

**Legislative Council**

**Panel on Home Affairs and Panel on Development**

**Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project**

**Submission by Nicholas and Margaret Brooke, Professional Property Services Limited**

Whilst appreciating that there is a perceived lack of arts and culture venues in Hong Kong, particularly during such events as the Hong Kong Arts Festival, we have significant concerns about the location, scale and viability of the West Kowloon Cultural District (WKCD) as currently planned.

**1. The development plan**

It is understood that both a Concept Plan and a Development Plan are to be prepared with the assistance of international consultants and that these will be required to take into account the development parameters that have been set out in the relevant draft Outline Zoning Plan. These include limits on height, density and residential content. It is appreciated that these are areas of sensitivity in so far as the general public is concerned but they are potential constraints on innovative urban design and planning and it is to be hoped that some flexibility will be exercised – if building heights are too restrictive and as a result site coverage ratios are increased, the extent and quality of public open space will suffer accordingly and this is also an area of great concern to the community.. As the final plan requires the endorsement of the Town Planning Board prior to publication, then such parameters should be kept to an absolute minimum. Accordingly, we consider the plan should take the form of a “master” rather than detailed development plan so as to provide the required flexibility in the future.

The development plan will cover not only the WKCD arts and cultural facilities but also transport, public open space and communal facilities as well as residential, office and hotel development. It is important that these elements are integrated and compatible with the overall design and ambiance of the WKCD. Will the Authority

have any involvement in the drafting of the Conditions of Sale for the developments sites as these are to be disposed of by Government, not by the Authority? If not, how will this essential compatibility be safeguarded in the future?

Once the development plan has been published (i.e. approved), the necessary land will be granted to the WKCD through one or more land grants in order to ensure clear title. This is an approach which we endorse.

## **2. Planning and construction of the core arts and cultural facilities (CACF)**

Following public consultations, recommendations have been accepted as to the number and type of arts and cultural facilities together with relevant parameters such as the GFA and seating capacity for each venue. Having lived and worked in Hong Kong for some thirty years we have to say that we are concerned at the scale of development proposed and how the number of venues to be built can be filled on a sufficiently regular basis as to make them even marginally financially viable. For this reason, in our view, it is too restrictive, and indeed it is premature at this juncture, to try and make such judgment calls, particularly prior to receiving the input of the internationally experienced consultants likely to be engaged to prepare the Concept Plan and review the project's financial feasibility. Again, while guidelines might be appropriate given the public input obtained, flexibility is important and there is a need to reflect changing industry or community views as to the optimum size, mix and content of the facilities as well as the current and future economic climate.

Particular care must also be taken to ensure that there is close integration and connectivity not only between the various venues and developments within the District but also with adjoining neighbourhoods and the rest of the city, as well as sensitivity to the district's prime harbourfront location. The District is a destination – not on the way to anywhere – and the development plan should avoid it becoming an arts enclave bearing little relation to and isolated from the rest of Hong Kong.

## **3. The work and operation of the WKCD Authority**

In overall terms we support the establishment of a dedicated agency such as the West Kowloon Cultural District Authority (WKCDA) to implement the Government's strategic investment in arts and culture that is the underlying rationale of the WKCD development proposals. Such an Authority, so long as it is correctly constituted and provided with appropriate powers, has been shown in other jurisdictions to be the optimum mechanism for delivery of such complex projects, particularly if it is intended to attract strong private sector support and involvement.

Having said this, however, we do have some comments regarding the contents of the Bill:

In our view, in order to be successful, Board members will need to be willing to initiate pro-active and innovative methods of project delivery - this cannot be a body comprising members who are unwilling to roll up their sleeves, get involved and make things happen. In addition, we believe that the leadership of the Chairman of the Authority will be crucial to moving matters forward. He will need to lead by example, act as a true champion for the project and not only cut across interdepartmental boundaries but also bring together parties from a wide range of differing backgrounds to work together in a cohesive manner. The decision making processes of the Authority will also need to be structured in such a way that when issues cannot be resolved by consensus a majority view may prevail so as to avoid delay and potential stalemate.

We also consider that it is important that the WKCDA should in the future be capable of integration with an overall harbour management entity – it seems to have been overlooked in some quarters that much of the District faces directly on to the harbour and that its development must take this sensitive location into account.

#### **4. Public Engagement Arrangements**

In preparing the development plan, the Authority is required to consult with the public “at such time and in such manner as it consider appropriate” (and “have regard” to such views). We understand that three Concept Plans will be presented to the community for comment and that one will be selected based, at least to some extent,

on this feedback. The selected Concept Plan will then be modified to take account of comment received and developed (by another consultant) into a development master plan for Town Planning Board approval. We trust that prior to any such approval being sought that the community will not only be engaged again on the content of the development master plan itself but also on the final capacity and designs of the principal performance venues.

We note that in addition to the public that the WKCDA has also to consult with the Secretary for Home Affairs who may “impose such requirements or conditions as he thinks expedient for the development of the plan area” and that such requirements and conditions “imposed” by the Secretary must be satisfied. This is of considerable concern as, no matter how much public engagement might take place, if the design of the WKCD or the functioning of the WKCD is perceived to be in any way under the direction of the Secretary of Home Affairs it will not be seen as a “dedicated, area based development and/or operating authority”, and is unlikely to attract material support from the community or, as a result, from the private sector.

## **5. Development of Cultural Software in Hong Kong**

One further concern – whilst it must be hoped WKCD will in time become the focal point for high profile arts and culture in Hong Kong, it should not be considered the only place where arts and cultural events should be nurtured and supported. In order for WKCD to be successful, the appreciation of arts and culture as part of the life of Hong Kong, no matter in which community or what location, needs to be encouraged. It would seem that the Authority could and should do much to make this a reality given that WKCD’s specified purposes include contributing “to encouraging wider participation of the local community in arts and culture” and contributing “to the provision of arts education to the local community”.

If this is the intention, then we consider further information should be provided as to how the Government’s arts and culture policy is going to be integrated into that of the WKCSA to the benefit of local communities throughout Hong Kong. What other venues and activities are to be supported in more outlying areas and integrated into the cultural life of the city? Where will the funding come from when some HK\$21

billion and more has been committed to a single project/location? With some reservations we welcome the WKCD but not to the exclusion of venues, events, artists, performers and communities outside that one district.

It is understood that steps have been taken to expand training opportunities in arts and culture administration and curatorship and this is welcomed as clearly it makes no sense to develop expensive venues if there are no qualified and experienced resources to manage and nurture them. Every effort should be made to expose those entering such training to overseas experience given the lack of opportunity for such experience to date in Hong Kong.

## **6. Financial Viability**

We have some concerns in regard to the approach adopted to financing the ongoing management, maintenance and operations of the WKCD and its venues out of the retail/dining and entertainment facilities to be developed within the District. The retail, ancillary food & beverage and entertainment facilities are to be developed by private sector partners but must function as vital integral and cohesive elements of the arts and culture portion of the District in order for it to survive financially. This will require expert advice on the type and scale of the retail provision and on the merchandising mix and the attraction of new and exciting retail and dining concepts. It will also be important to ensure that the public open space is attractive and the overall ambiance of the District such that both residents and visitors feel comfortable, find things to see and do and want to return on a regular basis, even if they do not attend the arts and culture venues. In this connection road and sea public transport links to WKCD and an electric tram system within WKCD will be of key importance – if the site remains as difficult to visit as it is today then attendances and revenues are sure to be below expectations.

## **Conclusion**

The delivery of WKCD will be complex, not only in terms of the physical development but also in the context of the all important software – the arts and culture programming, the ongoing educational role, the future event management and the

provision of retail/dining and entertainment facilities which will form the basis of future operational revenues. The Hong Kong public has high expectations of WKCD and the Government, the Authority and all those working with them will be expected to deliver quality in all areas of their work.

Nicholas and Margaret Brooke

February 2009