

# 立法會 *Legislative Council*

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

**Updated background brief prepared by the Legislative Council Secretariat  
for the meeting on 25 April 2014**

### **Minor relaxation of the development intensity of the West Kowloon Cultural District site**

#### **Purpose**

This paper summarizes the major views and concerns expressed by members of the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project ("the Joint Subcommittee") on the proposal of the West Kowloon Cultural District Authority ("WKCD") for minor relaxation of the development intensity of the West Kowloon Cultural District ("WKCD") site.

#### **Background**

2. By virtue of section 21 of the West Kowloon Cultural District Authority Ordinance (Cap. 601) ("WKCDAO"), WKCD is responsible for preparing a Development Plan ("DP") for WKCD, the main purpose of which is to lay out the WKCD area and set apart the land for various arts and cultural facilities; for other land uses such as commercial, hotel, retail and public open spaces; and for internal infrastructural projects. WKCD submitted the DP to the Town Planning Board ("TPB") for consideration in December 2011 in accordance with WKCDAO. The draft DP was gazetted for public inspection under the Town Planning Ordinance (Cap. 131) ("TPO") in March 2012, and was approved by the Chief Executive in Council in January 2013.

3. According to the Administration, the DP prepared by WKCD has complied with the development parameters for WKCD as specified in the South West Kowloon Outline Zoning Plan, which include a maximum plot ratio of

1.81, not more than 20% of the total plot ratio for residential use, provision of not less than 23 hectares of public open space, and maximum building heights ranging from 50 to 100 metres above Principal Datum. Under the DP, development control for each sub-zone is stipulated in terms of maximum gross floor area ("GFA") and building height restrictions.

4. At its meeting on 24 January 2014, the Joint Subcommittee was briefed on WKCDA's proposal to submit a planning application for minor relaxation of the maximum GFA and building height restrictions of the WKCD site under section 16 of TPO. Members noted that under the proposal, the total GFA of the WKCD site would be increased by 15%, which was equivalent to an increase of the plot ratio of WKCD from 1.81 to 2.08. The Joint Subcommittee was subsequently further briefed, at its meeting on 28 March 2014, on the results of the technical assessments conducted by the consultant engaged by WKCDA on the impacts of the planning application. Members were advised that the planning application, together with the supporting technical assessment results, was submitted to TPB on 21 March 2014.

### **Members' concerns**

5. The major views and concerns raised by members of the Joint Subcommittee on WKCDA's proposal for minor relaxation of the development intensity of the WKCD site at the meetings on 29 November 2013, 24 January and 28 March 2014 are summarized in the ensuing paragraphs.

### Justifications for the proposal

6. Some members expressed support in principle for increasing the plot ratio of WKCD from 1.81 to 2.08 (i.e. 15% increase) to optimize the development potential of the WKCD site. Pointing out that the maximum domestic plot ratio for urban areas was around 7, some members considered the magnitude of the proposed increase too small and suggested that consideration be given to further increasing the plot ratio of WKCD. Hon MA Fung-kwok suggested that the plot ratio of WKCD should be further increased to between 2.5 and 3, so as to allow the provision of more arts and cultural facilities in WKCD, bring more visitors to WKCD, generate more revenues for the Government and WKCDA to meet the rising capital costs of the WKCD project, and increase the land supply in Hong Kong for various uses.

7. The Administration explained that increasing the plot ratio of WKCD from 1.81 to between 2.5 and 3 would be a major deviation from the approved DP of WKCD, and would also have significant traffic and visual impacts as well as building height implications on WKCD and its surrounding areas.

Furthermore, any substantial amendment to DP would affect the implementation timetable of the WKCD project. The Administration considered the current proposal of WKCDA, which only sought to apply for minor relaxation of the development intensity of WKCD under section 16 of TPO without requiring any major revamp of the approved DP, more prudent and appropriate.

8. Some members sought clarification whether the proposed minor relaxation of the development intensity of WKCD was intended to generate more revenue to address the problem of cost overrun of the WKCD project. Hon Cyd HO expressed the view that, given that the land value of the part of the WKCD site for hotel, office and residential ("HOR") developments had increased sharply in recent years, the Government should deploy the increased revenue to be generated from the disposal of such HOR sites to meet the increased capital costs of the WKCD project, which would obviate the need to increase the plot ratio of WKCD to generate additional revenue. Hon Alan LEONG considered that the revenue generated from the disposal of the additional HOR GFA arising from the proposal should facilitate more favourable consideration by the Government to injecting additional funding into the WKCD project where the situation warranted.

9. According to the Administration, about 60% of the additional GFA generated from the proposed minor relaxation of development intensity of the WKCD site would be allocated to WKCDA, which would be used primarily for arts and cultural facilities as well as retail, dining and entertainment ("RDE") facilities. The Administration stressed that while the additional GFA for RDE uses arising from the proposal would help generate more rental proceeds for WKCDA, the main purpose of the proposal was to provide more arts and cultural facilities ancillary to or in support of the core arts and cultural venues in WKCD, and not to boost WKCDA's revenue. The additional HOR GFA generated under the proposal would also help meet the acute demand for hotel, office and housing supply in the urban areas.

10. The Administration also pointed out that as stated in its funding submission to Legislative Council ("LegCo") for the provision of \$21.6 billion upfront endowment to WKCDA for the WKCD project in 2008, the land sale proceeds from the disposal of the HOR sites in WKCD would become the Government's General Revenue, the use of which would be determined having regard to the funding needs of different bureaux/departments and the overall funding priorities set by the Government. The Administration further advised that while the proceeds from the disposal of the HOR sites in WKCD could not be designated to be used for financing the WKCD project, the Government would consider the appropriate form of support to be rendered to facilitate the WKCD development should the need for additional funding arise in future. In

this regard, the Government had committed to fully fund the capital works of the integrated basement as general enabling works to facilitate the development of the whole WKCD project.

11. Some members considered that the Administration and WKCDA should provide more information on the estimated cost to be borne and income to be received respectively by the Government and WKCDA arising from the additional GFA generated from the proposal, so as to facilitate members and the public to assess the cost-effectiveness of the proposal in respect of the potential benefit of the proposal on the financial situation of the WKCD project.

12. According to the Administration, as there was no timetable at the moment for the disposal of such additional HOR sites, it would be difficult to draw up a realistic estimate of the land sale proceeds to be generated. As regards the additional GFA which would be allocated to WKCDA, given that the costs for and income to be generated from the additional arts and cultural facilities and RDE uses would depend a lot on the different operation characteristics and development timing, WKCDA would further study the nature of various facilities and look into the development programme of WKCD as a whole in order to formulate an appropriate development and financing portfolio. WKCDA's financial strategy would be based upon a prudent financial management approach, to ensure the financial sustainability of WKCD, including examination into different financial options. To address the issue of additional construction cost, the possibility of working with developers on the additional commercial related facilities, such as artist hostel and dining facilities, would be explored.

#### Traffic impact and building height implications of the proposal

13. Some members expressed concern that the proposed increase in the development intensity of WKCD might add pressure on the already heavy traffic in the West Kowloon area. They urged WKCDA to carefully study the traffic impact of the proposal on the whole West Kowloon area, taking into account the progressive commissioning of the West Kowloon Terminus of Guangzhou-Shenzhen-Hong Kong Express Rail Link and the arts and cultural facilities in WKCD.

14. WKCDA advised that the technical assessment results showed that the traffic impact on the adjacent road networks as a result of the proposed minor relaxation of the development intensity of the WKCD site would be minor. The connectivity plan of WKCD had been formulated to make WKCD accessible by various modes of transport. WKCDA stressed that WKCD adopted a "vehicle-free" design concept, where all vehicular traffic and

servicing facilities would be put underground, and the project was not premised on cars being the dominant form of access to the site. WKCDA assured members that the impact of the proposal on the traffic of WKCD and its surrounding areas would be manageable.

15. Members sought further information from WKCDA on the impact of the proposed minor relaxation of development intensity of the WKCD site on the surrounding areas, including the impact on the traffic flow and pedestrian flow in the West Kowloon Area and the crowd dispersal arrangements for major events held on the WKCD site. WKCDA advised that according to the technical assessment conducted by the consultant engaged by WKCDA, the potential increase in traffic generation in WKCD resulting from the proposal was estimated to be 456 passenger car units ("pcu")/hour during the morning peak hours and 429 pcu/hour during the evening peak hours. As regards pedestrian flow, the technical assessment results indicated that all pedestrian corridors and footbridges would still operate within capacity even assuming that crowds would be dispersed from all the arts and cultural facilities in WKCD after events at the same time. At the request of the Joint Subcommittee, the Administration and WKCDA undertook to further brief the Joint Subcommittee on details of the traffic impact technical assessments results of the proposal as well as the proposed traffic improvement measures to cope with the increasing traffic demand in the West Kowloon Area arising from the proposal.

16. Members were generally of the view that WKCDA should seek to maintain the building height profile as envisaged in the approved DP of WKCD and ensure that only minor relaxation of the current building height restrictions would be sought where necessary. Some members suggested that given the building height restrictions on WKCD, WKCDA should explore developing the underground space of WKCD to maximize the development potential of the site.

17. WKCDA assured the Joint Subcommittee that only minor increase in the height of a few buildings in WKCD would be considered. To ensure that the basic development parameters underpinning the approved DP would continue to be complied with, WKCDA had requested its design consultants to maintain the original design concepts under the approved DP and seek to keep to a minimum any requirements for relaxation of the building height restrictions. The building height restrictions for developments near the waterfront, which were mainly arts and cultural facilities, would be kept unchanged. WKCDA would work jointly with the Government to maximize the development potential of the WKCD site within the constraints imposed by the approved DP. In response to members' enquiry on whether WKCDA had consulted nearby residents on its proposal for minor relaxation of the

development intensity of the WKCD site, WKCDA advised that in preparing the planning application, consultation meetings had been held with, among others, the Yau Tsim Mong District Council and local resident representatives. The proposed building height profile had been carefully worked out by taking into account the views and comments of stakeholders, in particular that the building height for development in front of existing residential buildings should not exceed 100 metres above Principal Datum.

#### Uses of the additional GFA generated

18. Concern was expressed about how the additional GFA generated from the proposed minor relaxation of the development intensity would be allocated between WKCDA and the Administration. Some members including Hon CHAN Yuen-han and Hon Alice MAK considered that a greater portion of the additional GFA generated should be devoted to arts and cultural uses to meet the aspirations of the local arts community.

19. The Administration explained that under the approved DP, about 60% of the total GFA would be vested in WKCDA for the development of arts and cultural facilities as well as RDE facilities, whereas the remaining about 40% of the total GFA would be deployed for HOR uses and the relevant sites would be disposed of separately by the Government. As this GFA mix under the approved DP was adopted after extensive public consultation, the Administration considered it appropriate to increase the GFA of different land uses on a pro-rata basis to ensure a balanced development with good day and night vibrancy for WKCD. The increase of the non-HOR GFA would enable the development of more arts and cultural facilities, such as hostel/hotel for visiting artists, rehearsal facilities/offices for arts groups and creative space for young people and artists, which would benefit both artists and practitioners of the creative industries.

20. Some members expressed concern whether WKCD would be able to draw sufficient visitors to the site day and night, given the large area of the WKCD site and the provision of mainly arts and cultural facilities on the site. They suggested that the Administration and WKCDA should capitalize on the proximity of WKCD to various major public transport nodes and develop WKCD as a major tourist attraction in Hong Kong. It is also suggested that in planning the use of the additional GFA arising from the proposed minor relaxation of the development intensity of WKCD, WKCDA should consider injecting more tourism elements into WKCD and providing more RDE facilities, especially at the podium level, to enhance the appeal of WKCD to tourists.

21. WKCDA advised that various activities and pre-opening programmes had been held on the WKCD site since 2012 to bring people to WKCD and

raise public awareness of the future uses of the site. To make WKCD a destination of choice in Hong Kong for both local people and tourists, WKCDA would operate the arts and cultural facilities day and night and would attach importance to enhancing the tourism appeal of WKCD through organizing different events on the WKCD site. Apart from arts and cultural facilities, a variety of RDE uses as well as HOR developments had been planned to create vibrancy in WKCD both day and night. WKCDA was confident that with the completion of the Park, Xiqu Centre and M+ in 2015-2017 and taking advantage of the transport services provided by the various major transport nodes adjacent to WKCD, WKCD should be able to build a critical mass of audience progressively. WKCDA would also pursue its discussion with relevant government departments on the provision of marine access to the WKCD site, with a view to bringing visitors from Hong Kong Island and other parts of Hong Kong.

### **Latest development**

22. The Administration and WKCDA will further brief the Joint Subcommittee on the traffic impact assessment results of the proposed minor relaxation of development intensity of the WKCD site at the meeting on 25 April 2014.

### **Relevant papers**

23. A list of the relevant papers on the LegCo Website is in the **Appendix**.

**Relevant papers on  
Minor relaxation of the development intensity of  
the West Kowloon Cultural District site**

Committee	Date of meeting	Paper
Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project	25.2.2013 Item III	<a href="#">Agenda</a> <a href="#">Minutes</a>
	8.4.2013 Item II	<a href="#">Agenda</a> <a href="#">Minutes</a>
	3.7.2013 Item II	<a href="#">Agenda</a> <a href="#">Minutes</a>
	29.11.2013 Item III	<a href="#">Agenda</a> <a href="#">Minutes</a>
	24.1.2014 Item II	<a href="#">Agenda</a> <a href="#">Minutes</a>
	28.03.2014 Item II	<a href="#">Agenda</a>