Bureau and LCSD in the end of 2001; and
- (b) The CHC Report published by CHC in April 2003.

5.6 In conducting the Consultancy Study on the Provision of Regional/District Cultural and Performance Facilities in Hong Kong, a

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

telephone survey of 1500 Hong Kong residents was undertaken in November and December 2001 to collect information on their usage of, and views on, regional/district cultural facilities. In preparing the CHC report, CHC had held 23 plenary meetings, some 80 working group meetings, four retreats and four study visits. Two large-scale public consultations were conducted by CHC in 2001 and 2002. The recommendations in the CHC Report were endorsed by the Government as the blueprint of the cultural policy.

5.7 The PLW Panel was briefed of the Government's intention to issue IFP at a meeting in July 2003.

First-stage assessment of IFP

5.8 The Administration announced the result of the first stage of assessment of IFP on 10 November 2004. Three of the five proposals were assessed to have met the basic requirements and screened in for further assessment. The Administration conducted a public consultation exercise on the three screened-in Proposals from mid-December 2004 to the end of June 2005. It organized a series of exhibitions on the three screened-in Proposals. In February 2005 it commissioned PPRI of The Hong Kong Polytechnic University to carry out a consultancy on public opinions on the WKCD project. PPRI conducted three telephone polls of 4 553 respondents.

Public views and concerns on consultation done by the Government

Degree of public involvement

5.9 The majority of the public views consider that the consultation work done by the Administration in the planning of WKCD is inadequate. There was no public consultation when the Government decided to develop WKR into a cultural district and to use the single-package development approach under the IFP framework. Many concern groups ask for greater

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

involvement of the public, in particular the arts and cultural sector, in the planning, development and management of the WKCD project. Most organizations stressed the importance of wide public consultation on contentious issues, such as the single-package development approach, the adoption of PPP, CACF and the Canopy, before a decision is made by the Government.

Approach of public consultation

5.10 Some organizations consider the approach taken by the Government in conducting public consultation inappropriate. The Government has adopted a top-down approach and allowed the public the only choice of selecting “one out of three” screened-in Proponents. Many organizations consider that the Government should adopt a bottom-up approach by encouraging members of the public to express views on alternative ways on how the WKCD project should proceed in the best public interest.

Limitation of public consultation

5.11 Two academics experienced in conducting opinion surveys have raised some queries on the public consultation exercise conducted by the Government from December 2004 to the end of June 2005, as follows –

- (a) The limitations preset by the Administration in the tender document for the consultancy on public opinions and the extent of academic freedom enjoyed by PPRI;
- (b) The usefulness of the opinions solicited through the Comment Cards as these Cards have been voluntarily filled in and returned. Apart from difficulties in preventing multiple returns or returns manipulated by certain organizations, the opinions might also not be representative enough of the general Hong Kong population;

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

- (c) The absence from the Comment Card of basic questions on the single-package development approach and on the Canopy which only appeared in the telephone polls;
- (d) The design of the questions on the Canopy in the telephone polls; and
- (e) The neutrality of information contained in the questions.

Effectiveness of public consultation

5.12 Some organizations consider the consultation conducted by the Government ineffective. So far the consultation has not been conducted in a structured or systematic manner. While many organizations have expressed views on WKCD, there is no channel to know how their views are processed and why their views have not been accepted. A request has been made for the establishment of a mechanism for conducting public consultation to enable the collection and collation of public views in a systematic way. One suggestion is to establish a cultural think tank, comprising representatives from different walks of life, to undertake research and develop Hong Kong's cultural vision and urban planning vision so as to draw up the West Kowloon vision and the town planning parameters for WKCD. The cultural think tank should have tripartite participation, i.e. civil society, government and business.

5.13 Some deputations are of the view that more focused and in-depth consultation in the form of workshops should be held. There should be a public policy-making process involving various sectors of the society through a representative and possibly electoral process to be developed by the society itself.

Role of LegCo

5.14 Some organizations point out the important role of LegCo in approving and monitoring public expenditure. They are of the view that

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

LegCo should not be bypassed in the planning and implementation of the WKCD project. In formulating Government policy and in handling public finance, LegCo should be consulted and its approval sought, where necessary.

Role of the Town Planning Board

5.15 An organization has stressed the importance of involving TPB in the planning of WKCD. The zoning of land in WKR should follow the statutory plan-making and plan-amendment procedures. This would ensure the participation of the public in the process and the consideration of public views by TPB.

Release of relevant information

5.16 To facilitate the public discussion on the WKCD project, some organizations consider that the Government should disclose more information in relation to the project, in particular the financial information. The arts and cultural sector considers it important to have information relating to the proposed museums including the source of funding, mode of governance, collection policy, budget and construction timeframe. The release of such information will facilitate the public and the professionals to compare the screened-in Proposals on an objective basis.

Findings of Government's public consultation

5.17 According to the outcome of the public consultation conducted by the Government, the views expressed on the role of the community in the planning and implementation of the WKCD project are similar to those received by the Subcommittee. The majority of the respondents would like to have more discussion on the project, more monitoring on its planning and governance, and greater public participation. The relevant views are as follows –

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

- (a) Channels for public input and transparency of the consultation process are important;
- (b) Government should intensify consultation work before taking forward the project, as there are too many unresolved issues;
- (c) Sufficient information should be provided for public consultation;
- (d) A revised developmental scheme should be subject to a further round of public consultation; and
- (e) The arts and cultural professionals should be consulted on the arts and cultural issues.

Recommendation of the Subcommittee in its Phase I Report

5.18 In its Phase I Report, the Subcommittee attached great importance to the need of wide public support to the mode of development and implementation strategy for the WKCD project. The Subcommittee considered that involvement of the Executive Council (ExCo) throughout the planning of the WKCD project was limited. The record shows that, since November 1999 when ExCo decided on a review of the land use of WKR, the Administration had not reported back to ExCo on the development of the WKCD project until June 2003, just before IFP with its single-package development approach was launched. CE-in-C was not previously consulted on the decisions relating to the financial approach for the project^{Note 5.1}.

5.19 The Subcommittee recommended in its Phase I Report that ExCo should play an active role in deciding whether it should give its policy backing to the mode of development and implementation strategy.

Note 5.1 Paragraph 5.5 in Phase I Report

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

Throughout the process of development, ExCo should be duly consulted and updated on the progress of the project^{Note 5.2}.

5.20 The Phase I Report also pointed out that LegCo was not adequately consulted on the WKCD development, in particular on the decision to adopt a single-package development approach in IFP. The Subcommittee considered that disposal of valuable land resources which was likely to be at less than market value or any public subsidy in money or in kind should be subject to the same scrutiny as public expenditure by LegCo. The Administration should discuss with LegCo how this could be achieved through an open and transparent process^{Note 5.3}.

5.21 The Subcommittee considered that LegCo, which represents all sectors of the community, should play an active role in scrutinizing Government's policies and implementation strategies. The Administration should adopt a positive and co-operative attitude in providing timely, useful and comprehensive information to facilitate meaningful discussions on such policies and strategies, and in considering the recommendations of the Legislature^{Note 5.4}.

5.22 In conducting public consultation on cultural software requirements, the Subcommittee considered that the Administration should arrange further publicity of the content of the CHC Report and the Government's position regarding CHC's recommendations^{Note 5.5}. A more structured and extensive consultation with the general public, in particular the relevant professional sectors and the arts community, was necessary to map out the priority of needs in the development of the WKCD project and the financial implications arising therefrom^{Note 5.6}.

Note 5.2 Paragraph 5.29 in Phase I Report
Note 5.3 Paragraphs 5.9 and 5.10 in Phase I Report
Note 5.4 Paragraph 5.30 in Phase I Report
Note 5.5 Paragraph 5.28 in Phase I Report
Note 5.6 Paragraph 5.27 in Phase I Report

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

Government's modified approach announced in October 2005

5.23 In the modified approach for WKCD announced in October 2005, the Government proposed the establishment of a statutory body to take over from it IFP at a suitable juncture. The governing body of the statutory body will comprise well respected personalities from the arts and cultural circles, tourism industry, property development and management sector, financial services, town planning, architecture, surveying and engineering fields, etc. Its own consultative setup should be broadly based and representative of the arts and cultural sectors and various professionals relevant to the WKCD development.

5.24 The Administration advised that it would consider the public reaction to its modified approach in deciding the way forward for WKCD. Proposals for establishing the statutory body will be a subject of further consultation with LegCo and the public in the second quarter of 2006. However, concern has been raised that there is no information on how it is going to involve the public and collect public views and how the public views will be assessed. In particular, there is no mention of whether and how the new statutory body would conduct structured consultation. Nor is there any detail on how members of the community could participate in the governing body of the statutory body and how its consultative setup could incorporate public views.

Recommendations of the Subcommittee in its Phase II Report

5.25 In the Phase II Report, the Subcommittee recommends that the Administration should set up consultation panels immediately to conduct structured public consultation. For the purpose of collecting and analyzing public views in a systematic manner to assist the planning and implementation of WKCD, the Subcommittee sees a need to put in place as early as possible a standing mechanism to conduct structured consultation in an open and systematic manner. Whilst this standing mechanism should be integral to the operation of the proposed statutory body, there is no need to

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

await the establishment of the statutory body before it is put into place^{Note 5.7}. The Subcommittee recommends that there should be at least two consultation panels: one for stakeholders and one for the general public. It is not necessary for the panels to come under the statutory body but the latter should have the obligation to consult the panels. As a start, the scope of the panels' work may be restricted to WKCD, but eventually subject matters which affect the long-term development of arts and culture including the management of other cultural facilities, should also be matters for consultation with these panels^{Note 5.8}.

5.26 The Subcommittee highly recommends the Administration to make reference to the successful experience of Bilbao's Metropoli-30 and the United Kingdom's Financial Services Authority in considering the mode of operation of the consultation panels. By establishing a structure to formalize the consultation process, the views and suggestions of the consultative bodies would be channelled to the decision-making authority. Having the obligation to listen to views and suggestions of the consultative bodies, the authority will also have the duty to explain to the public in the event that any of the views or suggestions of the consultative bodies is not accepted^{Note 5.9}. The Subcommittee considers that the consultation panels should include the following elements:

- (a) The consultation panels should be an established structure to formalize the consultation process;
- (b) The membership of the consultation panels should be balanced and widely representative of stakeholders to facilitate reaching of consensus;
- (c) A mechanism must be devised on how public views will be collected, processed and treated;

Note 5.7 Paragraph 5.35 in Phase II Report
Note 5.8 Paragraph 6.31 in Phase II Report
Note 5.9 Paragraph 6.31 in Phase II Report

Section 5 : The role of the community in the planning and implementation of the project and management of the facilities

- (d) There should be a high level of transparency and accountability in the operation of the consultation panels; and
- (e) Emphasis should be placed on the acquisition and dissemination of information to stimulate informed public discussions^{Note 5.10}.

Note 5.10 Paragraph 5.35 in Phase II Report

Abbreviations

Abbreviations

CACF	Core arts and cultural facilities
CE-in-C	Chief Executive in Council
CHC	The Culture and Heritage Commission
CPC	Concept Plan Competition
ExCo	Executive Council
GFA	Gross floor area
HA Panel	Panel on Home Affairs
HC	House Committee
HKTA	Hong Kong Tourist Association
IFP	Invitation for Proposals
LCSD	Leisure and Cultural Services Department
LegCo	Legislative Council
NOFA	Net Operating Floor Area
PD	Planning Department
Phase I Report	Report on Phase I study
Phase II Report	Report on Phase II study
PLW Panel	Panel on Planning, Lands and Works
PPP	Public Private Partnership
PPRI	Public Policy Research Institute
PSC	Public Sector Comparator

Abbreviations

The CHC Report	The Culture and Heritage Commission Policy Recommendation Report
The Foster Scheme	Submission made by Foster and Partners
The HKTA Study	Study on the Feasibility of a New Performance Venue for Hong Kong commissioned by HKTA in early 1998
The PD Study	The study commissioned by PD in early 1998 to examine the requirements of cultural facilities and formulate new planning standards and guidelines for cultural facilities in Hong Kong
The Subcommittee	Subcommittee on West Kowloon Cultural District Development
TPB	Town Planning Board
WKCD	West Kowloon Cultural District
WKR	West Kowloon Reclamation

Appendices

**List of submissions received by the Legislative Council
on West Kowloon Cultural District Development**

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 14.11.2003 from the Government Cultural Services Grades' Alliance (Chinese version only)	WKCD-20	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-329-1c.pdf
Submission dated 17.11.2003 from the Hong Kong Arts Centre (Chinese version only)	WKCD-21	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-345-1c.pdf
Submission dated November 2003 from the Hong Kong Arts Development Council (Chinese version only)	WKCD-22	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-378-c.pdf
Submission dated 14.11.2003 from the Hong Kong Curators Association (Chinese version only)	WKCD-23	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-329-2c.pdf
Submission dated 17.11.2003 from the Hong Kong Institute of Archaeology (Chinese version only)	WKCD-24	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-345-3c.pdf
Submission dated 18.11.2003 from Zuni Icosahedron Ltd. (Chinese version only)	WKCD-25	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-359-4c-scan.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 11.11. 2003 from the Hong Kong Institute of Real Estate Administration	WKCD-26	http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/haplw1118cb1-322-1e.pdf
Submission dated 1.11.2003 from the Association of Architectural Practices Ltd (Chinese version only)	WKCD-27	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-322-2c.pdf
Submission dated 13.11.2003 from The Hong Kong Institution of Engineers	WKCD-28	http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/haplw1118cb1-329-3e.pdf
Submission dated 7.11.2003 from The Hong Kong Institute of Planners	WKCD-29	http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/haplw1118cb1-322-4e.pdf
Submission dated 14.11.2003 from The Hong Kong Institute of Surveyors	WKCD-30	http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/haplw1118cb1-345-4e.pdf
Submission dated 18.11.2003 from the Real Estate Developers Association of Hong Kong	WKCD-31	http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/haplw1118cb1-359-5e.pdf
Submission dated 18.11.2003 from the Museum of Site (Chinese version only)	WKCD-32	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-359-3c.pdf
Submission dated 12.11.2003 from The Hong Kong Construction Association Ltd	WKCD-33	http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/haplw1118cb1-322-5e.pdf
Submission dated 17.10.2003 from The Hong Kong Institute of Architects	WKCD-34	http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/haplw1118cb1-322-3e.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated November 2003 from Hong Kong Christian Service (Chinese version only)	WKCD-35	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-345-2c.pdf
Submission dated 17.11.2003 from Project Hong Kong (Chinese version only)	WKCD-36	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-359-1c.pdf
Submission dated 13.11.2003 from Urban Watch (Chinese version only)	WKCD-37	http://www.legco.gov.hk/yr03-04/chinese/panels/plw/papers/haplw1118cb1-410-1c.pdf
Submission dated 6.1.2005 from The Democratic Party (Chinese version only)	WKCD-50	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-697-3c.pdf
Submission dated 10.12.2004 from the Hong Kong Institute of Real Estate Administration	WKCD-51	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw1216cb1-477-1e.pdf
Submission dated 16.12.2004 from Hong Kong Christian Service	WKCD-52	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw1216cb1-477-2e.pdf
Submission dated 16.12.2004 from the Hong Kong Arts Centre	WKCD-53	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw1216cb1-477-3e.pdf
Submission dated 3.12.2004 from The Hong Kong Institute of Surveyors	WKCD-54	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw1216cb1-477-4e.pdf
Submission dated 31.1.2005 from The Hong Kong Institute of Surveyors (English version only)	WKCD-55	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0131cb1-840-4e.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 8.12.2004 from The Real Estate Developers Association of Hong Kong	WKCD-56	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw1216cb1-477-5e.pdf
Submission dated 11.12.2004 from The Hong Kong Institute of Architects (Chinese version only)	WKCD-57	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw1216cb1-504-1c.pdf
Submission dated 16.12.2004 from The Hong Kong Institute of Architects	WKCD-58	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw1216cb1-536-1c-scan.pdf
Submission dated 25.1.2005 from The Hong Kong Institute of Architects	WKCD-59	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-778-4ce.pdf
Submission dated 13.12.2004 from The Hong Kong Institution of Engineers	WKCD-60	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw1216cb1-504-2e.pdf
Submission dated 28.1.2005 from The Hong Kong Institution of Engineers	WKCD-61	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0131cb1-822-1e.pdf
Submission dated 15.12.2004 from the Hong Kong Curators Association (Chinese version only)	WKCD-62	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw1216cb1-512-1c.pdf
Speaking note of the Hong Kong Institute of Archaeology at the special meeting of the Panel on Planning, Lands and Works on 16 December 2004 (Chinese version only)	WKCD-63	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw1216cb1-578-1c.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 12.1.2005 from The International Association of Art Critics (Hong Kong Chapter) (Chinese version only)	WKCD-64	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-697-1c-scan.pdf
Submission dated 4.1.2005 from the Hong Kong Construction Industry Employees General Union (Chinese version only)	WKCD-65	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-697-2c.pdf
Submission dated January 2005 from the Association of Engineering Professionals in Society	WKCD-66	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0131cb1-697-4e.pdf
Submission dated 21.1.2005 from The Hong Kong Academy for Performing Arts	WKCD-67	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0131cb1-778-1e.pdf
Submission dated 24.1.2005 from the Hong Kong Repertory Theatre (Chinese version only)	WKCD-68	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-778-2c.pdf
Submission dated 4.2.2005 from the Hong Kong Repertory Theatre	WKCD-69	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-884-1c.pdf
Submission dated 24.1.2005 from the Hong Kong Ballet	WKCD-70	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0131cb1-778-3e.pdf
Submission dated 27.1.2005 from the Hong Kong Dance Company (Chinese version only)	WKCD-71	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-801-1c.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 26.1.2005 from the Hong Kong Arts Administrators Association Ltd.	WKCD-72	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0131cb1-801-2e.pdf
Submission dated 28.1.2005 from the Hong Kong Chinese Orchestra (Chinese version only)	WKCD-73	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-811-1c.pdf
Information booklet entitled “A vision of Hong Kong cultural harbour” from the Swire Properties Ltd.	WKCD-74	--
Submission dated 31.1.2005 from the West Kowloon Cultural District Joint Conference	WKCD-75	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0131cb1-840-2e.pdf
Submission dated 31.1.2005 from the Spring-Time Group Ltd.	WKCD-76	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-840-3c.pdf
Speaking note of Jing Kun Theatre Ltd. at the special meeting of the Panel on Planning, Lands and Works on 31 January 2005 (Chinese version only)	WKCD-77	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-849-1c.pdf
Speaking note of The Ink Society Ltd. at the special meeting of the Panel on Planning, Lands and Works on 31 January 2005	WKCD-78	http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0131cb1-849-2e.pdf
Position paper of The Ink Society Ltd. on the ink museum at West Kowloon Cultural District (Restricted)	WKCD-79	--

Submissions	WKCD No.	LegCo website hyperlink
Speaking note of The Fringe Club at the special meeting of the Panel on Planning, Lands and Works on 31 January 2005 (Chinese version only)	WKCD-80	http://www.legco.gov.hk/yr04-05/chinese/panels/plw/papers/plw0131cb1-889-1c.pdf
Submission dated 15.2.2005 from Mr David Y L CHU, JP (Chinese version only)	WKCD-82	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs02cb1-909-1c.pdf
Submission dated 15.2.2005 from The Experience Group, Ltd.	WKCD-93	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs02cb1-wkcd93-e.pdf
Submission dated 16.3.2005 from The Hong Kong Institute of Surveyors (English version only)	WKCD-105	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020316cb1-wkcd105-scan-e.pdf
Submission dated 22.3.2005 from The Hong Kong Institute of Surveyors (English version only)	WKCD-108	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020323cb1-wkcd108-e-scan.pdf
Submission dated 7.4.2005 from The People's Panel on West Kowloon (Chinese version only)	WKCD-113	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs020408cb1-wkcd113-c.pdf
Submission dated 11.4.2005 from Zonta Club of Hong Kong	WKCD-116	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs02cb1-wkcd116-e.pdf
Submission dated 18.4.2005 from The Ink Society Ltd. (Chinese version only)	WKCD-122	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs020506cb1-wkcd122-c.pdf
Submission dated 25.4.2005 from Spring-Time Group Ltd. (Chinese version only)	WKCD-123	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs020422cb1-wkcd123-c.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 21.4.2005 from The People's Panel on West Kowloon (Chinese version only)	WKCD-138	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs020422cb1-wkcd138-c.pdf
Submission dated 22.4.2005 from Hong Kong Institute of Contemporary Culture (Chinese version only)	WKCD-139	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs020422cb1-wkcd139-c.pdf
Submission dated 3.5.2005 from The Ink Society Ltd.	WKCD-141	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020506cb1-wkcd141-e.pdf
Submission dated 10.5.2005 from Hong Kong Federation of Drama Societies (Chinese version only)	WKCD-149	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs02cb1-wkcd149-c.pdf
Submission dated 20.5.2005 from The Ink Society Ltd.	WKCD-154	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020506cb1-wkcd154-e.pdf
Submission dated May 2005 from The People's Panel on West Kowloon (Chinese version only)	WKCD-165	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs02cb1-wkcd165-c.pdf
Submission dated June 2005 from Planet Time together with a VCD (English version only)	WKCD-166	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs02cb1-wkcd166-e.pdf
Letter dated 25.6.2005 forwarded by The Ink Society Ltd. and addressed to the editor of the South China Morning Post in response to an article on "Asian arts hub" published on 21.6.2005	WKCD-167	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs02cb1-wkcd167-e.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 12.7.2005 from Hong Kong Alternatives together with a leaflet	WKCD-168	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs02cb1-wkcd168-ce.pdf
Letter dated 14.7.2005 forwarded by Hong Kong Alternatives (English version only)	WKCD-170	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs02cb1-wkcd170-e.pdf
Submission dated 8.9.2005 from The Experience Group, Ltd. (English version only)	WKCD-178	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd178-e.pdf
Submission dated 5.9.2005 from Planet Time (English version only)	WKCD-179	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd179-e.pdf
Submission dated 12.9.2005 from The Hong Kong Institute of Surveyors (English version only)	WKCD-180	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd180-e.pdf
Submission dated 12.9.2005 from The People's Panel on West Kowloon	WKCD-181	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd181-e.pdf
Submission dated 12.9.2005 from Hong Kong Alternatives	WKCD-182	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd182-e.pdf
Submission dated 12.9.2005 from Mr David Y L CHU, JP (Chinese version only)	WKCD-183	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs020913cb1-wkcd183-c.pdf
Letter dated 9.9.2005 from Dynamic Star International Ltd.	WKCD-184	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd184-e.pdf

Submissions	WKCD No.	LegCo website hyperlink
Letter dated 9.9.2005 from Swire Properties Ltd. (English version only)	WKCD-185	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd185-e.pdf
Submission dated 9.9.2005 from Planet Time	WKCD-187	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd187-e.pdf
A booklet dated 14.9.2005 from Planet Time entitled "The West Kowloon Cultural Village" (English version only)	WKCD-188	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd188-e.pdf
Submission dated 14.9.2005 from Zonta Club of Hong Kong (English version only)	WKCD-189	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd189-e.pdf
Letter dated 12.9.2005 from The Real Estate Developers Association of Hong Kong (English version only)	WKCD-190	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd190-e.pdf
Presentation material dated 14.9.2005 from The Experience Group, Ltd. (English version only)	WKCD-191	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd191-e.pdf
Submission dated 20.9.2005 from Zonta Club of Hong Kong (English version only)	WKCD-192	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020913cb1-wkcd192-e.pdf
Submission dated September 2005 from Mr TANG Shu-wing (English version only)	WKCD-194	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020928cb1-wkcd194-e.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 25.9.2005 from The Hong Kong Institute of Architects	WKCD-195	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs020928cb1-wkcd195-ec.pdf
Submission dated 30.9.2005 from Planet Time	WKCD-196	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs020928cb1-wkcd196-e.pdf
Submission dated 14.10.2005 from Planet Time	WKCD-200	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021015cb1-wkcd200-e.pdf
Submission dated 21.10.2005 from The Real Estate Developers Association of Hong Kong (English version only)	WKCD-202	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021029cb1-wkcd202-e.pdf
Submission dated 24.10.2005 from Dr MA Ngok, Assistant Professor, Division of Social Science, The Hong Kong University of Science and Technology (Chinese version only)	WKCD-203	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs021029cb1-wkcd203-c.pdf
Submission dated 24.10.2005 from Swire Properties Ltd. (English version only)	WKCD-205	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021029cb1-wkcd205-e.pdf
Submission dated 26.10.2005 from Professional Property Services Limited (English version only)	WKCD-206	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021029cb1-wkcd206-e.pdf
Submission dated 27.10.2005 from Hong Kong Alternatives (English version only)	WKCD-207	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021029cb1-wkcd207-e.pdf

Submissions	WKCD No.	LegCo website hyperlink
Submission dated 27.10.2005 from Harbour Business Forum (English version only)	WKCD-208	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021029cb1-wkcd208-e.pdf
Submission dated 26.10.2005 from The Hong Kong Institute of Architects	WKCD-209	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021029cb1-wkcd209-e.pdf
Submission dated 27.10.2005 from Dr Robert CHUNG, Public Opinion Programme of The University of Hong Kong (English version only)	WKCD-210	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021029cb1-wkcd210-e.pdf
Submission dated 26.10.2005 from The Experience Group, Ltd. (English version only)	WKCD-213	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs021029cb1-wkcd213-e.pdf
Submission dated 14.11.2005 from Zonta Club of Hong Kong (English version only)	WKCD-216	http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/papers/hs02cb1-wkcd216-e.pdf
Submission dated 18.11.2005 from Hong Kong Alternatives (Chinese version only)	WKCD-217	http://www.legco.gov.hk/yr04-05/chinese/hc/sub_com/hs02/papers/hs02cb1-wkcd217-ec.pdf

**List of core and optional facilities
included in the Competition Brief of
the West Kowloon Reclamation Concept Plan Competition**

CORE FACILITIES

- A world-class performance venue with seating capacity of 1 800 to 2 200 as focus of the whole area
- A large versatile multi-purpose open plaza with service facilities to accommodate about 6 000 to 8 000 people
- A number of theatres and studios of various seating capacity
- A museum complex comprising facilities such as a museum of moving image, a museum of contemporary art and a children's museum
- An arts village containing workshops, studio spaces and exhibition/sales area, training and practicing ground for artists and designers

OPTIONAL FACILITIES (following are examples only)

- A multi-purpose venue with seating capacity of about 35 000 to 60 000 for holding large-scale mass activities
- An arts market
- Themed entertainment development, such as retail and dining facilities, skating rink, games centres, a cinema complex and/or an IMAX cinema
- Hotels/service apartments/residential development
- Grade A offices
- A cruise pier for waterfront leisure activities
- A helipad
- Other uses that are complementary to arts, culture and entertainment

Source: Annex to the paper provided by the Administration for the Panel on Planning, Lands and Works meeting on 9 March 2000

Views expressed by the public and stakeholders on the contents of the core arts and cultural facilities of West Kowloon Cultural District

- (a) Consideration should be given to the three points raised in the Report of the Culture and Heritage Commission (CHC), namely, the “integration of facilities within the district”, “complementarity with other cultural facilities” and “respecting cultural software”, and attention should be paid to cross-district as well as cross-sector co-ordination;
- (b) The West Kowloon Cultural District (WKCD) project could make reference to the successful example of the Guggenheim Museum Bilbao in both hard and soft facilities;
- (c) To expedite the development of WKCD, the site should be used for temporary cultural and leisure uses as early as possible, with the permanent cultural facilities to be determined and added on progressively later;
- (d) All cultural facilities in WKCD should be started and completed according to the original programme as far as possible but their design should cater for changing community needs in the long run;
- (e) High quality cultural facilities should be built not just in the West Kowloon area but all over Hong Kong;
- (f) The range of cultural facilities set out in the Invitation for Proposals (IFP) should optimally be located throughout the Harbour where these world-class amenities will synergize with and breathe new life into existing clusters to transform Hong Kong into Asia’s World City of Culture. In other words, a holistic approach should be adopted to offer a unified “Cultural Harbour” including performance venues and a “Harbour Park” at West Kowloon, a new cultural point at Tsimshatsui and museum complex and theatres along the Central Waterfront;
- (g) WKCD should be developed into a Cultural Green Park with 20% of it comprising cultural facilities that feature arena, theatres, opera house, concert hall, art gallery, art exhibition centre, arts centre for education, amphitheatre, performance arts centre, museums, etc. for the betterment of cultural life of Hong Kong;

- (h) A Cultural Authority shall be formed to determine how to develop and integrate the green park and cultural/entertainment facilities for the best interest of Hong Kong;
- (i) The ratio of commercial development to cultural facilities should be 7:3, and no relaxation should be allowed;
- (j) Other non-core facilities such as arts educational facilities, permanent homes for the professional performing companies and affordable studio/exhibition space for local artists can also be easily justified on the basis of present needs;
- (k) Without a tradition of paying to see plays and concerts on a large scale, it is doubtful whether there is real demand for three new theatres, a performance venue, 75 000 square metres of museum space, etc. Not to mention WKCD is far from Central and even Tsim Sha Tsui where most other cultural facilities are located;
- (l) The Government should ensure that WKCD would not become another Hong Kong Cultural Centre or just another local community hall;
- (m) The cultural facilities should be designed as barrier-free and cater for the needs of different ability groups, age groups, races and genders;
- (n) The Government should consider the following when deciding on the museum cluster:
 - Whether WKCD is a good and accessible location for the museums to attract attendance;
 - Whether the museums possess significant collections to attract sufficient public interest;
 - Whether it is cost-effective to build and operate four separate museums on the same site; and
 - Whether it would be more viable instead to build one single Museum of Modern and Contemporary Art with different departments and ample exhibition space, together with an art school and studio spaces for artists-in-residence/educational facilities attached;

- (o) The themes of the four proposed museums are quite similar and not diversified enough to sustain the interest of the visiting public. Moreover, the themes of the “modern art museum” and “water ink museum” might duplicate those of some existing museums;
- (p) Museums should be of differing themes and overlap of themes should be avoided;
- (q) Included in the relevant master plan should be the relocation of the existing Museums of History and Science from Tsim Sha Tsui East to this proposed district;
- (r) More sophisticated venues for cultural and arts events as well as museums of different themes should be provided in Hong Kong;
- (s) Current plans for WKCD would be suitable for performance venues as they are less location-sensitive;
- (t) Consideration should be given to establishing an Academy of Visual Arts, possibly adjacent to the Museum of Visual Image;
- (u) Consideration should be given to providing a concert hall for staging world-class orchestral performances, small-scale venues for chamber music performances, and a book city;
- (v) Two of the screened-in proposals do not measure up to the proposed museums required under IFP. The Government should provide justifications as to why they were screened-in; and
- (w) There should be a global product design/trading powerhouse based in WKCD encompassing all creative industries under a single umbrella organization, “Design, Inc.”.

**Views expressed by various organizations on the role of
West Kowloon Cultural District
in the development of arts and culture in Hong Kong**

- (a) Researches into the cultural development policies of other cities, and on the entertainment and cultural market and the needs of the community in this regard should be conducted to provide reference for the West Kowloon Cultural District (WKCD) development;
- (b) The formulation of the cultural vision should be Government-led, but with an independent secretariat. It should be a public policy-making process. All relevant bureaux should also be involved in the process;
- (c) The first priority of the WKCD project should be to develop further arts and cultural engagement among Hong Kong residents. It is key to development of the creative industries;
- (d) The development of WKCD should constitute only a part of an overall arts and cultural policy for Hong Kong;
- (e) WKCD should be developed as a cultural point for all the people;
- (f) There is a need to strike a balance between Government's land policy and cultural policy. WKCD should be developed in an integrated manner to benefit the development of both commerce and arts;
- (g) The Invitation for Proposals only specifies sketchy requirements of a culture management plan. An arts and cultural district requires much more than grandeur buildings to be successful in promoting local cultural developments;
- (h) The planning and development of West Kowloon should be considered from the perspective of "cultural logic";
- (i) The Administration should enable the peripheral regions of WKCD to transform and develop in a direction more related to culture and arts;

- (j) Thoughts can be given to the enterprising of arts and cultural works and programmes and setting up of an arts accountability system;
- (k) International networks, as well as Chinese perspectives and networks should be established;
- (l) The requirement of having resident companies could help the development of flagship performing groups in Hong Kong as well as nurture local talents;
- (m) Before taking WKCD forward, problems related to arts education, talent training should be resolved; and
- (n) Government should spend more effort on the nurturing of young artists and arts professionals, in particular in the areas of management, marketing and operation of arts and cultural facilities to support the development of WKCD.