

22nd May 2008

BY EMAIL: panel_dev@legco.gov.hk & BY HAND

Clerk to the Panel on Development
Legislative Council Secretariat
3/F Citibank Tower
3 Garden Road
Central, Hong Kong

Dear Sirs,

Re: The good use of the public open spaces within private developments

We are a group of artists and art-related persons who support the good and meaningful use of the public open spaces within private developments, as recently this issue has become a public concern.

In the past, some of the private property developers did not comply with the requirements under the land leases or deeds of dedication on the provision and proper management of these public spaces. They gave the public an impression that such spaces do belong to them. For example, Times Square piazza was frequently used for commercial activities or trade promotions. However, the past good reality is that from time to time, art exhibitions or performances were held by the private property developers in such spaces.

In view of the special and individualistic characteristics of the privately owned public open spaces, we do not feel that such spaces shall be in future managed or operated in the same model as the public open spaces presently under the management of the Government departments. In order to ensure these privately owned public open spaces are managed for the greater benefit of the public, and their functions can be flexibly utilized to a maximum (presently, the public parks, for example, are seldom used for art and cultural exhibitions), the private developers should be encouraged to use the spaces to organize such good activities including promoting art developments. By doing so, an environment that is conducive to the freedom and enjoyment of artistic expressions by the public and fostering of cultural creativities in Hong Kong can be created. As the numerous public open spaces are more accessible than, for example, government museums and art centers in the isolated districts of Hong Kong, they do serve with better impacts as the nurturing grounds for art and culture in Hong Kong. In particular, when such public open spaces do not charge the user a fee, they will become an excellent platform for the young artists with limited means to have the first opportunity to display their art works; so that they do not have to rent the expensive places, such as galleries, museums, theatres or art centers. For Hong Kong, if art culture and creativity can be further enhanced by the addition of

the public open spaces in question as the overall larger conducive platforms and nurturing grounds of Hong Kong, the general public of Hong Kong could be able to enjoy a more artistic, cultural and creative life. The image of Hong Kong, the quality of life of Hong Kong people and the social harmony within Hong Kong, because of the better nourishment of art and culture, can be further improved.

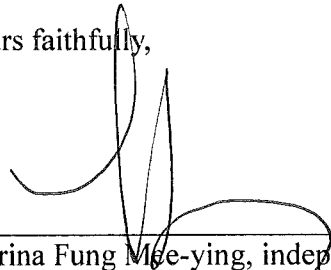
We understand that some private developers are concerned with the developing situations in which beggars may use the public open spaces within private developments for their activities. Thus, if such public open spaces can be more occupied for art and cultural activities, the utilization of the land for abusive uses by others will be discouraged, and the unfavored persons using the spaces in an undesirable way can be stopped.

As said, in order to better use the said public open spaces which will result in a fair and good balance between the public interests and the private concerns of the developers, the Government should issue guidelines to the private developers on the use of such spaces for art, cultural and creative activities (for example, whether commercial sponsorship will be allowed for such art activities). However, such guidelines shall allow the sensible and reasonable use of the land in the ways that they must produce effective, efficient and good results as expected. Also, we do not think the suggestion that the joint supervision of the said spaces by the Government and the private developers is a sensible one, because such joint supervision will call for complicated and expenses-consuming systems and mechanisms which could produce more rigid red tape. We suggest setting up an annual or biannual evaluation system to review the usage of these privately owned public spaces. The system can be monitored by a special agent or NGO to be appointed and the system is to ensure the effective use of these spaces for art activities.

Incidental to our suggestion, we advocate that the Government should consider the introduction of "street artist registration system" into Hong Kong. Such similar system was already implemented in countries such as Australia, Japan and the USA. The objective of the system is to promote the art developments for the general public at a street level. The concept of the registration of street artists could distinguish who is a beggar and who is an artist. Also, the good artists could be accredited and promoted. With the street artists readily performing in the public spaces, the public could feel arts in a casual, easy and ready way in their daily life. In the past, we understand that the Government was very cautious about street artists because the streets in Hong Kong were narrow and might not be able to accommodate the street artists. With the emergence of the public open spaces within private developments, we do believe that such extra spaces could provide a larger and better platform for the energy and dynamics of the street artistic activities which would, if allowed to be shown or performed in such public spaces, produce benefits for the general public of Hong Kong. Hong Kong will be the first city within China to develop and promote street arts and make arts more accessible and enjoyable to a man in the street.

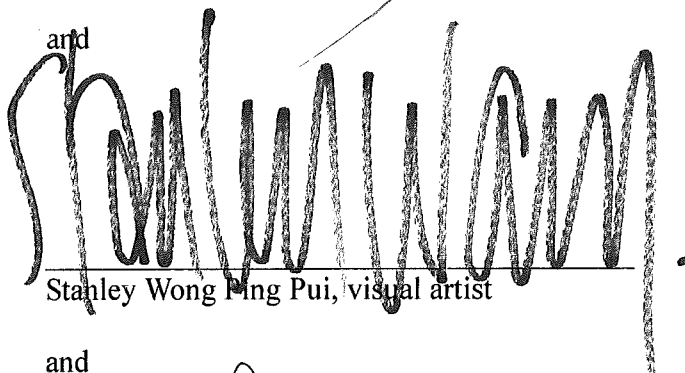
Thank you for your consideration.

Yours faithfully,



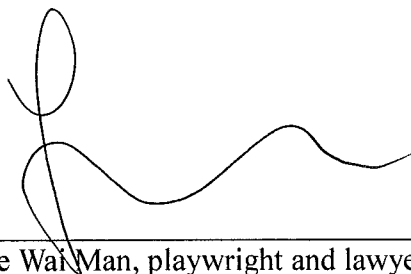
Sabrina Fung Mee-ying, independent art curator

and



Stanley Wong Ping Pui, visual artist

and



Maurice Lee Wai Man, playwright and lawyer

c.c. Development Bureau,
the Government of the Hong Kong Special Administrative Region