

立法會
Legislative Council

LC Paper No. CB(1)888/04-05

Special House Committee Meeting on 18 February 2005
Updated Background Brief prepared by Legislative Council Secretariat

West Kowloon Cultural District Development

Development since announcement of screening results

Following the announcement of the stage one screening results of the Invitation For Proposals (IFP) of the West Kowloon Cultural District (WKCD) development by the Chief Secretary at the Council on 10 November 2004, the Panel on Planning, Lands and Works (the Panel) passed three motions at its meeting on 30 November 2004 urging the Administration to review the single package approach, extend the consultation period to six months and disclose the financial information contained in the screened-in proposals. The wording of the motions is in **Appendix I**.

2. Pursuant to the motions passed by the Panel, the Chief Secretary for Administration wrote to each individual member on 6 December 2004 explaining the reasons for not disclosing the financial information contained in the screened-in proposals at this stage. One of the major reasons put forth was that disclosure of the financial arrangements would weaken the Government's bargaining power. Members were not convinced of the reasons. At the meeting of the House Committee on 13 December 2004, members supported the proposal made by Hon James TIEN, Hon LEE Wing-tat and Hon LAU Kon-wah, to request the Government to make public, within one month, the financial information contained in the screened-in proposals. Members consider that disclosure of the financial arrangements will enhance the transparency and acceptability of the WKCD project and strengthen the bargaining power of the Government as a result.

3. In December 2004/January 2005, the Panel received briefing by the Administration and the screened-in proponents on the screening results and proposals, as well as listening to the views of interested organizations and the screened-out proponent. A summary of the views expressed by organizations is in **Appendix II**. In addition to the previously expressed concerns about the

adoption of single package approach, the mandatory requirement of a canopy and the absence of long-term arts and cultural policy, members raised the following new major areas of concern:

- (a) the consultation period for the screened-in proposals, which has been extended from the original period of one month to 15 weeks until end of March 2005, is inadequate for members of the public to express views;
- (b) the proposed plot ratios in the three screened-in proposals far exceed the reference plot ratio of 1.81 in the IFP; and
- (c) there is a complete lack of transparency of the financial arrangements for the screened-in proposals.

4. On 5 January 2005, Hon Alan LEONG moved a motion on WKCD urging the Government to extend the public consultation period to six months, make public all the proposals including the financial information, remove the mandatory requirement of a canopy, withdraw the single-package approach and formulate long-term and sustainable policies on arts and culture. At the motion debate, the Chief Secretary for Administration pledged that before signing any provisional agreement with the successful proponent, the Government would arrange for the full disclosure of all the financial information. The information would include all financial proposals submitted by the screened-in proponents and subsequent revisions, if any, as well as the final financial package of the selected proposal. Notwithstanding the Administration's pledge, the motion as amended by Hon James TO was passed by the Council. The wording of the motion passed by the Council is in **Appendix III**.

5. At the meeting of the House Committee on 21 January 2005, members decided to form a subcommittee to study and follow up issues relating to the development of WKCD including its interface with arts and cultural development, land use and planning, environmental considerations, financing implications and arrangements, and other related matters (the Subcommittee).

Latest position

6. The Subcommittee, comprising 28 members, held its first meeting on 4 February 2005. Hon Alan LEONG and Hon James TO were elected Chairman and Deputy Chairman of the Subcommittee respectively.

Paper for reference

7. The Secretariat has prepared a background brief setting out earlier developments of the WKCD project. Interested members may refer to LC Paper CB(1)318/04-05(02).

Council Business Division 1
Legislative Council Secretariat
7 February 2005

**Motions on "West Kowloon Cultural District"
passed by the Panel on Planning, Lands and Works
at the meeting held on 30 November 2004**

(Translation)

Motion 1

“That this Panel requests the Government to comprehensively review the appropriateness of adopting the single package approach in the delivery of the West Kowloon Cultural District Project.”

Motion 2

“That this Panel urges the Government to extend the consultation period for the proposals for the development of the West Kowloon Cultural District from three months to six months, and to re-consult the public on the West Kowloon Cultural District Project.”

Motion 3

“That, with regard to the West Kowloon Cultural District Project, this Panel urges the Government to make open the information on the financial arrangements of the three screened-in proposals, so that the public can comment on such proposals on the basis of concrete information.”

Panel on Planning, Lands and Works

West Kowloon Cultural District (WKCD)
Summary of concerns/views raised by various organizations
(as at 3 February 2005)

Subject	Organization	Concerns/Views
1. Interface with arts and cultural development		
1.1 Formulation of Hong Kong's long-term and sustainable arts and cultural policies with the WKCD hardware facilities supporting the development of such policies	<i>Hong Kong Institute of Archaeology</i>	<ul style="list-style-type: none"> ● Cultural development should not be commercialized. Instead, the Government should formulate a clear cultural policy as the backbone of WKCD development taking into account the principles of “people-oriented” and “community driven” as highlighted in the “Culture and Heritage Commission Policy Recommendation Report” (the Report).
	<i>The People's Panel on West Kowloon</i>	<ul style="list-style-type: none"> ● The present WKCD project is all about hardware in arts and cultural development. Without the Government having 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 <i>per se</i> in enhancing the cultural quality of the people of Hong Kong is doubtful.
	<i>Project Hong Kong</i>	<ul style="list-style-type: none"> ● High quality cultural facilities should be built not just in the West Kowloon area but all over Hong Kong.

Subject	Organization	Concerns/Views
	<i>The International Association of Arts Critics (Hong Kong Chapter)</i>	<ul style="list-style-type: none"> ● The Government's present approach is reckless, irresponsible and does not follow the principles of "people-oriented" and "community driven" as highlighted in the Report. ● The Government has failed to demonstrate to the public the relationship between the facilities to be provided in the WKCD and Hong Kong's long-term arts and cultural development.
	<i>Cattle Depot Artist Village Committee</i>	<ul style="list-style-type: none"> ● The planning approach is wrong right from the beginning. The Government should formulate a master layout plan and then organize open design competitions for each component so that each component could become an icon by its own right.
	<i>Hong Kong Chinese Orchestra</i>	<ul style="list-style-type: none"> ● The Government should formulate a long-term arts and cultural policy with suitable funding arrangements made to support the development of flagship performing groups. ● Hong Kong needs the WKCD to maintain its position as an international world city. ● The requirement of having resident companies could help the development of flagship performing groups in Hong Kong as well as nurture local talents.
	<i>The Hong Kong Academy for Performing Arts</i>	<ul style="list-style-type: none"> ● 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.

Subject	Organization	Concerns/Views
	<i>Hong Kong Repertory Theatre</i>	<ul style="list-style-type: none">● The Theatre supports the whole concept of the WKCD development, in particular the requirement of having resident companies. This could help the development of flagship performing groups in Hong Kong.● The Government has the responsibility of investing in arts and cultural development. The future of Hong Kong's arts and cultural development would hinge on the Government's policy direction.● The Government should formulate a long-term arts and cultural policy with suitable funding arrangements made to support the development of flagship performing groups.
	<i>Hong Kong Ballet</i>	<ul style="list-style-type: none">● Arts and cultural hardware and software should be developed simultaneously. 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.
	<i>Hong Kong Dance Company</i>	<ul style="list-style-type: none">● The Company supports the WKCD development as it could provide more high-quality performing venues in Hong Kong. In the past, the development of performing groups has been seriously constrained by the lack of hardware facilities.● The Government should maintain its funding support for local arts and cultural development.● The Government should formulate a long-term arts and cultural policy with clear mission statement, mode of governance and funding arrangements for the WKCD as well as its relationship with the sustainable development of flagship performing groups in Hong Kong.

Subject	Organization	Concerns/Views
	<i>The Ink Society</i>	<ul style="list-style-type: none"> ● The Society supports the early implementation of the project as the WKCD represents a golden opportunity to enhance the arts and cultural development in Hong Kong. ● With WKCD, Hong Kong can develop into a major arts market in the world.
	<i>Jing Kun Theatre Ltd.</i>	<ul style="list-style-type: none"> ● The WKCD development will contribute much to Hong Kong's future arts and culture 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, etc. This is a new exciting initiative from the Government.
	<i>Fringe Club</i>	<ul style="list-style-type: none"> ● The WKCD project has a positive impact on Hong Kong's future arts and cultural development.
	<i>Association of Engineering Professionals in Society</i>	<ul style="list-style-type: none"> ● The Association welcomes the WKCD project as it would benefit the community as a whole and help promote Hong Kong's status as a cultural hub in the Asia Pacific region.
1.2 Selection of arts and cultural facilities to be provided in the WKCD taking into account the future demand for and utilization of such facilities	<i>Hong Kong Curators Association</i>	<ul style="list-style-type: none"> ● 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. ● There should be a key list of collection items to be handed over to the Government after the 30-year operation period.

Subject	Organization	Concerns/Views
	<i>Zuni Icosahedron</i>	<ul style="list-style-type: none">● The relevant requirements in the Invitation for Proposals (IFP) are not well-thought out and do not have any professional input that are well-versed with Hong Kong's environment and cultural needs. The Government has not provided any justifications for the proposed arts and cultural facilities stated in the IFP both in terms of quantity and nature.
	<i>Hong Kong Arts Centre</i>	<ul style="list-style-type: none">● The Government should consider providing a visual art academy in the WKCD to reflect the importance of the creative industries.
	<i>The Hong Kong Academy for Performing Arts</i>	<ul style="list-style-type: none">● The need for the mandatory performing venues has already been clearly established by consultancies into the utilization of existing venues.
	<i>Hong Kong Chinese Orchestra</i>	<ul style="list-style-type: none">● Arts and cultural facilities of world-class standards should be provided in the WKCD.
	<i>Spring-Time Group Ltd.</i>	<ul style="list-style-type: none">● The Group supports the WKCD development as Hong Kong is in an acute need of performing venues. The provision of arts and cultural facilities could provide much needed space for cultivating local talents and the viable operation of performing groups. It could help directly in promoting arts and cultural development in Hong Kong.

Subject	Organization	Concerns/Views
	<i>Hong Kong Arts Administrators' Association</i>	<ul style="list-style-type: none"> ● The need for the mandatory performing venues has already been clearly established by consultancies into the utilization of existing venues. ● 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. ● The themes of the proposed museums are chosen because of previously expressed community expectations or based on popular culture. They should have no problem in attracting visitors.
	<i>Fringe Club</i>	<ul style="list-style-type: none"> ● The WKCD project could provide much needed cultural and recreational facilities in Hong Kong. This could help spur the development of creative industries.
	<i>Cattle Depot Artist Village Committee</i>	<ul style="list-style-type: none"> ● Two of the screened-in proposals do not measure up to the proposed museums required under the IFP. The Government should provide justifications as to why they were screened-in.
1.3 Relationship between WKCD and the existing arts and cultural framework such as the Leisure and Cultural Services Department and the Arts Development Council	<i>Hong Kong Arts Centre</i>	<ul style="list-style-type: none"> ● The Government should clarify future relationship between WKCD and the Leisure and Cultural Services Department and Arts Development Council to avoid overlapping of resources and unhealthy competition.

Subject	Organization	Concerns/Views
	<i>Hong Kong Repertory Theatre</i>	<ul style="list-style-type: none"> ● The Government should clearly specify its monitoring responsibilities and powers in respect of the operation and management of the WKCD. ● The Government should adopt a clear stance in promoting the development of a partnership relationship between the successful proponent and local performing groups.
2. Land use and planning		
2.1 Planning process of the WKCD development	<i>The People's Panel on West Kowloon</i>	<ul style="list-style-type: none"> ● The Government should abort the existing approach of “selecting one out of three” and revisit the planning and development of the WKCD project in full consultation with the public.
	<i>Hong Kong People's Council for Sustainable Development</i>	<ul style="list-style-type: none"> ● The Government should abort the existing approach of “selecting one out of three” and revisit various aspects in the planning and development of WKCD in full consultation with the public.
	<i>Project Hong Kong</i>	<ul style="list-style-type: none"> ● The Government should abort the existing approach of “selecting one out of three” and revisit the whole WKCD project with full public participation.

Subject	Organization	Concerns/Views
	<i>The Hong Kong Institute of Architects</i>	<ul style="list-style-type: none"> ● An incremental approach as follows is suggested as the basis for the planning and phased-stage development process for public discussion. <ul style="list-style-type: none"> — Establish the provisional WKCD development board; — Engage further public consultation on core issues; — Compile the planning brief; — Organize a tender for development including design competition and compile the master development proposal; and — Delineate strict development conditions and invite tender in phases.
	<i>Hong Kong Ballet</i>	<ul style="list-style-type: none"> ● Hong Kong should capitalize on the resources that have already been put into the WKCD project by a whole host of world-class designers/architects/planners/developers, and put all the good elements into a great master plan.
	<i>West Kowloon Cultural District Joint Conference</i>	<ul style="list-style-type: none"> ● The Government has not yet organized a comprehensive debate on the form of city planning over the 40 ha of land in the form of a public forum. City planning is a phasing development plan which should be implemented on a process of public consultation and a “trial & error” evaluation process.
2.2 Formulation of key development parameters and/or master development plan	<i>Hong Kong Institute of Real Estate Administration</i>	<ul style="list-style-type: none"> ● Under a comprehensive Master Development Plan, development of the whole project could be carried out in phases without compromising the integrated design and operation of WKCD while reducing the risks associated with property market fluctuations.

Subject	Organization	Concerns/Views
	<i>The Hong Kong Institute of Architects</i>	<ul style="list-style-type: none"> ● The Government should invite the public to participate in and come to a consensus view on the formulation of a master planning blueprint for WKCD development. The blueprint should clearly specify the number and different kinds of cultural facilities as well as the development density of the WKCD so that the required land grant and actual construction work could take place in phases without compromising the integrity of the whole development
	<i>Hong Kong Ballet</i>	<ul style="list-style-type: none"> ● A major master plan, a major funding body and a major operating organization are needed in order to build a full-scale, world-class cultural infrastructure. This could not be executed in a piecemeal fashion. This is something that has to be worked out among the Government, the private sector and all cultural elements.
	<i>The Hong Kong Institute of Surveyors</i>	<ul style="list-style-type: none"> ● The Government should draw up a master layout plan for the whole WKCD development site together with a revised scheme for arts and cultural facilities and services by “mix and match approach” based on previously submitted proposals. The revised scheme should be subject to a further round of public consultation. Once a publicly accepted scheme is finalized, this will then form a common basis for a second round of tender, involving the screened-in proponents and more proponents around the world.
	<i>West Kowloon Cultural District Joint Conference</i>	<ul style="list-style-type: none"> ● The Joint Conference strongly requests the Government to safeguard the interest of the public by developing the master plan of WKCD development into stages, with different periods of development, involvement and international competition.

Subject	Organization	Concerns/Views
2.3 Development mix of commercial components vs. arts and cultural components	<i>Hong Kong Christian Service</i>	<ul style="list-style-type: none"> ● Residential development in WKCD should not only be limited to luxury properties, public housing for the grassroots should also be built.
	<i>The Real Estate Developers Association of Hong Kong</i>	<ul style="list-style-type: none"> ● Bundling facilities of such a mammoth scale with property development could easily disrupt the operation of a free market. ● With 490 000 square metres (m²) intended for commercial and residential uses versus 230 000 m² for cultural facilities, WKCD was without a shred of doubt a real estate development despite the Government's claim otherwise.
	<i>The Hong Kong Institute of Architects</i>	<ul style="list-style-type: none"> ● It would be very difficult to assess the merits of the three screened-in proposals without a fixed plot ratio.
	<i>Association of Engineering Professionals in Society</i>	<ul style="list-style-type: none"> ● The Association supports the principle of having property development subsidizing arts and cultural development. But the scope of property development should not be more than that of the arts and cultural components.
	<i>The Hong Kong Institution of Engineers</i>	<ul style="list-style-type: none"> ● A well balance between the cultural development and the property development should be maintained in line with the development intensity of the public consultations on "Hong Kong 2030: Planning Vision and Strategy". ● The plot ratio set by the Government is only an indication. The plot ratio is likely to be reduced from what has been proposed and consequential reduction in financial offer from the successful proponent can be controversial and the current mechanism for assessment is not clear on this decisive issue.

Subject	Organization	Concerns/Views
2.4 Development control throughout the development timeframe of the project which has a leasehold term of 50 years	<i>Hong Kong Institute of Real Estate Administration</i>	<ul style="list-style-type: none"> ● Irrespective of the mode of development, a transparent monitoring system with performance indicators should be established and agreed with the successful developer(s) before signing the relevant contract
	<i>The Democratic Party</i>	<ul style="list-style-type: none"> ● The land use of the WKCD should change from “Other Specified Uses” to “Comprehensive Development Area” so that it would be subject to control by the Town Planning Board and the public.
3. Environmental considerations		
3.1 Sustainable development of the WKCD project	<i>Hong Kong Christian Service</i>	<ul style="list-style-type: none"> ● WKCD should be developed as a cultural point for all the people. The Government should plan for the WKCD development along the same principle of equality taking into account gender mainstreaming, age mainstreaming, racial mainstreaming, as well as the special needs of the mentally and physically handicapped people. Moreover, high culture as well as popular culture should be given the same emphasis. The facilities should be designed as barrier-free and cater for the needs of different age groups, races and genders.
	<i>Association of Engineering Professionals in Society</i>	<ul style="list-style-type: none"> ● The design of the canopy should be subject to stringent sustainability assessment.
4. Financing implications and arrangements		

Subject	Organization	Concerns/Views
4.1 Single-package development vs. Multiple-package development	<i>Hong Kong Institute of Real Estate Administration</i>	<ul style="list-style-type: none"> ● Single-package development is not the only solution and the Government should not preclude other options at this stage. ● The difficulties cited by the Government in relation to the preparation of complicated but interlocking land grant documents under the multi-package arrangement could be overcome if new dimensions of legal framework for land administration were adopted, i.e. the definition of “land” should no longer be 2-dimensional. Using a 3-dimensional land administration approach, multiple ownership and multiple land grants including rights and obligations of individuals could still be effectively administered and operated.
	<i>Project Hong Kong</i>	<ul style="list-style-type: none"> ● The Government should review whether the single-package development was the best option to make the most out of this valuable piece of seafront land in Hong Kong for the public.
	<i>Hong Kong Curators Association</i>	<ul style="list-style-type: none"> ● Development options other than the single-package development approach are also viable and should be given due consideration.
	<i>The Hong Kong Institute of Architects</i>	<ul style="list-style-type: none"> ● While the Institute is supportive of the idea of WKCD development, it is opposed to the Government’s single-package development approach, and calls on the Government to abort the existing process of “selecting one out of three”. ● The development of WKCD in phases is feasible and indeed preferable. As the successful proponent has to assume substantially higher risks for the whole development under the single-development approach, this could directly weaken the Government’s bargaining position.

Subject	Organization	Concerns/Views
	<i>The Real Estate Developers Association of Hong Kong</i>	<ul style="list-style-type: none"> ● The single package approach renders a small number of proponents qualified for the development and will unlikely yield the highest return to public coffers. ● The supporting infrastructure should be provided by the Government through a genuine public-private-partnership. The rest of the district can be parcelled up for sale through the Land Application List system. Proceeds from land sales can then put into a trust fund to finance the construction and ongoing operation of the arts and culture facilities.
	<i>The Democratic Party</i>	<ul style="list-style-type: none"> ● While supportive of arts and cultural development, it is opposed to the single-package development approach.
	<i>The International Association of Arts Critics (Hong Kong Chapter)</i>	<ul style="list-style-type: none"> ● While supportive of the concept of WKCD development, it is opposed to the single-package development approach.
	<i>Association of Engineering Professionals in Society</i>	<ul style="list-style-type: none"> ● The Association has reservation about the single-package development approach as it will preclude the participation of small and medium-sized companies in the construction industry.

Subject	Organization	Concerns/Views
	<i>The Hong Kong Institute of Surveyors</i>	<ul style="list-style-type: none"> ● The Institute strongly emphasizes the need for the Government to follow some best international best practices in implementing this public-private-partnership project by preparing its own “business case” comprising at least a public sector comparator, cost benefit analysis, risk analysis and detailed output specifications. ● The perception of favouritism has been a real cause for concern, which could not be dispelled unless the Government has assumed adequate control over the master layout plan of the scheme as well as its output specifications for various arts and cultural facilities and services. ● On these premises, the Institute objects to the single-package arrangement and proposes a multi-stage bidding process which would allow the Government to better structure its service and facility requirements and risks.
	<i>The Hong Kong Academy for Performing Arts</i>	<ul style="list-style-type: none"> ● The Academy supports the WKCD development, in particular its integrated town planning approach. This should be separated from the contentious issue of having single or multiple developers. ● The suggestion of constructing the WKCD in phases would subject the already completed facilities to a succession of noisy, visually intrusive building sites some years after initial opening. Public amenity and enjoyment may be easily compromised. ● The involvement of multiple developers might lead to reduction of architectural values and overall quality of facilities.

Subject	Organization	Concerns/Views
	<i>Hong Kong Arts Administrators' Association</i>	<ul style="list-style-type: none"> ● As the WKCD development is in step with present needs, there is no compelling reason to construct it in several phases over time. ● Connectivity and interfacing between separately developed facilities would be problematic. ● Provided that there are sufficient safeguards built into the contractual relationship between the Government and the successful proponent, there does not seem to be any redeeming argument to justify the involvement of multiple developers in creating or operating the cultural facilities at WKCD.
	<i>The Ink Society Ltd.</i>	<ul style="list-style-type: none"> ● Public consultation on the WKCD project has been going on for years. The project should be allowed to proceed in its present approach with enhanced participation from the arts and cultural sector.
	<i>Fringe Club</i>	<ul style="list-style-type: none"> ● Multiple-package development could give rise to interface problems and might undermine build and design quality.
4.2 Funding and sustainable operation of future arts and cultural facilities	<i>Hong Kong Institute of Real Estate Administration</i>	<ul style="list-style-type: none"> ● Finance and funding should be separated to ensure that fluctuations of property prices would not affect cultural development for the 30 years and beyond.

Subject	Organization	Concerns/Views
	<i>Hong Kong People's Council for Sustainable Development</i>	<ul style="list-style-type: none"> ● In terms of maintaining a stable source of finance, property prices are susceptible to market fluctuations and hence, would affect the income of the developer. This would directly affect the successful proponent's financial commitment for the project. But arts and cultural development could only be nurtured under a sustainable environment in the community with long-term efforts and financial support. ● In terms of governance and funding, the proponents have suggested more or less the same approach by setting up independent or non-profit making governing boards or trust funds to manage, operate and provide funding for the core arts and cultural facilities (CACF). In case of mis-management by the governing boards or trust funds resulting in recurrent losses, the successful proponent might be required to inject capital constantly to maintain the operation of the CACF. This would result in many disputes and conflicts in the next 30 years.
	<i>Hong Kong Curators Association</i>	<ul style="list-style-type: none"> ● The Association's major concern is how to maintain and operate the proposed museums in a professional manner bringing about benefits to the community. However, the relevant requirements on the provision of museums do not form part of the mandatory requirements in the IFP and hence, do not have any binding effect on the successful proponent. Coupled with the fact that Hong Kong does not have a museum law as other advanced countries, concern is expressed about the Government's power and ability to monitor compliance by the successful proponent

Subject	Organization	Concerns/Views
	<i>Spring-Time Group Ltd.</i>	<ul style="list-style-type: none"> ● Proceeds from commercial development should be used to support arts and cultural development.
5 Other related matters		
5.1 Mandatory requirements in the Invitation for Proposals such as canopy	<i>Hong Kong People's Council for Sustainable Development</i>	<ul style="list-style-type: none"> ● The cost of \$4 to \$6 billion for the canopy could be more meaningfully spent if the funds were used to buy back the 973 hectares of private land in the 12 priority sites identified for enhanced conservation under the Government's new nature conservation policy published recently.
	<i>Project Hong Kong</i>	<ul style="list-style-type: none"> ● The Government should dispense with the canopy.
	<i>The Hong Kong Institution of Engineers</i>	<ul style="list-style-type: none"> ● Further details on the maintenance costs to be borne by the Government after the 30-year operation period should be provided to facilitate an objective and rational discussion on the proposals. ● Due consideration should be given to the necessary contingency measures for maintenance. ● The possible energy savings by the canopy design as well as the adverse impact of possible green house effect should be properly and scientifically addressed. ● Landmark is not necessarily restricted to the canopy option. ● The professional engineers in Hong Kong are capable of making a feasible technical solution so that the signature design feature could be put in place by local expertise.
	<i>The Hong Kong Institute of Architects</i>	<ul style="list-style-type: none"> ● The development of WKCD including the construction of the canopy in phases is feasible and indeed preferable.

Subject	Organization	Concerns/Views
	<i>The Democratic Party</i>	<ul style="list-style-type: none"> ● The provision of the canopy and any arts and cultural facilities in the WKCD should not form part of the mandatory requirements. A final decision should only be made in full consultation with the public.
	<i>The International Association of Arts Critics (Hong Kong Chapter)</i>	<ul style="list-style-type: none"> ● The canopy lacks character and could not become an iconic landmark in Hong Kong. It is irresponsible of the Government to spend large sums of public moneys on the canopy at times of budget deficit. ● The requirements in the IFP are drawn up in an unprofessional and haphazard manner without any detailed research and public consultation.
	<i>Association of Engineering Professionals in Society</i>	<ul style="list-style-type: none"> ● The decision of constructing the canopy should only be made after careful consideration of all relevant factors including its financial implications, technical feasibility and sustainability.
	<i>Hong Kong Ballet</i>	<ul style="list-style-type: none"> ● The canopy is oversized.
	<i>Cattle Depot Artist Village Committee</i>	<ul style="list-style-type: none"> ● The design of the canopy does not have any relevance to Hong Kong's history or culture. It is doubtful whether this can become Hong Kong's new icon. More discussions amongst the public is required before the canopy should be given the go-ahead.
	<i>Hong Kong Arts Administrators' Association</i>	<ul style="list-style-type: none"> ● There is no denying the iconic value of the canopy. If the canopy can migrate temperature extremes and offer year-round enjoyment and utility of the open spaces under it, then it makes sense from a public amenity point of view, and that makes sense for the cultural district.

Subject	Organization	Concerns/Views
	<i>Fringe Club</i>	<ul style="list-style-type: none"> ● The canopy is a central theme of Foster's design. Hence, public discussion should focus on how to perfect the canopy design so that it becomes Hong Kong's new icon.
	<i>The Hong Kong Institute of Surveyors</i>	<ul style="list-style-type: none"> ● The IFP only provides some broadly defined requirements in respect of various arts and cultural facilities and services. The required outputs are vague, ambiguous and uncertain.
5.2 Selection and assessment criteria and process such as weighting of public opinion collected during public consultation	<i>Hong Kong People's Council for Sustainable Development</i>	<ul style="list-style-type: none"> ● In terms of public participation, the Government's approach of treating WKCD as a property development project has effectively excluded public participation in the selection process. The ultimate decision would only be made by a small handful of government officials. The project should also be assessed from an arts and cultural development point of view with a wide degree of participation from all the stakeholders in the community taking into account their views and expectations on arts and cultural development in future.
	<i>Zuni Icosahedron</i>	<ul style="list-style-type: none"> ● More emphasis should be given to the views expressed by the arts and cultural sector as well as the professionals.
	<i>The People's Panel on West Kowloon</i>	<ul style="list-style-type: none"> ● It is unclear as to how public views collected during the present public consultation exercise would be incorporated into the Government's assessment on the three screened-in proposals

Subject	Organization	Concerns/Views
	<i>Hong Kong Christian Service</i>	<ul style="list-style-type: none"> ● Public participation, particularly in respect of the people's aspiration on arts and cultural development, is essential to the success of the WKCD project in enhancing the cultural quality of the people. Instead of adopting a top-down approach by allowing the public the only choice of "one out of three", the Government should adopt a bottom-up approach to carefully consider all the views expressed by members of the public on other alternative proposals during consultation.
	<i>Hong Kong Curators Association</i>	<ul style="list-style-type: none"> ● The Government should disclose more information in relation to the operation of the proposed museums including the source of funding, staffing requirements and mode of governance. More importantly, it should clearly specify the collection policy, budget and timeframe for the proposed museums so that the public and the professionals could make a fair comparison among the screened-in proposals.
	<i>The Association of Architectural Practices Ltd.</i>	<ul style="list-style-type: none"> ● The Association would adopt an open attitude in considering the proposals put forward by the three screened-in proponents.
	<i>The Hong Kong Institute of Architects</i>	<ul style="list-style-type: none"> ● The Institute considers that the requirements under the Government's IFP were not well-thought out and without the public's support. Given the generality of the requirements, it would be quite impossible to conduct a fair comparison on the pros and cons of the three screened-in proposals.

Subject	Organization	Concerns/Views
	<i>The Hong Kong Institute of Surveyors</i>	<ul style="list-style-type: none"> ● The Government largely relies on a set of published marking scheme to assess the relative merits of different proposals. It is not scientific at all as an “apple” can never be able to compare with an “orange”. In the absence of a public sector comparator for benchmarking the screened-in proposals for value-for-money, it is inevitable that the public conclude their interests are being damaged.
	<i>The Real Estate Developers Association of Hong Kong</i>	<ul style="list-style-type: none"> ● The assessment criteria are unclear.
	<i>The Democratic Party</i>	<ul style="list-style-type: none"> ● The public consultation period should be extended to six months. ● The Government should make public the financial information of the three screened-in proponents to allow for fair and open assessment.
	<i>The Ink Society Ltd.</i>	<ul style="list-style-type: none"> ● More financial information should be made available.
5.3 Mode of governance of the WKCD development	<i>Hong Kong Institute of Real Estate Administration</i>	<ul style="list-style-type: none"> ● Operation of real estate developments and cultural facilities must be put under two distinct administrations. An independent Authority comprising multi-disciplinary parties including local and internationally renowned cultural experts, professionals and stakeholders including the Government should be established to operate the cultural facilities.

Subject	Organization	Concerns/Views
	<i>Hong Kong Curators Association</i>	<ul style="list-style-type: none"> ● In terms of monitoring, a three-throng approach should be adopted by enacting the relevant museum legislation, clearly delineating the relationship between the museums and the successful proponent, and formulating a framework for monitoring by both the Government and the public. Performance indicators should be formulated for the proposed museums
	<i>Project Hong Kong</i>	<ul style="list-style-type: none"> ● The Government should, as a matter of priority, set up a statutory body with executive powers to formulate a master plan on the future development of arts and culture in Hong Kong, and review how the WKCD should be planned and developed to contribute towards achieving this ultimate goal
	<i>The Hong Kong Institute of Architects</i>	<ul style="list-style-type: none"> ● The Government should set up a development board comprising members from professional bodies, the arts and cultural sector, Legislative Council Members, local community leaders and international experts to co-ordinate and monitor the WKCD development according to the master planning blueprint.
	<i>Hong Kong Arts Centre</i>	<ul style="list-style-type: none"> ● A governing board with representatives from culture sector should be formed to monitor the operation in the district. ● When considering the operation of facilities, the Government should give priority to local arts organizations.
	<i>The Democratic Party</i>	<ul style="list-style-type: none"> ● A statutory development board should be established to take charge of the development and management of the WKCD.

Subject	Organization	Concerns/Views
	<i>Hong Kong Chinese Orchestra</i>	<ul style="list-style-type: none"> ● The Government should provide more information on the governance and operation of the WKCD so that the whole project could stay focused on supporting local arts and cultural development.
	<i>The Hong Kong Academy for Performing Arts</i>	<ul style="list-style-type: none"> ● Mode of governance proposed by the screened-in proponents appears to follow good governance practice in that they include independent, autonomous board structures comprising arts professionals to oversee management of facilities.
	<i>Hong Kong Arts Administrators' Association</i>	<ul style="list-style-type: none"> ● Mode of governance proposed by the screened-in proponents generally follows world's best practice.
	<i>The Ink Society Ltd.</i>	<ul style="list-style-type: none"> ● An independent mode of governance should be adopted with further details to be worked out through consultation.
	<i>Fringe Club</i>	<ul style="list-style-type: none"> ● There should be further discussion on which mode of governance is the best way forward for the WKCD project. At the same time, Hong Kong needs to nurture the necessary human resources to take up the management responsibilities.
5.4 Impact on local construction industries and related professions	<i>The Hong Kong Institution of Engineers</i>	<ul style="list-style-type: none"> ● The Administration should increase the extent of participation of local engineering companies in the development of WKCD and to expedite its execution for the benefit of the community as a whole.
	<i>Association of Engineering Professionals in Society</i>	<ul style="list-style-type: none"> ● More opportunities should be given to small and medium-sized local companies to participate in the WKCD project.

Subject	Organization	Concerns/Views
	<i>Hong Kong Construction Industry Employees General Union</i>	<ul style="list-style-type: none">● The Union supports the early implementation of the WKCD project to increase employment opportunities of the local construction industry.
	<i>The Hong Kong Institution of Engineers</i>	<ul style="list-style-type: none">● The implementation of the WKCD project should be expedited whether under single or multiple developments as it would help to alleviate the employment situation of the construction industry.

Council Business Division 1
Legislative Council Secretariat
3 February 2005

**Motion on "West Kowloon Cultural District development project"
passed by the Legislative Council at the meeting of 5 January 2005**

(Translation)

“That, as the Administration has decided to award the development of the 40-hectare West Kowloon Cultural District ("the WKCD development") to a single consortium in one go and allows the public only 15 weeks to comment on the three proposals selected in the first stage, such course of action has failed to ensure the optimal use of precious land resources in Hong Kong and safeguard public interests while nurturing arts and culture, this Council strongly asks the Administration to:

- (a) extend the consultation period to six months to allow sufficient time for public participation;
- (b) make public all the proposals submitted to the Government by persons interested in participating in the WKCD development, including information on financial arrangements, so as to enable the public to fully grasp the details of the development proposals during the consultation period;
- (c) remove the requirement that the canopy, which requires huge funds to construct, be a mandatory component of the WKCD development;
- (d) withdraw the decision to award the entire piece of land together with the WKCD development by way of one single tender, and break the lot into smaller pieces of land for public tender or auction in the market by batches so that small and medium developers in Hong Kong can participate in the development, with a view to maximizing the proceeds from the land sale;
- (e) formulate long-term and sustainable policies on Hong Kong's arts and culture, use part of the proceeds from the sale of the 40 hectares of land to support and promote the related policies and, in drawing up the specific details and implementing the policies, allow institutionalized participation of the civil society and, in particular, solicit and adopt the views of the local art and cultural sectors; and
- (f) set up a West Kowloon Cultural District development authority, which should be a statutory body comprising members from various sectors, to take up the planning, development and management of the West Kowloon Cultural District.”