The Negotiations and “Unusual Planning” of Culture-led Urban Development: A Case Study of the West Kowloon Cultural District in Hong Kong

Pui Man Yeung
University of Helsinki
Faculty of Social Sciences
Social and Public Policy
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Since the late twentieth century, culture has entered the domain of urban development. This thesis studies a case study of the West Kowloon Cultural District (WKCD) in Hong Kong, which is the most controversial urban project since the handover. This project has been planned for over 15 years and undergone several years of negotiations on its meaning of culture, district design, development approach and mode of participation. Specifically, the purpose of this study is: firstly, I study the planning process of the WKCD from 1998 to 2013; secondly, I analyse the major stakeholders’ roles and interests; thirdly, I discuss the negotiations on the symbolic, material, and political dimensions of culture in the case of the WKCD; fourthly, I compare the practices in the WKCD with the general practices in land policy, urban planning policy and cultural policy, and find out the unusual practices in the WKCD; fifthly, I discuss my findings and analyse the relationship between culture and urban development in culture-led urban development in the post-colonial context in Hong Kong.

The theoretical framework is built on Sharon Zukin’s concept of culture (1995). Zukin suggests that, culture has three dimensions: symbolic meaning, material consequence, and political values. In order to understand the dynamics and negotiations of a culture-led urban development, I identify the key issues in planning process and relevant policy areas based on the three dimensions.

The data was collected from primary sources including the documents from the Legislative Council, the government, private developers, the WKCD and the newspapers. Documentary research and thematic analysis are adopted. Three themes are identified on the basis of the theoretical framework and the collected data. They are: (1) symbolic dimension: meaning of culture; (2) material dimension: production of space; (3) political dimension: power of vision. Key findings are presented as follows.

The WKCD project was originally planned in a public-private partnership with a single package approach. The original district plan was featured by an iconic Canopy-shaped architecture. However, due to the different level of opportunity for participation and the improper public consultation, the project received widespread opposition and suspended in early 2006. Later the government re-started the project in a statutory-body development approach, and established the West Kowloon Cultural District Authority (WKCD) to implement the planning. It allowed more channels for public participation and finally the construction started in 2013. For the stakeholders’ interests, different stakeholders (the government, developers, the arts and culture sector, and the Legislative Council) all have specific interests. There were no clear-cut interests uniting the stakeholders. Some members formed alliance across sectors to defend their interests.

Regarding the symbolic dimension of culture, different stakeholders negotiated the interpretation of culture to influence the planning. The negotiation on the material consequences are analysed through discussing the production of space: the district plan has changed from “iconic plan” to “a place for everyone”, and the development approach has changed from public-private partnership approach to statutory-body development approach. The political dimension refers to power of vision; the government and developers legitimated their political and economic claims through controlling the way of participation.

Through analysing the unusual practices in land policy, urban planning policy and cultural policy, I find two important issues to understand the relationship between culture and urban development in culture-led urban development in this case. Firstly, the provision of land subsidy aimed at privatisation of cultural facilities; secondly, planning of space and framing of culture are inextricably intertwined in culture-led urban development. It is unavoidable to frame the culture to shape the space, or through shaping the space, in culture-led urban development.
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Abbreviations

CACF       Core arts and cultural facilities
LCSD       Leisure and Cultural Service Department
HAB        Home Affairs Bureau
HKADC      Hong Kong Arts Development Council
HKSAR      Hong Kong Special Administration Region
PPWK       People’s Panel on West Kowloon
OZP        Outline Zoning Plan
TPB        Town Planning Board
WKCD       West Kowloon Cultural District
WKCDA      West Kowloon Cultural District Authority

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Chapter 1 Introduction

“The West Kowloon Cultural District will establish a new vibrant cultural quarter located on a dramatic harbour-front site in the heart of Hong Kong.” (The West Kowloon Cultural District Authority, 2015c)

This is the slogan found on the front page of the official website of the WKCDA. It represents the ambition of the West Kowloon Cultural District (WKCD) project. Before the completion of the “dramatic” harbour-front site, the WKCD became the most “dramatic” urban development project in Hong Kong after the handover. The project has been planned for over 15 years and undergone several years of negotiations on its meaning of culture, district design, development approach and mode of participation. As working in arts and cultural sector in the past few years, I witnessed how the WKCD and other culture-led urban development projects were supported by some arts and cultural groups, however, the relationship between culture and urban development was overlooked. This made me interested to study the planning process of the WKCD and explore culture-led urban development in the post-colonial context in Hong Kong.

This thesis analyses the negotiations and the planning process of the WKCD project between 1998 and 2013, and discusses how and why the WKCD project changed. The study is limited to the period between 1998 and 2013. This was because the project was proposed by the government in 1998, and after several years of negotiations, the master plan was finally approved and the construction was initiated in 2013. During this period, the development approach changed from a public-private partnership approach (from 1998 to 2005) to a statutory-body development approach (from 2006 onwards). In this research, the analysis will focus on the negotiations under the public-private partnership and examine how the plan changed between these two time periods. Furthermore, through comparing with the general practices in land grant, urban planning and operation of cultural facilities, the unusual practices in the WKCD are revealed. Finally, further discussion on the relationship between culture and urban development in culture-led urban development is included.

1.1 About the West Kowloon Cultural District (WKCD)

The WKCD project was first proposed by the Hong Kong government in 1998 and scheduled for completion in 2008. Responding to the Hong Kong Tourist Association’s suggestion to build new venues for arts and cultural events as tourism attractions, the then Chief Executive Chee-hwa Tung proposed to develop a performance venue for cultural,
entertainment or sporting events in the West Kowloon Reclamation, to upgrade Hong Kong’s image as “Asia’s entertainment capital” in his Policy Address 1998 (Tung, 1998). Later, this project became a cultural district to achieve the cluster effect and it was named the “West Kowloon Cultural District” (WKCD).

After several years of planning under public-private partnership, the early proposal of the WKCD project received widespread oppositions and doubts as to its meaning, district design, development approach and mode of participation. Various stakeholders, including the government, private developers, the arts and cultural sector, and the Legislative Council, actively negotiated for their interests in the project. In 2006, the government abandoned the early proposal and changed the development approach from the public-private partnership approach to a statutory-body development approach\(^1\), in order to gain public support to carry on the project.

Finally, the WKCD project was approved by the Legislative Council in 2006 and thus the planning process could be re-started. In 2008, a statutory-body namely the West Kowloon Cultural District Authority (WKCDA) was established under the West Kowloon Cultural District Authority Ordinance, which was approved by the Legislative Council. An upfront endowment of HK$21.6 billion (approximately €2.53 billion)\(^2\) was granted to the WKCDA to build and operate the culture district for 50 years. The WKCDA organised a three-stage public engagement exercises from 2009 to 2011 in preparation for the master plan. Finally, the development plan was completed in late 2011 and it was approved by the Chief Executive in the Executive Council in January 2013. The construction of the first building, Xiqu\(^3\)Center, was begun in September 2013.

In recent years, the WKCD has faced continual criticism concerning its over-budget problem. The construction was delayed for several years, so the construction costs rose over the amount of the upfront endowment. Additionally, the delay of the construction of the cross-border high speed railways in the site has affected the construction schedule of the arts and cultural facilities sitting on the top of the West Kowloon Terminal. Furthermore,

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\(^{1}\) “Statutory body” refers to a body established by law. Following the practices of the British colonial government, the HKSAR government established different kinds of statutory body to authorise these authorities to obtain the possible advice on a particular issue. Statutory body is semi-autonomous, whereas their board members are usually appointed by the government.

\(^{2}\) In this paper, the referenced exchange rate between Hong Kong Dollars and Euros is HK$ 1 : €0.12, as dated on October 25, 2015.

\(^{3}\) “Xiqu” (戲曲 in Chinese)literally means “drama” (“Xi 戲”) and “song” (“Qu 曲”) in Putonghua pronunciation. It refers to the traditional Chinese performing art form which combines drama and singing. Some translate it as “Chinese opera”. However, some Hong Kong arts groups or institutions including the WKCDCA prefer to use “Xiqu”, rather than the translation of “Chinese opera” to specify its uniqueness comparing with the Western opera.
some performance facilities have to be merged to become more cost efficient and to offset the delay (South China Morning Post, 2015, March 24). It is time to review the planning process and how and why the WKCD has changed from a public-private partnership approach to a statutory-body development approach. In addition, more literature for further study on this case and the relevant cases in Hong Kong would be produced.

1.2 Key Concepts and Theory
Culture-led urban development refers to the strategic use of culture as catalyst of urban development and assumes that such combination of culture and urban development would bring economic opportunity or social changes. The spending on building cultural facilities is perceived as “cultural investment”, which is different from the general use of “culture expenditure” referring to the provision of general cultural facilities and activities.

From previous studies (for example, Kong, 2007; Yeoh, 2005; McCann, 2002; Wang & Li, 2011; Shin & Steven, 2013), negotiations and contestation are commonly found in the planning process of culture-led urban development. The WKCD is not an exception. This thesis systematically analyses the negotiations of the planning process of culture-led urban development in symbolic, material and political dimensions based on Sharon Zukin’s concept of “culture”, mainly from her book The Cultures of Cities (Zukin, 1995). Zukin critically reviews the relationship between culture and urban development, as well as real estates, through the symbolic, material and political dimensions of culture. As she notes that “art confers money and power” (Zukin, ibid., p.15). This thesis argues that culture does not only affect the result (the rental price), but also the process (the planning process). Three dimensions of culture, including symbolic, material and political dimensions, are used to study the planning process of culture-led urban development. They are important to understand the negotiations, dynamics, and contestation in culture-led urban development.

In what follows, the unusual practices of the WKCD project are analysed to discuss whether culture is a substance for unusual planning. Based on the three dimensions of culture and collected data, three relevant policies in the culture-led urban development are identified: land policy, urban planning policy, and cultural policy. I find out the unusual practices of the WKCD in the relevant policies, and discuss the problems that were brought from the unusual practices and whether culture was a substance for unusual practice.

In Conclusion, through studying the negotiations in the planning process and the unusual practices, the relationship between culture and urban development is discussed at the end of the thesis.
1.3 Research Questions

The primary research question of this research is: How and why did the plan of the West Kowloon Cultural District (WKCD) change from 1998 to 2013, and what were the unusual practices in the WKCD?

To answer this research question, the following secondary research questions are asked:

The first question is how was the WKCD project planned in phases between 1998 and 2013? To answer this question, the background of the site and the planning phases of the WKCD project are presented and discussed. This provides help for the readers to understand the context and content of the planning process of the WKCD.

The second question is who were the key stakeholders in the planning process under the public-private partnership approach? What were their roles and interests? Understanding the negotiations in the planning of the WKCD inevitably leads to the study of the stakeholders’ roles and interests in the project.

The third question is what was negotiated and how did the plans change from the public-private partnership approach to a statutory-body development approach? "Public-private partnership approach" (between 1998 and 2005) and “statutory-body development approach” (from 2006 and onwards) are identified as the major change of the WKCD project, and the changes of the plan in these two different planning periods are discussed. Following the theoretical framework, the negotiations on symbolic, material and political dimensions in the case study will be analysed. The changes on the meaning of culture, the district plan, development approach and mode of participation were also examined.

The fourth question is what practices in the WKCD were different from the general practices in land policy, urban planning policy and cultural policy in Hong Kong? This question specifically discusses the case in the post-colonial Hong Kong context. The practices of the WKCD and the general practices are compared to find out the unusual practice in this culture-led urban development project. Furthermore, the problems or implications may be brought by these unusual practices are also discussed.

1.4 Structure of This Thesis

This thesis is divided into seven chapters. The next chapter, Chapter 2, discusses the Hong Kong context and relevant policies of this research. Firstly, the free market economy, which is also called “laissez-faire” system, which has shaped the policy formulation of most of the
important policies in Hong Kong, is discussed. Following this, the three relevant polices in culture-led urban development and my case: land policy, urban planning policy, and culture policy are discussed.

Chapter 3 reviews the relevant literature on the concept of “culture-led”. In recent decades, “culture-led urban regeneration” has become a “recipe” in urban development. This chapter critically discusses this concept and suggests the use of the term of “culture-led urban development” to avoid the metaphorical use. Discussion on the concept of “culture” by Sharon Zukin (1995) to construct a theoretical framework is also included in the case study of the thesis.

Chapter 4 explains the research setting, research method, data collection and analysis for this research. The data includes the official documents and newspapers in relation to the WKCD project. The selection of data and any possible shortcoming of the data collection, as well as the researcher’s role in the thesis project, are justified.

Chapter 5 answers the research questions. Each sub-chapter answers one secondary research question, and the whole chapter answers the primary research question: How and why did the plans of the WKCD change since 1998, and what were the unusual practices in the WKCD?

Chapter 6 discusses the findings in the case study. Based on the findings in Chapter 5, the relationship between culture and urban development in the case is further analysed.

Chapter 7 includes the concluding remarks, where the findings in this thesis are summarised and discussed. This chapter concludes how the thesis attempts to contribute to previous studies on culture-led urban development, and highlights needs for further research.

Now to Chapter 2 to discuss the Hong Kong context and policies relevant to this research.
Chapter 2  Hong Kong Context and Policies

In this chapter, a brief overview of and discussion on the Hong Kong context to help the readers to understand the case of the West Kowloon Cultural District (WKCD) is provided. The policies relevant to the research objective include land policy, urban planning policy, and cultural policy. Before discussing these relevant policies and practices, first the free market economy of Hong Kong which has influenced the formation of most of the major policies in Hong Kong will be discussed.

The free market economy – or “laissez-faire” system – is always considered as the foundation of success of Hong Kong’s economy. This ideology has influenced the production of space and culture. In this part, the practice and myth of “laissez-faire” system in Hong Kong is presented.

Secondly, the land administration and the method of land disposal – land lease system is presented. This influences the material consequence of culture, i.e. the land ownership and financial arrangement of cultural facilities in this case study. Also, how land market plays an important role in the Hong Kong economy is discussed.

Thirdly, the discussion on urban planning policy and system will follow. This section presents the mechanism of urban planning and the concerns on “public interest” in urban planning in Hong Kong. This part gives an overview on the plan making process.

Finally, I discuss two important discourses regarding the cultural policy in Hong Kong: the metaphor of “cultural desert” and the official discourse of “descriptive cultural policy”. This to help the readers understand why the government and the public are eager to develop a culture-led urban project in the post-colonial period.

Now to begin with the Hong Kong context with the free market economy.

2.1  Free Market Economy: “Laissez-faire” System

According to the Index of Economic Freedom by the Heritage Foundation, Hong Kong has had the highest degree of economic freedom in the world since the inception of the index in 1995 (Heritage Foundation, 2015). The free market economy – also named the “laissez-faire” system – is always claimed as the foundation of the success of the economic development in Hong Kong.

“Laissez-faire” is French and literally means “let [them] do”. In the case of Hong Kong, it implies positive non-interventionism. Such economy entails support for competitive
market and private property rights. Therefore, non-market pressure, such as government taxes, subsidies, tariffs, wage regulations, should be minimised. The private property ownership should be highly protected by law. It is assumed that Hong Kong’s economy is market-based where prices for goods and services and wages for labour are set freely by the forces of demand and supply to reach the point of “equilibrium” without intervention by government’s policy.

Under this logic, the tax regime and labour protection legislation – which are always considered as the government’s intervention in the market – are considered to be minimised in Hong Kong. For example, the profit tax is capped at 16 per cent, and the collective bargaining agreement was enacted for only a few months and repealed shortly after the handover. The limited government’s regulations on tax and labour are always considered as favourable factors for business environment under the laissez-faire system in Hong Kong.

Although the Hong Kong government emphasised its minimum intervention on the business environment in order to maintain the open and competitive market, the government paralleled internally intervenes the factor markets by provision of public housing, education and social welfare. The non-market forces – the government’s provision on public services – have subsidised the “social wage” and directly affected all factor markets (Schiffer, 1991). Therefore, the “free market economy” in Hong Kong was not totally “non-interventionism”, but it has influenced the formulation of most of the major policies.

2.2 Land Policy and Administration

This sub-chapter will introduce the land policy and administration in Hong Kong. In the first section, the land lease system is presented. It is the mechanism of land sales and exchange in Hong Kong, and the fundamental policy for culture-led urban development in this case. Then the second section discusses the general practice of disposal of government land, since the site of this case is originally government land. Thirdly, the role of land market in Hong Kong’s economy which is useful for the data analysis in this paper is discussed.
2.2.1 Land lease system

Although the land of Hong Kong is in public ownership, the land market is very active under the free market economy. All lands in Hong Kong are "sold" on a leasehold basis, with the exception of the land for St. John’s Cathedral in Central which was granted freehold. In other words, when a land is sold, the ownership of the site is not transferred, but only the development right of the site is transferred. The development right of a site is already regarded as the ownership of the site, under the land lease system.

The land lease system was introduced to Hong Kong since the city became a British colony in 1842 (L. L. Li, 1997). Before the handover of the sovereignty of Hong Kong in 1997, all lands in Hong Kong were held by individuals on lease from the Crown (Evans, 1971). The lease was in terms of 75, 99 or 999 years under the provisions of the old Crown Lease Ordinance.

After the handover, the Hong Kong Special Administration Region (HKSAR) government continued to be the owner of all lands of Hong Kong and Kowloon, and the Sino-British Joint Declaration renewed the New Territories leases until 2047 (S. M. Li, 1900 & 1997). The HKSAR government was the principal leaseholder of all lands in New Kowloon and the New Territories (Wu, 1989).

The current land policy was endorsed by the Executive Council on the 15th of July 1997. According to the current land policy, new leases of land shall be granted for a fixed term of 50 years (except new special purpose leases for recreational purposes and petrol filling stations) from the date of grant at the payment, including land premium and annual rent. Land premium is a lump sum payment based on the market land price on the date of lease; and the rent is equivalent to 3% of the rateable value of the property at that date, adjusted in step with any changes in the rateable value thereafter (Lands Department, 2005, November 28).

In other words, even the land is "sold" on the land lease system, the "land owners" still have to pay "rent" to the government. L. L. Li (1997) suggests that the rent is a legal symbol to maintain the relationship between lessor and lessee. Also, Lai (1998) argues that the leasehold system in Hong Kong is a means of allocating private property rights by the government. The public land ownership is not regarded as "common property", but as "state property", which contains a corporate right to exclude others.

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4 Although the word “land sale” are used, the land is not actually sold but leased under the land lease system. The lease of the government land means the sale of the land.

5 The new special purpose leases are covered by franchises or operating licenses and short term tenancies.
2.2.2 General practice of disposal of government land


Under the responsible bureaus, the Lands Department is responsible for all land matters in Hong Kong. The Lands Administration Office under the Lands Department takes in charge of the major land policies, including land disposal and acquisition, valuation of land and properties and lease enforcement. However, the Lands Department is not responsible for urban planning. The Planning Department was in charge of the urban planning. Whilst, different departments are in charge of the land administration and urban planning, although their responsibilities always fall under the same bureau. The bureau secretary has the power to co-ordinate the land administration and urban planning matters.

There are two major sources of land supply in Hong Kong: the government and private sector. Government land is supplied through land auctions, public tenders or private treaty grants. Private sectors can re-develop their own land through lease modifications and land exchanges, or acquire land from other private land owners in the open market. The site for the WKCD is a government land, therefore focus is given to the two general practices of disposal of government land: land auctions and private treaty grants.

Before 1999, the disposal of government land was mainly managed by the annual Land Sale Programme. This provided regularly scheduled land auctions and tender programme. The government listed what lands would be sold and the land lots would be supplied onto the market every two or three months. The list would be published at the beginning of each financial year. The land supply was regular and stable.

Since 1999, as the Asian Financial Crisis has greatly affected the housing market in Hong Kong, the government supplemented the Land Sale Programme with the Application List system, which was claimed as a “market-led mechanism in the sale of government land” (Yu, 2006, March 21). The Application List comprises the sites available for sales upon application by private developers. When a developer is interested in any of the sites on the Application List, the developer has to submit an application with a guaranteed bid price for the site to the Lands Department. If the guaranteed bid is acceptable by the government, the site would be put up for auctions or open tender. In November 2002, the government stopped all scheduled land auctions and suspended the Application List system until the end of 2003. Later, from January 2004, the Application List system was resumed and it has
become the only way for a government land sale. The land supply has become “market-led” or private-developer-led.

Besides land auction, private treaty grants were the major way of disposal of government land between 1996/1997 and 2004/2005. The private treaty grants mainly apply in the development of essential public utility services, non-profit-making and charitable institutions for operating schools, hospitals, and community facilities; and also in the development project by the Urban Renewal Authority, the Kowloon-Canon Railway Corporation, the Airport Authority, and the Mass Transit Railway Corporation Ltd for residential and/or commercial development (Yu, 2006, March 21). The Urban Renewal Authority, the Kowloon-Canon Railway Corporation and the Airport Authority are quasi-governmental statutory bodies; while the largest shareholder of the Mass Transit Railway Corporation Ltd is the government. Private treaty grants are seldom made with private sectors.

2.2.3 The role of land market in Hong Kong’s economy

Haila (2000) describes Hong Kong as a property state, which means the economy is mainly based on real estate, and real estate plays an important role in political economies and economic growth. Ley and Teo (2014) also suggest that the culture of property in Hong Kong has obscured the class relations in the housing market. There is a dominant public consensus that property upgrading is good, and it is unquestioned and unquestionable. The real estate and property market are playing important roles in Hong Kong's economy and urban development. Therefore, when discussing the urban development, it is inevitable to relate to the real estate and property market.

Some scholars suggest that the state ownership of land has been used as an important government budgetary mechanism because the land and buildings are important sources of government revenue (Haila, 1999; Wu 1989). This may explain the practice of the high land price policy in Hong Kong. The high land price policy had been adopted by the British Hong Kong government since the colonial period. As the major supplier of land in Hong Kong, the British Hong Kong government controlled land supply and suppressed the development in “rural” areas of Hong Kong to artificially create a “scarcity” of urban land in Hong Kong and the escalation of the land price (Wu, 1983). While the land revenue was the government’s major revenue, therefore, the government would maximize land value in order to increase the government’s revenues (Cuthbert, 1991).
However, Liu (2014) points out that the contribution of land premium to the government’s fiscal reserve was positive only before 1997 and it has turned into a myth after the handover. After the handover, the land premium has become credited to the Capital Works Reserve Fund, in which the money from the Fund is designated for the expenses of the government's public works programmes. This influences the government revenues but the land premium would not be used in the general public expenditure. It also explains why the government is enthusiastic about boosting the economy through urban development after the handover.

Although the contribution of the land premium to the government’s revenue became smaller after the handover, land market still remains an important role in the government budget and in Hong Kong’s economy. The property tax and stamp duties are still one of the important sources of revenue for the government. Transaction of real estate remains the significant portion of bank lending.

2.3 Urban Planning Policy and System

This section introduces the urban planning policy and system in Hong Kong, beginning with a discussion about government departments and public bodies that are involved in the urban planning. Secondly, the discussion on urban planning focuses on the land use planning at district level, which is most relevant to the case study in analysing the change of the WKCD’s plans. Thirdly, a literature review is presented on the urban planning in Hong Kong.

2.3.1 Land use planning administration

The land use planning administration in Hong Kong is fragmented and centralized (Ng, 1999). As mentioned in the previous section, the responsibility of urban planning always fell under the same bureau of land administration, and the HKSAR government has transformed the bureau’s structure several times in managing the urban planning administration. The urban planning administration is specifically implemented by several government departments: The Planning Department, the Town Planning Board (TPB) and the Appeal Board. However, the final decision of land use rests with the Executive Council.

The Planning Department carries out land use planning policies. It is responsible for formulating, monitoring and reviewing urban and rural planning policies and programmes,
and dealing with all types of planning at territorial, sub-regional and district level. It also services the TPB and the Appeal Board.

The TPB is a statutory body established under the Town Planning Ordinance. Under the presidency of the Secretary of responsible bureau, the board of the TPB comprises of 6 official members (including the Secretary of responsible bureau and the Director of Planning Department) and 28 unofficial members who are changeable from time to time. All the members are appointed by the Chief Executive. The TPB guides and controls the urban development and use of land. It has two major functions: the preparation of statutory plans, and the consideration and reviews of development applications. Applicants rejected by the TPB’s decisions can appeal to the independent Appeal Board, whose members are also appointed by the Chief Executive, and the decision of which is final (Ng, 1999).

Since the unofficial members are all appointed by the Chief Executive, in other words, the Chief Executive could maintain the power to control the land use planning through the two statutory boards.

### 2.3.2 General practice of land use planning at district level

In Hong Kong, land use planning is carried out at three levels: territorial стратегический, sub-regional and district planning. The case of the WKCD was planned at district level, therefore focus is given to the district plan in this section.

District plans are detailed land use plans which translate the board planning principles from territorial and sub-regional levels to local level. There are two types of district plans: statutory plans and departmental plans. Departmental plans are administrative plans prepared within the framework of statutory plans. Statutory plan is the key plan to regulate land use for a particular area at district level.

There are two procedures in planning at district level: plan making and plan amendment application. Plan making means the preparation of statutory plans by the TPB under the Town Planning Ordinance. Statutory plans include the Outline Zoning Plan (OZP) and DevelopmentPermission Area Plan. The Development Permission Area Plans are prepared to provide interim planning control for rural areas in the New Territories. However, the Development Permission Area Plans not relevant to the case of the WKCD which is in the urban area.

The OZP is relevant to this research. The OZP shows the road system and the proposed land uses in the site. The land uses are categorised by whether they are residential, commercial, industrial, government-institutional-community, open space, green belt or special uses. The
OZP is attached with a Schedule of Notes setting out the land uses falling within the boundaries of the plan which are always permitted and which may be permitted by the Town Planning Board on application.

In the plan making process, the plans are prepared by the TPB. All draft plans are published for 2 months for public inspection. During this exhibition period, any person may make representation (either supportive or adverse) to the TPB. All these representations received by the TPB will be published for public inspection as well for 3 weeks. After that, the TPB or its Representation Hearing Committee will hold the first hearing to consider the representations and comments received. The TPB may propose amendments on the plan to meet the representations. After the amendment, the TPB publish the proposed amendments for 3 weeks for further representations by any person other than those who have submitted representations and comments. If adverse further representation is received, a hearing of further representation will be held. The TPB will decide whether to further amend the draft plan by the proposed amendments. Later the further amendments made by the TPB shall form part of the draft plan. At the end, the draft plan will be submitted with a schedule of the amendments made by the TPB and a schedule of the representations, comments, and further representations (if any) to the Chief Executive in Executive Council for approval (Town Planning Board, 2008, January 7).

Regarding the plan amendment, developers can submit plan applications to amend the district plan. Applicants should submit a planning application together with relevant consultancy reports such as traffic impact assessment or environment impact assessment studies to the TPB for considerations. If the planning proposal demonstrates an improvement to the existing environment or neighbourhood, the TPB may approve the planning application. Otherwise, the TPB may reject the proposal or impose conditions to the proposed development. An applicant rejected by the TPB’s decision can appeal to the Appeal Board in which a final decision is made.

2.3.3 The absence of “public” in urban planning

Cuthbert (1991) describes the urban planning system of Hong Kong as the combination of “minimum statutory control” and “maximum bureaucratic discretion” and he comments that profits become the sole driving force of the planning system. Since strategic planning was never made statutory and the planning law is relatively absent, the planning system allows the micro-powers at the level of individual building sites.
Why is there no statutory macro planning? As discussed, Hong Kong is regarded to follow the “laissez-faire” system (positive non-interventionism), where any kind of strategic approach or statutory wide plan would be considered as a threat to capital formulation. There is no “public interest” in planning and development control in Hong Kong. The established planning process directly protect private sector interests (Cuthbert, 1991).

Also, under "laissez-faire" system, the Hong Kong government always adopts the public-private partnership for many important and large scale infrastructures and urban development projects. However, as Hayllar (2010) notes, the government always disregard public views and exclude the public from early and meaningful participation. Hayllar describes such partnership as "government-private partnership" rather than "public-private partnership".

2.4 Cultural Policy and Practice

Before discussing the culture policy and practice in Hong Kong, the discourse of “cultural desert” is introduced in this section. “Cultural desert” has been a common belief or assumption of the general public on cultural development in Hong Kong, and it was always articulated by the government in implementation of cultural policy. Then the discussion on the official narrative used by the government when implementing the cultural policy – descriptive cultural policy will follow.

2.4.1 The metaphor of “cultural desert”

“Cultural desert” is a metaphor used to describe Hong Kong as a culturally deprived city since the British colonial period. According to the history scholar Yeung (2004, December 8), the phrase of “cultural desert” originated as early as the times of World War II. During the war, many intellectuals and scholars fled to Hong Kong from Mainland China. Most of them were the followers of the New Culture Movement. They firmly believed that only “new culture” qualified as “culture”. They saw Hong Kong as a culturally deprived city before their arrival, because “new culture” was not well developed in Hong Kong at that time. Therefore, these new culture followers described Hong Kong as a “cultural desert” and claimed they were the ones to reinvent culture in Hong Kong, and turn the city into a “cultural oasis”. However, as Yeung (2004) notes, these new culture followers refused to

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6 New Culture Movement is a "literary revolution" which calls for the adoption of plain vernacular to replace the ancient classical language, and eventually leads to an evaluation of the past and settles with it through the creation of a new culture (Hummel, 1930).
acknowledge the fact that culture already existed before their arrival, and the “cultural desert” has never reflected the cultural richness of Hong Kong.

Chin (2008) suggests that, under the British colonial rule, the local Chinese population cannot conceal the inferiority complex towards the coloniser (the British) or anything or anyone from the West. “Cultural desert” was first adopted in the 1970s by the Western Urban Council members to promote Western high art in Hong Kong, making the public believe that Hong Kong was a culture-less place. From a post-colonialist perspective, Chow (2012) argues that “cultural desert” became an important excuse for a foreign coloniser or foreign powers that the colonisers were here to change the “cultural desert” to a “cultured” place through introducing and promoting Western high art like classical music, ballet and theatre.

The “cultural desert” is obviously used politically and it cannot reflect the cultural development of Hong Kong. The film industry, especially martial art/kung-fu films and Cantopop (Cantonese pop music) have been internationalised since the 1980s. However, from the perspective of local elites, Hong Kong lacks high culture, especially the Western high art.

2.4.2 Descriptive cultural policy or neoliberal cultural policy?

The formal Secretary of Home Affairs Bureau, Patrick Chi-ping Ho, notes that Hong Kong has implemented a descriptive cultural policy (Chin, 2008). “Descriptive policies” are regarded as “active non-intervention policies”. “Descriptive” means the policy describes what the state has already done for the culture, instead of setting any specific targets or goals for the policies, or defining the areas of the arts. The state mainly provides “reasonable” funding and resources to support the arts and cultural development, allowing pluralism and amendments of policies through public discussion. An independent arts council or foundation operating at an “arm’s length” from the government is commonly found in descriptive cultural policy (Pick, 1988; Chin, 2008, p.42-43).

However, Chow (2012) argues that “descriptive cultural policy” or “non-intervention policies” is only a discourse as the laissez-fairs economic system. She suggests that the government governed Hong Kong’s cultural affairs by two main ideas – Chinese elitism and neoliberalism – during the first 15 years of the post-colonial era, i.e. 1997-2012, which was the period of this case study.

Chinese elitism explained why Western culture was favoured by the government’s cultural policy since the colonial period. W. S. Law (2009) suggests “collaborative colonialism” that,
the Chinese elites were the collaborators of the British colonialism of Hong Kong. The Chinese elites acted as a "mediator" to maintain and influence local affairs on behalf of the colonial government, meanwhile restoring their class power through boosting their cultural capital – the English language and the Western culture – and segregating the population of Hong Kong between upper and lower classes. The Chinese elites' choice on the Western culture has helped to define the "taste" to which Hong Kong society should favour. Meanwhile, the colonial government's policies on culture and education also projected the superiority of English over Chinese to maintain the solidarity of the British colonial rules in Hong Kong. Based on the domination of the Western culture in the arts scene in Hong Kong, Chow (2012) argues that the so-called "democratisation" of culture in Hong Kong's cultural policy merely means that Western high art was made available to a wider public audience.

On the other hand, Chow (ibid.) suggests that neoliberalism has been running alongside the adaptation of "active non-intervention" or "descriptive cultural policy". According to Harvey (2005), neoliberalism assumes that human-beings could be best advanced "by liberating individual entrepreneurial freedoms and skills within an institutional framework characterised by strong private property rights, free markets, and free trade" (ibid, pp.64-65). Therefore, state intervention should be minimised, and privatisation of public goods to maintain a good market is the key to success (ibid.). Chow (2012) argues that neoliberalism has deeply influenced the arts funding system to create the market of arts and culture in Hong Kong.

The privatisation of performance companies is one of the examples of neoliberal cultural policy. Hong Kong Chinese Orchestra, Hong Kong Dance Company and Hong Kong Repertory Theatre were the three largest performing arts companies which originally operated under the government. In April 2001, during the planning process of the WKCD, these three companies were corporatised as non-profit making bodies under independent boards of directors and they receive annual subvention to operate independently. It was assumed that the privatisation would liberate the freedom of these arts companies.

2.4.3 General practice of managing cultural sector

In Hong Kong, there is no specific bureau solely managing cultural affairs. The culture-related policies and cultural matters are shared by different government departments and public bodies. The governing structure is fragmented. Therefore, there has been a public discussion for a long time as to whether Hong Kong needs a comprehensive cultural policy at all.
During the planning process of the WKCD, the major cultural matters fell under the responsibilities of the Home Affairs Bureau (HAB), the Leisure and Cultural Service Department (LCSD) and the Hong Kong Arts Development Council (HKADC).

The HAB is the major bureau responsible for the major public services for the communities, including: culture, sports, civil service, youth service, and district issues etc. It is responsible for the cultural policy, funding for the nine major performing arts groups, and also the management of the WKCD project.

The LCSD is the department under the HAB to provide the major public culture services including: the provision of public performance venues, public libraries, and heritage and museums. The public cultural venues (including town halls, civil centers, and theatres) are operated by the LCSD with public funding and income from venue rental; they are open to the public for rent by a first-come first-served basis. The use of these venues is not restricted to arts and culture, it also includes seminars, ceremonies and school events. The LCSD also presents cultural programmes and arts festivals in their own venues. However, the LCSD does not produce the cultural programmes on its own. Most of their programmes are produced by the local and overseas independent arts groups with subvention.

The HKADC is a statutory body to advise the cultural policy and support the local arts groups, including performing arts, literature, art critic, arts administration and so on. The administration of the HKADC is overseen by up to 27 members, of which 10 members are elected and the rest are appointed by the Chief Executive. The HKADC did not own or operate any cultural venues; it mainly allocates grants to support arts groups at the “arm-length principle”. The grants are open for application and selected by peer-review.

The annual government funding for arts and culture is subject to the proposal by the government and approval by the Legislative Council. In 2014/2015, the government allocated HK$3.5 billion (approximately €41 million) on arts and culture. The LCSD receives the major proportion (75%) of the public cultural funding, including 28% for the public cultural venues management, 28% for the public libraries, 19% for the heritage and museums. The nine major performing arts companies7 financially supported by the HAB account for 9% of the public cultural funding. While the commercial sponsorship and private funding to the arts are not popular in Hong Kong, the major funding source of the

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7 The nine major performing arts companies are the Chung Ying Theatre Company, the City Contemporary Dance Company, the Hong Kong Ballet, the Hong Kong Chinese Orchestra, the Hong Kong Dance Company, the Hong Kong Philharmonic Society, the Hong Kong Repertory Theatre, the Hong Kong Sinfonietta and theatre company Zuni Icosahedron. All of them are Western art; Chinese opera (Xiqu) is supported by a separate funding and this sector is mainly operated in commercial basis.
small and medium-sized arts companies and independent artists comes from the HKADC. The HKADC is the only statutory body with elected members to manage the cultural matters and grants. However, the HKADC only receives 4% (approximately HK$128.5 million [€15 million]) of the total public cultural funding for both its operation and its grants (Home Affairs Bureau, 2015, January 26).

There was an economic turn in cultural policy during the planning of the WKCD. The concept of “creative industries” has become a focus of the government’s policy since 2002-2003 (Chan, 2006, p.60). It was assumed that arts and culture, especially performing arts, could bring business opportunities. In 2009, Donald Tsang, the then Chief Executive, announced in his Policy Address that the “cultural and creative industries” has become one of the six priority industries in Hong Kong (Tsang, 2009). The Create Hong Kong was set up under the Commerce and Economic Development Bureau in 2009 to lead and coordinate the development of creative industries. Under the Commerce and Economic Development Bureau, arts and culture are considered as “business” which is different from the cultural service under the HAB.

Overall, most of the cultural activities are organised with subvention by public funding. Only a few arts groups or cultural centres could be financially sustainable by their own box office, sales incomes or private funding. Although Chow (2012) argues that the ideology of neoliberalism has influenced the formation of cultural policy in Hong Kong, it only reflects that the arts market is created by the public funding. Hong Kong government is still the major “funder” or “provider” for the major cultural activities.
Chapter 3  Theoretical Consideration

The previous chapter has introduced the Hong Kong context and the relevant polices to the case study of the WKCD, now the discussion on theoretical considerations is presented.

This chapter first gives a brief literature review on the concept of "culture-led" urban development. I will discuss the literature concerning the strategic use of culture in urban development in recent decades and the negotiations found in these case studies.

In the second part, the concept of "culture", mainly from The Cultures of Cities, suggested by a sociologist Sharon Zukin (1995) is discussed. Zukin suggests that culture does not only have symbolic value, but that it also has material and political basis. The three dimensions of culture would be useful to understand the relationship between culture and urban development as well as arts and real estate, and how the relationship has influenced the negotiations in culture-led urban development.

3.1 Culture-led Urban Development

This section gives a literature review on the concept of “culture-led” urban development. Firstly, discussion on how urban scholars discusses the concept of “culture-led”, and what problems might be brought by using this term is presented. Also, I will explain why the “culture-led urban development” is used in this thesis to illustrate the strategic use of culture in urban development is explained. Secondly, some case studies of culture-led urban development are presented and what contestation and negotiations found in the previous research is discussed.

3.1.1 The concept of “culture-led”

Since the late twentieth century, culture (or arts) has entered the domain of urban development and urban planning. As Harvey (1989) notes that as the urban governance has shifted from managerialism to entrepreneurialism, the inter-urban competition has become more intensive and important to the cities. To increase the competitiveness in the global economy, cities adopt “culture” as a way to build their portfolio of “uniqueness” to achieve economic growth and city branding. Cities are very enthusiastic to build hardware (cultural infrastructure) for soft power (culture).
The use of culture as urban strategy has different forms in Asia. These strategies include building new flagship cultural institutions, especially in a water-front area (such as "Esplanade – on the bay" in Singapore); transforming or renovating an old industrial space or declined space into cultural use (such as Beijing 798 and Treasure Hill Artist Village in Taipei); or developing a cultural district or cultural cluster (such as the WKCD). The "culture" in these cases usually embrace with high culture or high arts.

In the case of this thesis, the WKCD, was framed as a “cultural district” by the government. Santagata (2002) defines cultural districts “by the production of idiosyncratic goods based on creativity and intellectual property” and these districts “translate creativity into culture, and culture into valuable economic goods and service” (p.11). I consider the WKCD as a “Metropolitan Cultural District”, as Santagata suggests, which is characterized by creating a spatial agglomeration of buildings such as theatres and museums to produce culture and related goods, services and facilities, in order to attract people, to facilities economic growth, and to design a new city image. This type of cultural district is developed by urban policy (ibid.).

In the post-industrial economy, many cities transform the declined space (especially industrial space) into cultural use or use culture as an urban strategy to provide alternative opportunities for economic growth. “Culture-led (urban) regeneration” is the commonly used phrase to describe this strategic use of culture in such urban planning. According to Evan (2005), culture-led regeneration is identified by the use of cultural activity, most likely high-public profile cultural activity, as a catalyst and engine of regeneration which refers to the epithet of change and movement. Evans also mentions that the phase of “culture-led regeneration” is commonly (mis)used where there is a cultural flagship in the area of regeneration. However, in most cases, the high-profile cultural facility is visible but less significant in a wider and longer-term urban development. That means the regeneration process may not only be driven by culture, but culture usually becomes the only visible actor.

In general, the term "regeneration" refers to the transformation of urban space through land (re)development or (re)building. In this sense, it implies the site for regeneration originally had problems of physical, social and/or economic "decline". However, nowadays the popular use of the term "regeneration" does not only refer to the transformation of the declined space, as Vickery (2007) suggests, but also “an organic metaphor with a range of meanings from the renewal of national culture and patrimony to the ‘holistic’ growth of sustainable communities” (p.13) in recent policy contexts; therefore, the term “culture-led (urban) regeneration” is not a single coherent term but has multiple meanings and applications (ibid.).
To avoid the misunderstanding caused by the phrase “culture-led regeneration” and distinguish between literal and metaphorical use of the term “regeneration”, I suggest to use the term “culture-led urban development” as a way to describe the strategic use of culture in urban development in this thesis. It refers to the culture-led urban strategy taken in a form of building or district, by means of developing new site or redeveloping, resigning, or renovating old built-environment, aiming at alternative economic growth or social goals through an investment on cultural infrastructure and urban development. The spending on cultural facilities or cultural programmes is perceived as a “cultural investment”, different from the general use of “culture expenditure” referring to the provision of general cultural facilities and activities.

In what follows, I discuss some cases studies of culture-led urban development.

### 3.1.2 Conflicts, contestation and negotiations

Culture is not a static content. Conflicts, contestation and negotiations are commonly found in the planning process of culture-led urban development. They present the complexity of the combination of culture and urban development.

Some scholars pay attention to the negotiation and construction of symbolic meaning such as global image and “national versus local” identity, especially in the South East Asian context. Comparing Hong Kong, China and Singapore, Kong (2007) argues such urban or cultural strategy does not only aim at boosting economies, but also manipulates the construction of identities, and the city identities are constructed and negotiated in the process. Kong finds that, through developing the WKCD, the Hong Kong government constructs a global image to look outward from China and seek “escape” from the nation (China), while Singapore's case constructs a shared national identity and Shanghai’s case constructs a global city identity in competition with the capital, Beijing (ibid.).

Yeoh (2005) further explains why the symbolic meaning of culture is dynamic in the post-colonial South-Asia. Yeoh argues that the Asian cities develop mega projects as a spatial imagineering in an attempt to connect to a global imaginary, while simultaneously using the cultural realm as a means of maintaining a sense of unique identity in the post-colonial period. The states try to produce narrative meaning and identity, but the counter-hegemonic visions are always produced to challenge the state-led plans. The cultural imagineering of urban space and the construction of an urban led plans often entail alliances, negotiations and conflicts among various actors with different interests, and allow the citizens to continue to stake multiple claims to the city.
Kong (2007) and Yeoh (2005) both find culture, as city image or vision, is negotiable and counter visions are voiced out from the civil society to challenge the state-led plans. On the other hand, symbolic negotiations cannot be separated from material and political negotiations. McCann (2002) reminds us that the meaning making discourse is fundamentally intertwined with the place-making politics. These negotiations and struggles can be conceived as cultural politics, which means "a set of discursive and material practices in and through which meanings are defined and struggled over, where social norms and values are naturalized, and by which ‘common sense’ is constructed and contested" (ibid., p.387). The term, "cultural politics", maintains a focus on the political power of meaning, identity, and rhetoric. The intra-local politics through which various interest groups struggle over would shape the spatial development.

The negotiation of planning involves the power negotiation of the stakeholders. Wang and Li (2011) find that the spatial outputs of culture-led regeneration are negotiated to respond to the existing power relationships of various actors in the urban regime in Mainland China. Wang and Li identify that the “powerless” civil society, such as the artists may also negotiate the planning process with the management agency or high level officials by using media and international attention (ibid.). Therefore, even in state-led planning, not only the high level officials can control the ideology of planning of culture-led urban development. The general public or those with less legal power, especially in Asia in which the empowerment of civil society is not well developed, could also influence the planning by negotiations.

Furthermore, conflicts of values between economy oriented and the culture-value oriented are also commonly found in the planning process of culture-led urban development. In a case study of Gwangju, South Korea, Shin and Stevens (2013) identify two distinct stakeholders playing active roles in the planning process of culture-led regeneration: the culture side (civil society) and economy side (bureaucrats). When integrating culture and economy in an urban project, both sides negotiated the purpose (culture-value pursuing versus economic oriented) and the power (who takes the leading role) of the project. Through the planning and implementation process, these actors may resist and adapt to one another through reaction and negotiation. However, McCann (2002) reminds us that the division between “culture” and “economy” is a problematic construct. “Culture” and “economy” are always intertwined and socially constructed processes, rather than naturally separated processes. The “economic” interests can be coded with “cultural” values. Both dimensions also affect the spatial development.

The above case studies focus on the negotiation between the state-led city image and counter vision by the civil society, between the government (bureaucrats) and civil
society (artists), and between the culture values and economic values. In this thesis, I review these negotiations, and analyse the symbolic, material, and political dimensions of culture in these negotiations. In the following sections, the concept of culture by Sharon Zukin is adopted for further discussion.

3.2 Culture: Symbolic, Material, and Politics

In this section, focus is devoted to the concept of “culture” by a sociologist Sharon Zukin (1995). I will discuss the symbolic meaning of “culture” and its material and political consequences, and her analysis about the relationship between culture and urban development, as well as between art and real estate. Zukin’s concept is useful to analyse the dynamics and complexity of the planning process of culture-led urban development.

3.2.1 Symbolic meaning of culture: “The fluidity, the fusion, the negotiation”

Culture is "the fluidity, the fusion, the negotiation" (ibid. p.290). According to Zukin, cultures of cities can be understood to be a generally accepted pattern of how to see, think and act in the society, or the “collective lifestyle” which is a meaningful and also conflictual source of representation. Cultures of cities should include ethnicities, lifestyle, and images (ibid.). It is broader than high culture or arts. This idea is in line with Raymond Williams (1958) that culture is "ordinary". As Williams notes that, the ordinariness means how a human society is formed and what humans do in everyday life. Culture can be both “traditional” – which means a whole way of life – and “creative” – which means the arts and learning (ibid.).

In culture-led urban development, the building of flagship architecture and landmarks, such cultural strategies always reduce the diversity of cultures and negotiation of cultural visions to a coherent and iconic visual representation of the architecture of culture-led urban development. It is the same as what Zukin (ibid.) suggests: cultures of cities are always reduced to a set of marketable images – something that can sell and be seen in cities. The process of constructing culture is negotiation; and the product – culture itself – is also a continual negotiation (ibid.). However, how would the negotiation of culture affect the planning of culture-led urban development? That becomes a key question to study the negotiation of symbolic meaning of culture-led urban development in this thesis.

In order to understand the negotiation of cultures in the cities, Zukin suggests that the struggles or conflicts over whose representations of whose culture are going to be enshrined by which institutions should be paid attention(ibid.). The interests of
stakeholders should also be examined. Evans (2005) also made a similar comment on culture-led urban regeneration:

Culture-led urban regeneration can be used as a “sop” to distract attention from the underlying power over place that finally manifests itself in the type of projects and landscapes created and imposed on communities and sites undergoing regeneration. (p. 959)

The negotiations of the meaning of culture are not only the negotiation of the symbolic meaning itself. It may also “hide” and negotiate the economic interests and political power of the urban development.

3.2.2 Material consequence of culture: Culture as means of framing urban space

While the above discussion focuses on culture as a representation – the symbolic dimension of culture, Zukin reminds us that:

Culture is neither as unimportant adjunct of the material transformation of cities nor a purely symbolic realm for differentiating social roles. Instead, cultural symbols have material consequences – and more important material consequences as cities become less dependent on traditional resources and technologies of material production. (Zukin, 1995, p.268)

While cities become less dependent on traditional material production, culture become a new representation as a creative force in service economy. In materialistic terms, culture is an attempt to exploit the uniqueness of fixed capital in cities. The increasing “sameness” of different cities (placelessness) leads to a "consumption of difference". Therefore, cultures of the cities become a "strategy of mythologizing the city to sell it as a site" (ibid., p.268).

Urban scholars suggest that the politics of representation (cultures) is one of the factors of gentrification. Zukin explains that, property values are determined not only by economic factors, but are also affected by intangible urban cultures such as public cultures, ethnicity, gender and social class (ibid.).

Harvey (2012) further discusses how culture creates rent or economic returns to the cities. It also explains how the urban space would be gentrified by culture and how property values are enhanced by culture. Harvey argues that the uniqueness of the art or the site forms the basis of the monopoly price, which creates the monopoly rent. Harvey notes that, "the idea of 'culture' is more and more entangled with attempts to reassert such monopoly power precisely because claims to uniqueness and authenticity can best be articulated as
distinctive and non-replicable cultural claim” (ibid.). In other words, the uniqueness of “culture” in urban development becomes the material basis of culture, and it can create monopoly rent.

Zukin suggests that in symbolic economy, the production of symbols (art and culture) demands the production of space. The expansion for cultural institutions (more art) would seek for more space for their activities. The physical expansion of cultural institute may be intended for other uses in the symbolic economy, especially high-rent real estates (Zukin, 1995). Culture (symbolic values) does not only affect the land rent (material value). When cultural institutions expand (more art), more space are required. It may result higher rent in the surrounding areas. The surrounding space would be affected. Zukin summaries that, “[t]here is, more or less, a straight line from art and real estate to economic and cultural landscapes, and from landscape to the cultural strategies now transforming public space” (ibid., p.289).

Therefore, in this thesis the material consequences of culture are examined. The question how the space for culture is shaped, owned, financed and managed is also one of the concerns in culture-led urban development in this thesis.

3.2.3 Political value of culture: Culture as neutral language to maintain social hierarchy

Zukin suggests that culture has political value. Culture offers a seemingly neutral language to maintain social hierarchy in a polarised society (ibid.). Lewis, a scholar in media and cultural studies, notes that the power of defining high culture rests in the hands of a small group of elites (Lewis, 1990). Lewis points out there is an “arbitrary aesthetic system” which evaluates the judgement made by the elites based on their “artistic value”, and only the educated persons have the power to join the culture game to make the judgement call. Therefore, Lewis advocates that arts and culture should be introduced to education to allow the general public have the cultural capital (ibid.).

In the planning of culture-led urban development, the participation on planning is also determined by “arbitrary aesthetic system” (ibid.). It is about who has the power to frame the “art” or “culture” in the urban project. Zukin (1995) calls this power as “power of framing”, or “power of vision”, which is the ability to frame a work of art or an image of a city in an aesthetically coherent way. The framing is an important strategy to legitimate the political and economic claims and leverage over a variety of cultural forms. In urban development, framing would assert material claims to space. It is in line with McCann
that meaning making discourse is intertwined with place-making politics; the cultural politics, which is the negotiation of cultural meaning, naturalise the political and economic claims. Zukin (1995) reminds us to look into the power outside the cultural field and the relationship between cultural field and the other kinds of power, in order to find out the "power of vision".

For the relationship between political values, symbolic values and material basis of culture, Zukin suggests that, the power to frame things symbolically is taken to be a form of material power. The framing is not made by the producers of culture (such as artists); it is the “framers” who have the power of framing. The power of framing, which is the political value of culture, is equally a symbolic and material power (ibid.).

As Zukin notes "culture can also be used to frame, and humanize, the space of real estate development” (ibid., p.22). To study the political dimension of culture, I analyse who has the power to frame the WKCD project and how culture legitimate the political and economic claims.

3.3 A Call For Studying Symbolic, Material and Political Aspects of Culture in Culture-led Urban Development

In recent decades, culture has become a “promising” strategy for urban development. Many cities, all over the world, have built mega cultural infrastructure to engage in this global competition. Negotiations are commonly found. These negotiations are important in understanding the nature of culture-led urban development.

Some scholars have paid attention on the negotiations on symbolic value of culture-led urban development such as city image (Kong, 2007; Yeoh 2005), or the divergence between cultural values and economic purpose (Steve & Shin, 2014; Yeoh, 2005). However, as Zukin (1995) reminds us, culture has symbolic meaning but also material consequence and political value. Production of symbols depends on, and also shapes the production of space. The three dimensions (symbolic, material and political basis) are not separated but intertwined. This thesis connects “culture-led” urban development with the concept of “culture” introduced by the sociologist Sharon Zukin in order to explore the negotiation and contestation in the three dimensions of culture in the planning process of culture-led urban development.

Moreover, culture-led urban development is always considered as a cultural project in urban space. The relationship between culture and real estates and the roles of property developers in culture-led urban development have not been deeply discussed in academies.
As Zukin notes "art confers money and power" (ibid., p.15). Culture-led urban development can also be a real estate project. It would affect the property price and property market. I posit that the relationship between culture and urban development, as well as the relationship between art and real estate, should receive more attention in academic research.

As there is little research that comprehensively reviews the negotiation process and the relationship between culture and urban development in culture-led urban development, this research tries to fill this research gap. Figure 1 provides a graphical representation of the theoretical framework of this thesis.

![Theoretical framework of this thesis](image)

**Figure 1.** Theoretical framework of this thesis.

To study the relationship between culture and urban development, two major issues in the planning process of the culture-led urban development will be studied: **negotiations in the planning process** and **the unusual practices**. Zukin's concept of culture in three dimensions (symbolic, material, and political dimensions) is applied to study the negotiation and unusual practices in the culture-led urban development. Based on Zukin's theory and the collected data, the relevant policy areas, including land policy, urban planning policy and cultural policy are identified, to disclose the unusual practices in the
case. Through studying the negotiations and the unusual practices, the findings will be discussed to analyse the relationship between culture and urban development in culture-led urban development.

The theoretical framework is built on the basis of former literature. Table 1 illustrates how the concept of culture in three dimensions, i.e. symbolic, material and political dimensions by Sharon Zukin (1995) is applied to discuss the negotiations of the planning process and unusual practices in the case study.

<table>
<thead>
<tr>
<th>Key questions raised from the literature</th>
<th>Key issues in the negotiations in culture-led urban development</th>
<th>Relevant policy areas to be examined</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Symbolic meaning</strong></td>
<td>- How does a city use culture as representation?</td>
<td>- The interpretation of culture in the plan</td>
</tr>
<tr>
<td>- Whose culture is used?</td>
<td></td>
<td>Cultural policy</td>
</tr>
<tr>
<td><strong>Material Consequence</strong></td>
<td>- How is culture presented in material form?</td>
<td>- District plan</td>
</tr>
<tr>
<td>- Land disposal of the site</td>
<td>- Finance arrangement and operation of the cultural facilities</td>
<td>Urban planning policy, land policy, cultural policy</td>
</tr>
<tr>
<td><strong>Political values</strong></td>
<td>- Who has the power to frame the “culture”?</td>
<td>- Selection of stakeholders in consultation</td>
</tr>
<tr>
<td>- How does culture legitimate the political and economic claims?</td>
<td>- Public consultation process</td>
<td>Urban planning policy</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 1. The application of Zukin’s concept of culture (1995) in the study of culture-led urban development.

Firstly, the key issues in the negotiations in the planning of culture-led urban development based on the three dimensions and collected data is analysed. In this research, the “symbolic meaning” refers to the meaning of culture in culture-led urban development. Attention is paid on how a city uses culture as a representation and whose representation is used – that is the meaning and representation of culture (ibid.). It also reflects the interests of stakeholders in the project. The key issue identified in the collected data is the interpretation of culture in the plan by different actors. After analysing the symbolic meaning, the “material consequence" is examined by asking how culture is presented in material form (ibid.). It is concerned with how the space for culture was shaped, owned, financed and managed in culture-led urban development. The key issues to be studied include district plan, land disposal of the site, finance arrangement and operation of the cultural facilities. The last dimension is “political value”. It is concerned about who has the
power to frame the “culture” and how culture legitimate the political and economic claims (ibid.). The power of framing and the legitimation process of political and economic claims in the project are examined by asking who were invited to participate in the official consultation of planning, and how the public consultation took place.

Secondly, after analysing the negotiations in the planning process of the WKCD, I will study the unusual practices based on the three dimensions of culture. The relevant policy areas are identified: land policy, urban planning policy and culture policy. The practices in the WKCD are compared with the general practices in the existing land policy, urban planning policy and culture policy to find out what unusual practices were made by the government in the WKCD. The possible problems or consequence of these unusual practices are also discussed.

At the end of the thesis, the relationship between culture and urban development in the case study are critically reviewed by asking: Is “culture” the substance or reason of the project to make the difference compared to other housing and infrastructure planning? And why did “culture” make the difference?
Chapter 4  Method, Data, Limitation and Ethical Considerations

In the previous chapters, the context of the case study and theoretical considerations have been discussed. Now, how the research was conducted will be explained. This chapter presents the research setting, research method, data collection and analysis, and the limitation of data collection. Also, my role in this research and ethical considerations are also examined.

4.1  Research Setting

I consider the case of the WKCD as a case study of culture-led urban development based on two reasons. Firstly, the WKCD is named as "cultural district" by the government and the cultural facilities are mandatory in the plan. "Culture" is considered as a catalyst for this urban development project. Secondly, the WKCD project is an urban development project because it involves land resources and it changes the urban landscape of Hong Kong.

However, each case study has its uniqueness and specific social and cultural context. Generalisation of the cases of culture-led urban development is not the main purpose of this research. This case study would mainly seek to provide insights, understand and explain the complexity of culture-led urban development and the urban development in relation to culture in the post-colonial period of Hong Kong.

This research studies the negotiations and changes of the plans of the WKCD. The planning of the WKCD can be divided by two main timeframes based on the development approaches: public-private partnership approach (from 1998 to 2005) and statutory-body development approach (2006 and afterwards). As the major changes of the plan can be identified by comparing the planning in these two periods and development approaches, this paper studies the changes of the plan based on these two planning periods.

4.2  Research Method

The purpose of this research is to analyse the negotiation and unusual practices in the planning process of the WKCD as well as the relationship between culture and urban development. The roles and interests of different stakeholders, the relationship between different arguments, and comparison between practices in the WKCD and existing polices will be studied. The qualitative research method is employed because it can describe and explain the facts, variations and relationships.
Accessibility of data sources is the main concern in data collection. The focus of this research is the planning process of the WKCD and the changes in its plan during the period between 1998 and 2013. It is a past event and it is not possible to reach the responsible persons for interview easily. Documents were considered the most assessable data source to analyse in the past event. Also, policy document is a reliable data source for me to compare different policies and practices. Therefore, documentary research is adopted as the research method of this research.

4.3 Data Collection

Data was collected for this research from the below sources:

- Legislative Council document
- Government document
- Information pamphlet by private developers for their development proposal
- WKCD’s document
- Newspapers

These data were from primary sources. All the data were originally produced during the planning of the WKCD. Primary documents provided authentic raw information for systematically reviewing and analysing the case.

The Legislative Council is the major arena for negotiation in the WKCD project, because the Legislative Council has the right to monitor the government budget and major government projects (including the WKCD), and the government was required to seek for approval from the Legislative Council to implement the WKCD project. All the Legislative Council meetings are open to public and recorded for archives. The meeting document (including meeting proceedings, meeting minutes and supplement documents) have been uploaded and publicly accessed on the Legislative Council’s website. Also, the Legislative Council have archived all the proposals and papers submitted by the subordinate and opposed groups of the WKCD project. Their viewpoints were collected from these primary documents. The collected data related to the Legislative Council was mainly from the meeting document archive and the “Database on Particular Policy Issues – Development: West Kowloon Cultural District” on the Legislative Council’s website. The website address of the database is: http://www.legco.gov.hk/database/english/data_plw/plw-wkcd.htm.

The government document in the collected data includes the supplement document prepared by different government bureaus and departments for the Legislative Council.

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meeting, the document for the Invitation For Proposals and the first public consultation. These data were collected through the Legislative Council database or the government website.

The above two data sources provided the content of the WKCD projects and the opinions of the government, the Legislative Council members, some members from the arts and cultural sector and the public. However, under the public-private partnership approach, private developers rarely attended the open meetings. The information pamphlet published by private developers for the Invitation For Proposals provided data for analysing interests and viewpoints of private developers.

After the WKCD project was changed to the statutory-body development approach in 2006, the WKCDA has become the responsible body to implement the planning. The WKCDA has uploaded all the records of public engagement exercises on their website. Therefore, the data concerning the planning of the WKCD under the statutory-body development approach can be freely assessed in the WKCDA’s website.

For the data from newspapers, the time of the data covered two periods: from 2003 to 2005, and from 2013 to 2015. Newspapers were the major data sources of the opinions and actions of the private developers and the arts and cultural sector regarding the WKCD project between 2003 and 2005, because most of the negotiations were held during that period. Newspapers also provided information about the project in recent years (2013-2015). The newspapers collected for this research included the South China Morning Post, Ta Kung Pao, Sing Tao Daily, Ming Pao Daily News, Hong Kong Economic Times, Apple Daily and Shenzhen Special Zone Daily. South China Morning Post is the major English newspaper in Hong Kong, whereas other newspapers are Chinese. Different newspapers were accessed to ensure the reliability and accuracy of the data. The data from newspapers was accessed by WiseNews, which is the major online newspaper database in the Greater China.

For the language of the data, most of the official documents, including policy document, meeting minutes and proceedings, have both Chinese and English versions. The English version was used as data in this research. However, for those data which did not have English version, for example the Chinese newspapers, I translated the Chinese data into English for analysis.
4.4 Data Analysis

This research is an exploratory study. As a researcher, I read and reread the data carefully, looked for key words, themes, or ideas in the data that would help outline the analysis before any analysis took place (Guest, MacQueen, & Namey, 2012).

After reading all the data, a thematic analysis was adopted. With reference to the theoretical consideration and research questions, a theoretical framework for analysis was constructed. The documents were read through and the data document was selected based on its relevance to the theoretical framework. Based on the theoretical framework, the most relevant and comprehensive document was selected as the data for analysis.

However, some of the data is from official documents. The production of such documents may hide the bias to aim at sending official viewpoints. An interpretive and critical approach is adopted to analyse the assumption, ideological meaning, and power underlying the text. Discourse analysis was used, especially in the analysis of stakeholders' interests and their viewpoints. The aim of discourse analysis is to consider all the data as “evidence of the text’s inherent ideological ambiguities, distortions and absences” (Codd, as cited in McCulloch, 2004, p. 47), instead of proving which of these data is correct. The ideology of official policy documents is penetrated and the real conflicts of interest is exposed within the social world which the document claims to represent (ibid.).

4.5 Limitation of This Research

Although different constraints in the data collection and data analysis have been considered, there are still limitations in this research.

Some online document and websites were invalid and it was not possible to access these websites at the time of research. These website and online documents were accessed through the Internet Archive (http://www.archive.org).

Also, it was not easy to search the opinions of some stakeholders, such as the opposed groups and private developers, in the planning of the WKCD. These data were mainly collected from the newspapers and the document archive of the Legislative Council’s website during that planning period. This research assumes that the major stakeholders/actors, which are discussed in this paper, had expressed their viewpoints in mainstream media or the Legislative Council. Attempt was made to collect the relevant data from primary sources, such as newspapers, the original paper or documents submitted by the major stakeholders to the Legislative Council or their viewpoints found in the
Legislative Council meeting proceedings, instead of secondary sources. The data was also compared from different sources to ensure its authenticity and reliability.

4.6 Ethical Consideration: The Role of Researcher

Before this research was started, I was an insider of the arts and cultural sector, one of the major stakeholders of the WKCD. I worked in a small arts education organisation, namely Hong Kong Drama/Theatre and Education Forum (TEFO) between 2008 and 2012. TEFO serves as a platform to establish connection among arts educators and drama practitioners and advocate arts education in Hong Kong. It is financially supported by Hong Kong Arts Development Council under the arm-length principle. During the planning of the WKCD, TEFO organised two forums in 2010 and 2011 to invite different members from the arts education sector to discuss the development on the WKCD, particularly on the arts education in the district. Because of my work, I also participated in a closed-door meeting with the WKCDA and practitioners from different arts groups in 2011. I understand the dynamics and various interests between the arts groups. Therefore, throughout this research, a critical review of the roles and interests of different arts groups, and the conflicts among them in the planning of culture-led urban development is provided. It may be an advantage of this research.
Chapter 5  Analysis

This chapter analyses the case of the WKCD and answers the research questions. Each sub-chapter answers one secondary research question and the whole chapter provides an answer to the primary research question: **How and why did the plan of the West Kowloon Cultural District (WKCD) change from 1998 to 2013, and what were the unusual practices in the WKCD?**

The first sub-chapter provides the background and content of the planning of the WKCD project. I discuss and illustrate the details of each planning phase of the WKCD project from 1998, the beginning of the project, to 2013, the time that the plan was approved by the Chief Executive in Executive Council and the construction started. The planning phases under the two development approaches, including public-private partnership approach and statutory-body development approach, are examined one by one.

The second sub-chapter discusses the major stakeholders of the WKCD project under the public-private partnership approach, which is important to understand the negotiations and changes from the public-private partnership approach to a statutory-body development approach. I identified four major stakeholders from the data. They are the government, private developers, the arts and cultural sector, and the Legislative Council. This part examines the roles and interests of these stakeholders in the WKCD project.

The third sub-chapter analyses the negotiations and changes of the WKCD since 1998. It also discusses how the project has changed from the public-private partnership approach to a statutory-body development approach. Based on the theoretical framework, the key issues in the planning regarding the symbolic meaning, material consequence and politic value are discussed.

The fourth sub-chapter compares the practices of the WKCD project and general practices of the land policy, urban planning policy and cultural policy. This part analyses the unusual practices in the WKCD project from the general practices, and discusses the possible problems and consequences of these unusual practices.
5.1 The Planning of the WKCD

This subchapter discusses the planning process of the WKCD project. I read through and analyse the Legislative Council and government documents in order to present and discuss the context and the content of the planning of the WKCD.

This section is divided into four parts: the site for the WKCD, the birth of the “integrated” “cultural district”, the planning process under the public-private partnership approach, and the planning process under the statutory-body development approach. The first and second parts provide the background information of the WKCD project, while the third and fourth parts discuss the details of the planning phases under the two development approaches.

5.1.1 The site for the WKCD

The site for the WKCD is a 40-hectare waterfront site at the southern tip of the 340-hectare West Kowloon Reclamation, which is one of the ten core projects of the Hong Kong Airport Core Programme of the early 1990s. The Hong Kong Airport Core Programme includes the present most important transport infrastructures in Hong Kong, such as the Hong Kong International Airport (at Chek Lap Kok), the West Kowloon Expressway and the Western Harbour Crossing etc. These infrastructures link up different parts of the major islands in Hong Kong, including Lautau Island, the New Territories and Kowloon Peninsula and Hong Kong Island. The West Kowloon Reclamation was primarily aimed to provide land for a transport corridor to accommodate some of these transport infrastructures. Figure 2 shows the location of the West Kowloon Reclamation in the Hong Kong Airport Core Programme.

![Figure 2. The ten core projects in the Hong Kong Airport Core Programme. Source: New Airport Projects Co-ordination Office (1998).](image-url)
How did the government originally plan the West Kowloon Reclamation? According to the MetroPlan by the Planning Department in 1991, the whole West Kowloon Reclamation was planned to settle down the residents who would be affected by the urban redevelopment of the near areas. The residents of central Kowloon could move to the West Kowloon Reclamation, so the density of the whole West Kowloon would be reduced (as cited in Chu, 2007). The major area of the current site for the WKCD was originally planned to be a regional park (13.79 hectares) in order to compensate for the insufficient leisure facilities in the near areas. Other land uses of the site included commercial (5.02 hectares) and residential (0.77 hectare) development as well as other open space (7.94 hectares) and government, institution and community (1.45 hectares) uses (Planning, Environment and Lands Bureau, 1999, December).

However, a “promised” regional park was not yet built in the site. The then Chief Executive Chee-hwa Tung proposed to build a state-of-the-art performance venue on the site in his Policy Address 1998 – which was the original idea to develop the WKCD (Tung, 1998). It would change the land uses of the site. To justify this change, the Planning Department later noted that “the 1991 Metroplan has not provided effective guidance on development decisions is that it has become substantially out-of-date. Its provisions have tended to be superseded by later studies, [...] such as the Kowloon Density Study” (Planning Department, 2003). As the WKCD was planned by a top-down approach, there was no comprehensive study before the change of plan. It was in line with Cuthbert’s comment that the Hong Kong urban planning system is “maximum bureaucratic discretion” (Cuthbert, 1991).

As the Protection of Harbour Ordinance has been enacted since 1997, the government could not carry out any reclamation unless it is absolutely necessary. The site for the WKCD became the largest undeveloped waterfront area with a well-developed transport hub near Victoria Harbour. The location was very strategic and valuable for urban development. Therefore, the government gave up the planning of a “general” regional park and changed it to a strategic project.

5.1.2 The birth of the “integrated” “cultural district”

The original idea of building cultural facilities came from the Hong Kong Tourist Association. In 1996, the Hong Kong Tourist Association found out from a survey that approximately 1.3 million visitors expressed their interests in arts, cultural, entertainment, and other events in Hong Kong. Therefore, the Hong Kong Tourist Association proposed to
build additional venues for performing arts and sports (Hong Kong Tourist Association, 1998, September 5) to fulfil the demand of overseas visitors. One month later, the then Chief Executive Chee-hwa Tung put this proposal in his Policy Address (Tung, 1998).

At the beginning of the planning, the government considered the WKCD as a project to boost tourism and economy, especially Hong Kong’s economy came under tremendous strain by the Asian Financial Crisis in 1998. However, the government did not consulted with the local arts and cultural sector before it announced the WKCD project. It was unusual from the “free market” principle. The project was not initiated based on the actual demand of the cultural facilities and cultural activities; it was based on the impression of the overseas visitors and proposed by the Chief Executive as a strategic planning in a top-down approach. The government intended to boost the economy by increasing the supply of cultural programmes.

Before the project was named as “cultural district”, the project was just initially a state-of-the-art performance venue of 5.5 hectares in the originally planned regional park in the West Kowloon Reclamation. In 1999, the government considered that developing the performance venue in isolation would not be appropriate. The Hong Kong Tourist Association also recommended developing the whole waterfront area into a new art, culture and tourist district and complementing the performance venue by other arts, cultural and entertainment facilities to achieve a clustering effect (Planning, Environment and Lands Bureau, 1999, December).

The decision was in the hand of the Chief Executive8 and the Executive Council9. At the Executive Council meeting in November 1999, the Executive Council advised and the Chief Executive ordered that the project area “should be fundamentally reviewed to facilitate the development of a world-class integrated arts, cultural and entertainment district” (Home Affairs Bureau, 1999, December 8, p.2). Since then, the project was named the “West Kowloon Cultural District” and aimed at achieving a world-class level in the global (art) market.

The site for the WKCD was originally zoned as a regional park under the South West Kowloon Outline Zoning Plan (OZP) at that time. Therefore, the land use planning of the whole site had to be changed in order to develop it to a cultural district, in which the re-planning of the site of which approval by the Town Planning Board (TPB) should be sought.

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8 The Chief Executive is the head and representative of the HKSAR government. Under the current system, the Chief Executive has the final say on urban planning.

9 The Executive Council is a formal body of advisors to the Chief Executive in policy-making and the administration of the government. It is analogous to a cabinet in Commonwealth states. All members are appointed by the Chief Executive.
However, before the application for amendment of the land-use submitted to the TPB for approval, the government had already changed the construction works in the site and even abandoned some parts of an existing works contract that would affect the re-planning of the project area (Legislative Council Secretariat, 2000, February 24). It implied that the government was confident to take over the decision of land use planning, before seeking the approval from the TPB. The autonomy of the TPB remained uncertain in the WKCD project.

To develop the WKCD project in an “integrated” approach, the government proposed to develop residential buildings, commercial and hotel facilities along with the cultural facilities. The government claimed that the development of cultural facilities would be the major purpose of the WKCD project, meanwhile other facilities would mainly support the cultural facilities. The following part will examine whether the actual planning of the WKCD project achieved this purpose.

5.1.3 Planning process under public-private partnership approach

As first, the government suggested the WKCD should be developed by private sector and proposed a public-private partnership approach. Under the public-private partnership, the government called for an open competition for an architectural plan for the basis of the district plan, and combined the land use planning and the land disposal of the WKCD project as listed in Table 2.
As illustrated in Table 2, the government intended to implement the planning of the cultural district in five major steps under the public-private partnership approach. Firstly, the government organised an open competition to invite architects to submit a concept plan for the district. Secondly, the government launched the “Invitation For Proposal” to invite private developers to submit a development plan. Thirdly, the government screened the submitted proposals and organised the First Public Consultation to invite the public to choose one preferred plan. Fourthly, after the public consultation, the Executive Council would choose one preferred developers. The government then negotiated the development parameters and land premium with the selected developers. The plan drafted by the developers and modified by the government would be adopted as the draft district plan of the WKCD. Fifthly, the government and the Town Planning Board would amend the land use of the site with a two-stage approach. After all, the government would grant the development right and lease the land for 50 years to the selected developer. The features are discussed in detail in the following.

<table>
<thead>
<tr>
<th>Open Competition for architectural and concept plan</th>
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</thead>
<tbody>
<tr>
<td>Invitation for Proposals for development plan</td>
</tr>
<tr>
<td>First Public Consultation to choose one proponent to develop the district</td>
</tr>
<tr>
<td>Development parameters and land premium negotiated among the government and the preferred developers</td>
</tr>
<tr>
<td>Two-stage approach for plan amendment to change the land use of the site</td>
</tr>
<tr>
<td>Grant of development right and land lease in 50-year term to the successful proponent</td>
</tr>
</tbody>
</table>

Table 2. The planning and land lease process of the WKCD under a public-private partnership approach.
Open competition for architectural and concept plan

The government launched an open competition for the architectural and concept plan for the WKCD project in 2001. The government separated the concept plan competition and actual development application; the development right would not be granted to the winner of the concept plan competition. The government believed that the architectural design of the cultural facilities in such culture-led urban projects was normally extraordinary, for example Bilbao Guggenheim Museum, and there might be technical difficulties in realizing the winning design. In addition, the winning concept plan may change the land use of the site and the developer would need to seek approval by the TPB before actualising the planning.

In 2002, the government announced the result of the concept plan competition. A concept plan by an internationally well-known architect Norman Foster and Partner was selected. The main feature of the winning concept plan was a great canopy-shaped cover. Therefore, the plan was named "Canopy plan".

Invitation For Proposals for development plan and the first public consultation exercise

Based on the winning Canopy plan and modification made by the government, the government then launched an Invitation For Proposals in September 2003 to call for a development plan under a "single package approach" in public-private partnership. It was named "single package" because the government would grant the land of the whole site to only one private developer (or joint developers). The winning developer would operate the cultural facilities for 30 years and then transfer the cultural facilities to the government after the term; meanwhile the developer could lease the whole site of the district for 50 years to develop residential and commercial facilities for sales or rental.

The single package approach received widespread opposition from the public and different stakeholders. The Legislative Council was the main arena for negotiations, as the government did not have formal consultation with different stakeholders and the Legislative Council invited different stakeholders to express their concerns in the Legislative Council meetings. On the 26th of November 2003, the Legislative Council passed a motion to urge the government to "consider the 'software' contents before planning the cultural facilities", "extend the deadline for submission of development proposals" and "uphold the 'people-oriented', 'partnership' and 'community-driven' principles" of the
project” (Legislative Council, 2003, November 26, p. 1734)\textsuperscript{10}. Also, on the 27\textsuperscript{th} of April 2004, the Panel on Planning, Lands, and Works of the Legislative Council also passed a motion to oppose the land and financial arrangement proposed by the government for the WKCD (Legislative Council Secretariat, 2004, June 28).

Although the government expected to receive development proposals from both local and overseas developers for the WKCD project, only five proposals from local developers were received in the Invitation For Proposals. At the end, only three proposals complied with the mandatory requirements. The three proponents were World City Culture Park (Henderson Land), Sunny Development (Sino Land, Wharf, and Chinese Estates) and Dynamic Star International (Cheung Kong Holding and Sun Hung Kai). These companies were the large property developers in Hong Kong.

The government organised the First Public Consultation exercise on the three screened-in proposals from December 2004 to June 2005. The purpose of the consultation exercise was to choose one plan from the three screened-in proposals and to consult the public on the additional development parameters and conditions. However, there was opposition against the single package approach and the Canopy plan.

\textit{The termination of the single package approach and public-private partnership}

During the planning of the WKCD project, the Hong Kong government was facing its political crisis in her governance during 2003 and 2005. The proposal for the implementation of Article 23\textsuperscript{11} of the Basic Law received widespread opposition from the public and it resulted in an estimated 500,000 people marching on the street on the 1\textsuperscript{st} of July 2003. In the same year, two principal officials, the then Secretary for Finance Antony Kam-chung Leung and Secretary for Security Regina Suk-yee Ip, resigned due to public doubts on personal creditability and the implementation of Article 23 respectively. In March 2005, the then Chief Executive and proposer of the WKCD, Chee-hwa Tung finally resigned due to "health problems”.

\textsuperscript{10} The passed motion was moved by Sing-chi Wong, a Council member from pan-democratic camp, and amended by Fung-kwok Ma, a member from pan-establishment camp. The interests of different camps will be discussed in the next section.

\textsuperscript{11} Article 23 is the basis of a "national security law" of Hong Kong under the One Country Two Systems. According to the article, “[t]he Hong Kong Special Administrative Region shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government”. Civil society considered the legislation of this article as a threat of "freedom of speech" in Hong Kong.
After Donald Tsang was “elected”\textsuperscript{12} as Chief Executive in June 2005, “effective governance” was promoted in his term. To put forward the WKCD project among the public criticisms against the single package approach under public-private partnership, the government introduced new development parameters and conditions within the exiting development framework in October 2005. The developers were requested to provide an additional funding for operating the cultural facilities, and divided the project into smaller parts to allow other private sectors to participate in the WKCD project. The potential profit may decrease under the new framework, and therefore no developers followed the new requirements. It resulted that the Invitation For Proposals could not be continued.

In February 2006, the government announced that the single package approach (and public-private partnership) and the Canopy plan were abandoned. The government would start over the planning of the WKCD project.

5.1.4 Planning process under the statutory-body development approach

After the abandonment of the public-private partnership approach, the government introduced a statutory-body development approach to carry on the project in 2006. The planning and the land lease were separated. The planning process of the WKCD was under statutory as shown in Table 3.

\textsuperscript{12}The Chief Executive was elected by an 800-member Election Committee at that time. It is always criticised that the election of Chief Executive is not universal suffrage but appointed by the Chinese government.
At first, the government established a Consultative Committee to review the core arts and cultural facilities (CACF) in the district. Later, the government drafted the West Kowloon Cultural District Authority Ordinance to set up a statutory body, namely the West Kowloon Cultural District Authority (WKCD) to carry on the planning of the district in statutory process. After its establishment, the WKCD organised a three-stage public engagement exercises and integrated the public views in the preparation of the plan. The first stage of public engagement collected the general public’s views. Based on its result, the WKCD invited three teams of architects to prepare three draft plans for public discussion. The second stage of public engagement consulted the public for their opinions on the three plans. One plan was selected based on the result of stage two. The third stage consulted the public on the details on the master plan. After the public engagement, the WKCD finalised

Table 3. The planning process of the WKCD under the statutory-body development approach.

<table>
<thead>
<tr>
<th>Stage 1 of Public Engagement</th>
<th>- consult general views on district planning</th>
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<tr>
<td>Stage 2 of Public Engagement</td>
<td>- Select one master plan from the three draft plans</td>
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<tr>
<td>Stage 3 of Public Engagement</td>
<td>- Consult the details on the master plan</td>
</tr>
<tr>
<td>The WKCD finalise the master plan and submit the plan amendment to the Town Planning Board (TPB)</td>
<td></td>
</tr>
<tr>
<td>The TPB review the plan amendment</td>
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Review on the core arts and cultural failities (CACF) by the new established Consultative Committee

Draft the WKCD Ordinance, and establish a statutory body (the WKCD)
the master plan and submitted the plan amendment to the Town Planning Board (TPB) for review. The details of each phase are discussed in the following.

**Review on the cultural facilities and the establishment of a statutory body – the West Kowloon Cultural District Authority (WKCDA)**

Since the public and stakeholders complained that the government had not consulted the arts and cultural sector enough for the WKCD project, the first task of the government to carry on the project was to set up a Consultative Committee comprising three advisory groups respectively on performing venues, museums and financial implications of the CACF, to review the needs of the CACF and the operation of the project.

In 2008, the West Kowloon Cultural District Authority Ordinance was passed by the Legislative Council. The West Kowloon Cultural District Authority (WKCDA) was then established by the government as a statutory body responsible for planning and implementing the WKCD project. The request for the establishment of a statutory body came from the public’s demand to develop a cultural district for “public interests”. Therefore, one of the main responsibilities of the WKCDA was to collect views from the public and major stakeholders and to prepare the plan for the WKCD with all the necessary technical assessments under the key development parameters approved by the Legislative Council. The key development parameters have strict requirements to ensure the project be a “cultural district”. For example, the maximum overall plot ratio is 1.81 and no more than 20% of the total gross floor area of the WKCD is for residential development (Planning Department, 2007, November). All the amendment on the key development parameters are required to seek approval by the government.

**Three-stage public engagement**

From 2009 to 2011, the WKCDA implemented a three-stage public engagement to prepare the master plan. Based on the outcome of the public engagement exercises, the WKCDA would prepare the master plan and submit the plan amendment to the TPB for approval.

In the stage one during October 2009 and January 2010, the WKCDA consulted the public and stakeholders about the general views and expectation on the district planning, facilities and cultural programmes on the district.

In the stage two during August 2010 and November 2010, the WKCDA invited three architect teams to propose three conceptual plans. The three architect teams included the
winning architect of the previous concept plan competition, Foster and Partners, and one local architect team (Rocco Design Architects Limited) and one overseas architect team (Office for Metropolitan Architecture). The Foster and Partners’ "City Park" plan was finally selected at the end of stage two. In the City Park plan, there was no more extraordinary architecture; the green features, the public open space and accessibility were favoured by the public, which was based on the result of the stage one public engagement. The result of the public engagement exercise was integrated into the district planning.

In the stage three during September 2011 and November 2011, the WKCDA modified the Foster and Partners’ concept by incorporating some desirable features from the other two plans to propose a new development plan. The new development plan was presented to the public and stakeholders in this stage to consult for the technical details.

**Submission of the new master plan and the kick-off of construction**

At the end of 2011, the WKCDA finalised the master plan and submitted the plan to the Town Planning Board (TPB). In March 2012, the development plan was exhibited in the gazette. In 2013, the plan was approved by the TPB and the Chief Executive in the Executive Council. According to Section 21 (9) of the West Kowloon Cultural District Authority Ordinance, the development plan then replaced any South West Kowloon draft plans. In September 2013, the construction of the first building in the site, Xiqu Center, finally started – 15 years after the project was first proposed.

![Figure 3. The master plan of the WKCD project proposed by the WKCDA. Source: South China Morning Post (2014, May 28).](image)

Figure 3 shows the master plan of the WKCD project proposed by the WKCDA and approved by the Executive Council in 2013 (South China Morning Post, 2014, May 28). The cultural
facilities will be built in three phases with other mixed uses facilities. The first batch of facilities including the Xiqu Centre, Arts Pavilion (exhibition space), Freespace and M+ (a contemporary arts museum) aims for opening to the public in 2016 and beyond. A medium theatre, a centre for contemporary performance, and a lyric theatre will be built in phase two. Phase three originally included another medium theatre, a music centre, a musical theatre and a great theatre, as shown in the South China Morning Post in 2014. However, in the latest update on the WKCDA’s website, the completion time of phase three was uncertain (West Kowloon Cultural District Authority, 2015d). This was caused by the delay of the construction of high speed railways in the underground of the site and the increasing construction costs.

5.2 Major Stakeholders’ Roles and Interests

The previous sub-chapter went through the planning phases of the WKCD from 1998 to 2013. The change from the public-private partnership approach to the statutory-body development approach came from the negotiations between different stakeholders.

This section discusses the roles of the major stakeholders and their interests in the WKCD project in the early planning phase, i.e. under the public-private partnership approach. Four key stakeholders in the negotiation process are identified: the government, private developers, the arts and cultural sector, and the Legislative Council. The data sources were diverse, ranging from the government document, the Legislative Council document and publication from the developers to the newspapers. In what follows, findings for each stakeholder are discussed one by one.

5.2.1 The government

The role of the government was to plan the district, set the project objectives and development regulations, allocate resources, consult the public and stakeholders, coordinate and mobilize different actors (including the official bodies and unofficial bodies) to implement the WKCD project. The data for the government’s viewpoint were collected from the government document.

Although the government claimed that the project should be led by private sectors, this largest culture-led urban development still involved different government bureaus and departments under the public-private partnership. In the early planning phase between 1998 and 2002, the WKCD project was mainly implemented by planning-related bureau

In September 2002, a Steering Committee for Development of the WKCD was established by the government to plan and guide the implementation of the WKCD project with different departments. The Steering Committee was chaired by the Chief Secretary, who oversees various policy areas in general, and other members were the heads of different bureaus and departments as seen below:

- Secretary for Housing, Planning and Lands (as Deputy Chairman of the Committee)
- Secretary for Environment, Transport and Works
- Secretary for Financial Services and the Treasury
- Secretary for Home Affairs
- Secretary for Justice or her representative
- Permanent Secretary for Planning and Lands
- Commissioner for Tourism
- Director of Architectural Services
- Director of Lands
- Director of Leisure and Cultural Services
- Director of Planning
- Director of Territory Development

(Housing, Planning and Lands Bureau, 2003, November)

Although the WKCD was considered as a “culture-led” urban development, only two cultural policies related officials were included in the Steering Committee: Secretary of Home Affairs and Director of Leisure and Cultural Services. The Hong Kong Arts Development Council (HKADC), the statutory body on cultural matters, did not even have a place in the committee; while the Commissioner for Tourism won a place. It also reflected the fact that the WKCD was planned to boost tourism at the beginning. Seven out of thirteen committees were from urban development or planning relevant bodies. The government planned it as a normal urban development project with cultural elements, instead of planning a cultural district for cultural development in the expectation of some stakeholders.

The project was implemented as a strategic planning in a top-down approach, and directly in-charged by the high level official – the Chief Secretary. There was no elected member in the committee. Therefore, there was always criticism on the lack of comprehensive public consultation.
To boost the economy through tourism and infrastructure

At the beginning of the planning, the government’s main interest for the WKCD was to boost the economy through tourism and urban development (Tung, 1998). At that time, Hong Kong was facing serious deficit and economic depression influenced by the Asian Financial Crisis in 1998. The government would like to create more jobs and attract overseas investment through boosting tourism and building infrastructure. The government assumed that the infrastructure would boost tourism, and finally it would bring economic opportunities.

The government always claimed free market economy as the foundation of Hong Kong economy since the colonial period. However, it was not an exceptional case that the government stimulated the economy by infrastructure and tourism with public funding. After the handover, the first Chief Executive, Chee-wah Tung has proposed to develop the Hong Kong Disneyland and the Chinese Medicine Port in 1998, and the Cyberport in 1999, to boost the economy. While the Chinese Medicine Port was not carried on by the government later, the Hong Kong Disneyland was opened in 2005 and the Cyberport was completed in phases between 2004 and 2008.

The HKSAR government’s motivation to boost the economy by infrastructure could be explained by the Capital Works Reserve Fund. After the handover, the income from the land premium is credited to the Capital Works Reserve Fund, which is designated for the expenses of the government’s public works programmes (Liu, 2014). Urban development was always considered as a way to achieve “economic growth”. Therefore, the government would boost the economy by increasing investment on urban development.

Although the government intended to boost economy through such infrastructure projects, their economic benefits were questionable and there were always rumours about some hidden interests of the government and private developers. The Cyberport, which was an urban development project combining IT facilities, residential and retail facilities in the western waterfront area in Hong Kong Island, was always mentioned as an example of failure comparing with the WKCD. The development approach of the Cyberport was similar to the single package approach of the WKCD under public-private partnership. One-third of the site was planned for residential area and the sales from the residential area would help finance the IT facilities in the Cyberport. The government granted the development right of the whole site of the Cyberport to Pacific Century Group which was controlled by Richard Li, the son of Hong Kong’s wealthiest man and the head of a large private developer Ka-Shing Li, without a formal open tender. It is in line with Hayllar’s comment that the public-private partnership was always “government-private partnership” (Hayllar, 2010). The lack
of transparency in the planning and land disposal were also criticised as collusion between the government officials and private developers. Also, the effectiveness of such cluster to boost the industry was not easy to measure. The Cyberport was criticised to become a real estate project instead of a cluster for IT development.

To build the global image and cultural identity after the handover

At the beginning of the planning, the government first proposed the WKCD as a tourist attraction to promote tourism. However, in such a culture-led urban development project, the economic value and the cultural value were always considered as mutually exclusive by the general public and the arts and cultural sector. The upholding of economic values in the project was implied as subversion of the cultural values of the project (Shin & Steven, 2013). The arts and cultural sector and the Legislative Council members always worried that the WKCD would become a real estate project rather than a cultural project. Therefore, the government repressed its economic purpose in the later period and shifted the focus of the project to promote a cultural identity for the city. The government promoted the WKCD as “an icon for culture and leisure” (Information Service Department, 2004) to emphasise on the building of the global and cultural identity through the WKCD.

As discussed in Chapter 2, the concept of “cultural desert” was widely used in the public and political occasions whenever the government put forward any proposals related to culture. When the then Secretary for Home Affairs Patrick Ho explained why Hong Kong needed the WKCD during a District Council meeting in 2005, he said, “Hong Kong is a cultural desert, and the WKCD will turn this desert into a land of rich soil” (Chin, 2008, p.67; translated by and cited in Chow, 2012). It reflected the government’s will to build a global city image through developing this cultural district.

As Yeoh (2005) notes, many Asian post-colonial cities which embraced entrepreneurial regime aestheticised their landscapes drawing on “local” identity to gain competitive edge in the global market. Hong Kong is not an exception. The Hong Kong government would like to imitate the successful overseas culture-led urban development, such as Bilbao Guggenheim, to build a global city image with a high cultural profile.

5.2.2 Private developers

Under public-private partnership, private developers were the major actors who actually implemented the planning, construction, operation and maintenance of the cultural
infrastructure. The data for their interests were collected from newspapers since the developers seldom attend the open meetings in the Legislative Council. They usually shared their opinions through media.

The main interest of private developers in the WKCD project was to generate revenue through the urban development on this last valuable reclaimed land near the Victoria Harbour, as disclosed by Henry Kar-shun Cheng, the founder of New World Development\textsuperscript{13} (Sing Tao Daily, 2004, June 18). The value of the site was estimated to be HK$210 billion\textsuperscript{14} (approximately €24.59 billion). Therefore, many private developers would like to bid the project to gain profits from it. However, the uneven opportunities in bidding the project made small and medium-sized developers fight against large developers during the planning process.

Stanley Ho, the then president of the Real Estate Developers Association of Hong Kong, which represented over 300 local developers, opposed the single package approach because this approach favoured the large developers. Ho mentioned the investment amount under the single package approach was so high; and it favoured a few large developers only. Therefore, this uneven opportunity for participation allowed large developers to negotiate a lower land price for the site. Ho described that the WKCD would become a “gift to large developers by seven million Hong Kong people”. Ho suggested that the government should divide the WKCD into smaller parts and allow more developers to participate in the project. Ho even described the division of the WKCD project as an act of “sharing the meal” (in Chinese: “有飯大家食”) in which “meal” meant the revenue from the project (translated from Ta Kung Pao, 2005, January 8). Here, the “gift” mentioned by Ho meant the favourable terms and lower land price offered by the government. Although developers supported the WKCD in general because the project brought investment opportunities, many developers opposed the single package approach.

Large developers who participated in Invitation For Proposals did not explicitly share their opinions on the single package approach. The founder and chairman of Cheung Kong Holding, one of the large developers who had submitted proposals for the WKCD, Ka-shing Li refused to comment on the operation approach, and said he would follow the government and do his best (Hong Kong Economic Times, 2005, January 8).

\textsuperscript{13} New World Development expressed their interests to the WKCD project at the beginning but finally they did not submit a proposal in the Invitation For Proposals.

\textsuperscript{14} The value of the site was estimated by Stanley Ho, the then president of the Real Estate Developers Association of Hong Kong (Ta Kung Pao, 2005, January 8).
Despite the fact that the WKCD project was a profitable real estate project under the single package approach, some participating developers claimed that their intention was to do good for Hong Kong’s image and culture. Shau-kee Lee, the founder and chairperson of Henderson Land emphasised their investment on the WKCD was for Hong Kong’s own good. Lee said, “The [WKCD] project is good for Hong Kong. I do not mind to lose over HK$100 billion [approximately €11.7 billion]. The most important thing is to build a good image for Hong Kong. I will not lose face” (translated from Apple Daily, 2004, October 30). In the Invitation For Proposals, all three proposals highlighted their investment on the cultural development, while the profitable items including residential, commercial and hotel facilities, and their potential income from the project were slightly mentioned (Dynamic Star International, 2004; Sunny Development, 2004; World City Culture Park, 2004).

Did the developers really invest in the cultural development? Of course not. After the government imposed a new requirement in the Invitation For Proposals to request the developers to provide an independent fund for operating the communal facilities in the WKCD and divide the project into smaller parts, the potential economic benefits from the project were significantly reduced. Although the developers still showed their interests in the project right after the renewal of the requirement, it was just a gesture to support the government to carry on the project. From a news report, an anonymous insider from the developers said that the developers had planned to negotiate the amount of the “threshold fee” (i.e. the independent fund for operating the communal facilities in the WKCD). However, the government did not make the concession in the end (Hong Kong Economic Times, 2006, February 22). Eventually no developer continued to participate in the Invitation For Proposals. This led to the suspension of the WKCD project.

Promoting culture obviously was used as an excuse to hide the developers’ economic interests in the culture-led urban development. The developers supported the government’s plan to protect and hide their own interests. It echoed with Evans’ comment that culture can be used to hide the underlying power and interests in culture-led urban development (Evans, 2005).

5.2.3 The arts and cultural sector

The role and the interests of the arts and cultural sector were quite diverse. There are three main groups holding different standpoints: (1) those who fully supported the project; (2) those who were generally in support of the idea of developing a cultural district but
disagreed with the details; (3) those who opposed the project. Their opinions were collected from their submitted document to the Legislative Council and newspapers.

For those who fully supported the WKCD project, they were mainly the well-established performing arts groups and visual arts groups (Ming Pao Daily News, 2005, February 1). Helen Ng, the Chief Executive Officer of the Hong Kong Ballet, one of the nine major performing arts groups financially supported by the HKSAR government, said that she supported the WKCD project because the arts group needed a “home”. Ng mentioned that, the Hong Kong Ballet still did not have its own permanent studio since its establishment in 1979. They had to look for rehearsal spaces all the time. They made an agreement with Dynamic Star International, one of the three screened-in developers in the Invitation For Proposals, that the Hong Kong Ballet would have a permanent studio and rehearsal spaces if Dynamic Star International won the development application (Shenzhen Special Zone Daily, 2005, February 19). Comparing with independent artists or small and medium-sized arts companies, these well-established arts groups were most likely to produce large-scaled performances in theatres or exhibitions in museums in the WKCD. They were the highest potential users of the world-class cultural facilities of the WKCD, and they could directly benefit from the WKCD project in terms of financial resources and land resources. As Zukin (1995) notes, more art requires more space. These performing arts groups needed more space for their growth. Therefore, they actively provided professional advice and support to the private developers in exchange for residency in the cultural district.

For those who were generally in support of the idea but disagreed with the details, their backgrounds were quite diverse. They may not benefit directly from the cultural facilities of the district, but they believed that the cultural district generally could advance the arts and cultural development in Hong Kong in terms of financial or land resources. As the public funding for arts and cultural groups was greatly reduced during late 1990s and early 2000s, many arts and cultural groups found financial difficulties for their long-term development. Also, the government did not have any specific strategy and planning for the arts and cultural development, and there was no comprehensive cultural policy in Hong Kong. These arts and cultural groups believed that the development of a cultural district would be a good opportunity to call for comprehensive cultural policy, which would benefit the arts and cultural sector in the city. On the other hand, they did not agree with the public-private partnership approach and the concept plan of the WKCD project. Therefore, their main roles were to propose an alternative or counter proposal to stimulate public discussion on the development of the WKCD. The People’s Panel on West Kowloon (PPWK) was the major advocacy alliance established in 2004 by local various sectors’ focus groups to propose
another way to develop the district. They proposed an alternative proposal called “Redefining WKCD” to engage the communities to re-plan the whole project with “cultural vision” and “urban planning vision”. Also, they advocated to establish "Cultural Metropolis Think Tank” to formulate the cultural vision of the city (People’s Panel on West Kowloon, 2005). It aimed at formulating the long-term cultural policy in Hong Kong.

A few arts groups and artists opposed the project. They argued that the WKCD project was a real estate project instead of a cultural project. Those were mainly independent arts groups or artists who received little public funding. Instead of the investment on hardware (i.e. the cultural infrastructure), those arts and cultural groups demanded the government to invest on software (i.e. arts and culture development in the city) by increasing resources for cultural programmes, professional training, audience building and arts education, and also formulating long-term cultural policy for the city (Sing Tao Daily, 2004, November 18). Also, they preferred the amendment on the existing regulations or improvement on cultural resources, rather than investment on an uncertain mega cultural project.

FM Theatre, an independent theatre group, has created a street performance project, “West Kowloon Cultural Street”, in the pedestrian zone in Mongkok, one of the districts in West Kowloon since 2003. FM Theatre advocated that arts could be found in public space. They demanded for higher autonomy in public space management and more freedom for street performance, rather than developing a grand cultural district or world-class cultural facilities. They also tried to participate in the planning process of the WKCD but they had never received any response from the official bodies (Yeung, 2014, January 3).

Overall, the government did not include the arts and cultural sector as major stakeholders in the early phase of the planning. Most of the arts and cultural groups could only (re-)act in the Legislative Council meetings or outside the government’s official institutions. However, some well-established members from the arts and cultural sector were invited to participate in the planning of the WKCD in the closed-door meeting with the developers.

5.2.4 The Legislative Council

In the case of WKCD, the Legislative Council played an important role as an official monitor and legislated the laws and regulation for the WKCD project. In general, the major interests of the Legislative Council members in the WKCD project were to protect the interests of their supporters through monitoring the project, and also to build a political profile for elections. The Legislative Council could not lead or change the WKCD project, but it can stress the government to respond to the public opinions on the project.
There are four major different camps in the Legislative Council: (1) the pan-democratic camp; (2) the pan-establishment camp, or pro-government camp; (3) the functional constituency member of Sports, Performing Arts, Culture and Publication; (4) the functional constituency member of Real Estate and Construction. The data for their interests were mainly collected from a Legislative Council meeting held on the 26th of November, 2003, because the Legislative Council members moved a motion to urge the government to review the project and extend the deadline for the development application in that meeting, and most of the Legislative Council members shared their opinions on the project. I reviewed the newspapers to collect relevant data for their roles and interests.

The pan-democratic camp represented the pro-democracy citizens. They demanded a more democratic and participatory planning process to plan the WKCD. They would like to prevent the potential collusion between the government and private developers. Some of their members moved motions to request the government to “comprehensively review” or even “temporarily shelve” the WKCD project, “openly and thoroughly consult” different sectors, and “consider setting up a statutory body” to implement the plan (Legislative Council, 2003, November 26, pp. 1664 & 1731).

The pan-establishment camp was pro-government and they supported the government in general. However, the crisis in the government’s accountability and the widespread doubts and criticism against the WKCD project had influenced the pan-establishment camp to not fully and explicitly support the government, in order to prevent a loss of seats in the coming Legislative Council Election in 2004. They followed the motion moved by the pan-democratic camp for the temporary suspension of the WKCD project. The pan-establishment Legislative Council member Yuen-han Chan further explained why the pan-establishment camp could not fully support the government regarding the WKCD in the Legislative Council meeting: “[T]he recent 1 July [2003] incident and the District Council election concluded recently are actually a message from the people, telling us that their views have not been accepted by the Government. They are not happy with the Government, not happy with those people, including political parties, who support the Government” (ibid., p.1698).

The then functional constituency member of Sports, Performing Arts, Culture and Publication, Timothy Tsun-ting Fok, represented the arts and cultural sector in general. In the Legislative Council meeting in November 2013, Fok said the WKCD project should be a

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15 On 1 July 2003, there was the largest protest in Hong Kong since the handover. An estimated 500,000 people marched on the street to demand the then Chief Executive Chee-hwa Tung to step down. Also, in that District Council election, the pan-establishment camp had lost more seats than their competitors.
cultural project and proposed to stick to the goal of cultural development. Fok suggested the whole project to be conducted in partnership among the government, the arts and cultural sector, and private developers (ibid., p.1672). Later during the First Public Consultation, Fok further complained that the arts and cultural sector was not consulted thoroughly and suggested that the government separate the culture and real estate (Ming Pao Daily News, 2004, November 25).

The then functional constituency member of Real Estate and Construction, Abraham Shek, mainly represented small and medium-sized private developers. Similar to Stanley Ho, Shek opposed the WKCD project because the single package approach favoured large developers, and Shek suggested that the government divide the WKCD project into different smaller parts, so that small and medium-sized developers could participate in the project (Legislative Council, 2003, November 26, pp. 1673-1676).

Overall, the Legislative Council members represented different parties and their interests were diverse. As the government did not have an open and comprehensive consultation for different stakeholders, the interested groups expressed their views through their representatives in the Legislative Council. The Legislative Council became the major arena for negotiations. Also, the Legislative Council members’ standpoints and opinions might be changeable due to the political climate at different moments.

5.2.5 Conflicts within sectors and alliance across sectors

In general, those who could directly benefit from the project in terms of financial opportunities or land resources would support the WKCD project. Some actors, who did not directly benefit from the existing plan but the culture-led urban development went in their favour, supported the idea of building a cultural district and counter proposed the details of implementation. The actors who opposed the whole planning were usually excluded in the planning process. My case study found that there were diverse interests among actors within the same sector. It is not easy to conclude which sectors had benefited from the culture-led urban development.

Moreover, actors from different sectors may form an alliance to defend their own interests. The well-established performing arts group formed alliance with the large private developers and supported the single package approach (which favoured the large private developers) in Legislative Council meetings in exchange for their participation in the project.
There were no clear-cut interests uniting the sectors as other case studies of culture-led urban development projects (for example, Shin & Steven, 2013; Wang & Li, 2011). Interests of different actors were overlapped and changing from time to time. In next section, the negotiations and changes in the WKCD from the public-private partnership approach to the statutory-body development approach are discussed.

5.3 Negotiations and Changes From Public-private Partnership Approach to Statutory-body Development Approach

The purpose of this section is to identify the symbolic, material and political dimensions of culture in the negotiations on the WKCD, and examine the arguments for negotiations and the changes from the public-private partnership approach to the statutory-body development approach.

Based on the collected data and theoretical framework, the negotiations are studied in the below themes:

- Symbolic dimension: The meaning of culture
- Material dimension: The production of space
- Politic dimension: The power of framing

The negotiations on one dimension closely related to others. Sometimes the changes or negotiations of one dimension would affect the negotiations of another dimension. The data were collected from different sources including the document from the government, the Legislative Council, the developers, the WKCDA and newspapers.

In the following the themes are presented and discussed one by one. The relationship between different dimensions are also discussed.

5.3.1 Negotiation on symbolic dimension: Meaning of culture

The meaning of culture in a cultural district was negotiated and struggled over throughout the planning process of the WKCD. It also influenced the negotiations of material consequences and politic values. Different stakeholders negotiated on the meaning of culture in the project in order to influence the district plan, development approach and public participation.

In this section, I analyse the negotiations on the meaning making of the WKCD project by asking the below two questions:
• How did different stakeholders interpret the meaning of culture in the WKCD project?
• Whose representation of whose culture was used in the WKCD project?

**Negotiations on the meaning of culture: Global image or local cultural democracy?**

At first, the government justified the meaning of culture in the WKCD project as a unique flavour for tourism. The then Executive Director Chee-hwa Tung put the proposal of the WKCD under the section of “Tourism” in his Policy Address in 1998. Tung mentioned,

“In order to enhance our appeal as a tourist destination, we will promote new attractions which will complement our unique flavour and provide for a wider range of events in Hong Kong.” (Tung, 1998)

In this proposal, “culture” does not mean ordinary life as what William (1958) suggests. “Culture” was embodied by “events” and considered as the “unique flavour” to promote the city as a “tourist destination”. The urban culture and city landscape became resources to produce special experience for tourism in the era of service economy. The value of culture was mainly explained in its economic contribution to the tourism in the early stage.

To echo with the purpose for tourism, the symbolic “global city” image was promoted. As mentioned, the original idea of developing a cultural district came from the Hong Kong Tourist Association. The Hong Kong Tourist Association believed that “a thriving arts, cultural and entertainment sector was as vital to the development of the tourism industry of every great international city as it is to the inhabitants who live and work there” (Hong Kong Tourist Association, 1998, September 5). The government considered the mega cultural facilities as a mandatory element of an international city. It followed Florida’s thesis that urban culture and cultural facilities are the resources to attract international talents, which was called “creative class” by Florida, to move to the city to live and work there (Florida, 2002).

As Kong (2007) suggests, Hong Kong would build a cultural icon through the WKCD project to maintain the competitiveness of Hong Kong as a global city instead of a normal Chinese city after the handover. In their development proposals, private developers invited different international organisations and experts to work with them for the “global city” image. Dynamic Star International invited the internationally well-known Soloman R. Guggenheim Foundation from New York and the Center National d’Art et de Cultures Georges Pornpidous from Paris as their arts and cultural consultants and major strategic partners/operators (Dynamic Star International, 2004). Sunny Development invited IMG
Artists, the international performing arts consultant, to complement the internationally well-known music programmes (Sunny Development, 2004). The developer even described their theatre complex as "The West End – Broadway... and now the WKCD” in their planning proposal (ibid.). “The West End” and "Broadway" represented the top level of Western high art. Western high art including contemporary art, modern dance, drama, and museums were upheld in the developers’ proposals for the WKCD. Only very few Chinese arts, such as ink painting and Xiqu (Chinese opera), which could be staged in the international art market, were mentioned. It is in line with Law (2012) and Chow (2012) that Western high culture was always preferred by the Chinese elites in Hong Kong for to maintain their cultural capital.

While the government emphasised the WKCD could build a global city image for Hong Kong through an iconic architecture, world-class facilities and (Western) high art programmes, the civil society suggested a counter proposal to develop the WKCD with local knowledge and visions, and put it forward to local cultural democracy.

In 2004, the People’s Panel on West Kowloon (PPWK), an advocacy alliance established by local various sectors concerning the development of the WKCD, advocated to build Hong Kong as "world class cultural metropolis" through the WKCD project with “cultural substance”. The “cultural substance” could be developed through their proposal called “Redefining WKCD”. The “Redefining WKCD” urged to form a tri-partite (civil society, government and business) to re-plan the WKCD in democratic, participatory and transparent planning procedures (People’s Panel on West Kowloon, 2005). It was more than normal district planning, but considered the planning of the cultural district as a way for cultural democracy – a democratic practice through participation in cultural planning and cultural activities.

While the global city image was built on the architecture and cultural programmes, the local cultural democracy was based on the cultural vision and participation of citizens. The former considered “culture policy as display” (McGuigan, 2004), the latter considered culture as a way of participation and expression.

**Negotiations on the interpretation on “cultural values”: Whose representation is used?**

As the project was named as “cultural district”, the public and cultural sector expected that the WKCD would be a cultural project planned in relation to the cultural development. Therefore, some actors from non-government organisations and the arts and culture sectors demanded that the WKCD project should be planned from the perspective of
"cultural logic" and operated under the “non-profit making” principle rather than an entirely commercial basis (Legislative Council, 2003, November 25). While most of the cultural services in Hong Kong were financed with subvention by public money on a non-profit basis, culture-value pursuing was always articulated with “non-profit”. It was always assumed that “culture” and “economy” were mutually exclusive.

When the WKCD was planned under the public-private partnership approach, Louis Yu, the then Executive Director of the Hong Kong Arts Centre, expressed his worries about the “different values” held by the arts and cultural sector and private developers:

“The local cultural sector and developers do not have a close relationship so far. They hold diverging values. It is difficult to establish [mutual] trust within a short period. Although the deadline of the planning application [Invitation For Proposals] has been extended to June next year [2004], it seems that the cultural sector and the developers have to ‘get married immediately’ due to that time. The cultural sector is really worried about that.” (translated from Sing Tao Daily, 2003, December 22).

Meanwhile, the public was concerned about how cultural facilities in the WKCD were planned. Bernard Yim, an architect from the Hong Kong Institute of Architects, said that the developers had never planned any cultural facilities before. If the facilities did not fulfil the need of the local cultural sector, there would be a need to rebuild the facilities. To avoid that, Yim advised that private developers should plan the district from the perspective of the “users” – the cultural sectors (ibid.).

Two concerns about “culture value” were identified. The first concern expressed from Louis Yu was whether the rationale of the planning fulfils the cultural value held by the cultural sector. It echoed with some voices that the development of the WKCD should be planned relevant to the cultural policy or in "cultural logic” (Legislative Council, 2003, November 25), whereas the developers pursue profit-making in the commercial world. Because of the lack of comprehensive cultural policy in Hong Kong, some stakeholders called for a long-term cultural policy before, or at least at the same time as, constructing the infrastructure in the WKCD. Here the interpretation of “culture value” in the project meant the goal of the cultural development in Hong Kong. The second concern about “cultural value” was whether the cultural facilities (hardware) meet the needs of the users. As the local arts and cultural sector was considered as the major users of the cultural facilities in Hong Kong, their needs and concerns shall be taken into account in the planning of WKCD. When the first concern about the cultural development (“software”) was ambiguous and not explicitly explained, the first concern was easily “hijacked” by the second concern about the infrastructure (“hardware”).
Later, the discussion of “culture values” shifted to whether the WKCD could achieve a world-class standard and present a high quality artistic programme. To express the “cultural values” of the WKCD, the private developers highlighted their international networks in the global arts market and the “tailor-made” cultural facilities for the local arts and cultural sector. All the developers in the Invitation For Proposal have invited internationally renowned art organisations and artists as their advisors or potential partners to provide international cultural events to show an artistic excellence. Also, they invited the nine local major performing arts companies to be their partners. The plan “Our Park” by Sunny Development, for example, proposed that the nine major performing arts companies would be the resident companies in the district (Sunny Development, 2004). Dynamic Star International also promised to offer the biggest dance group (the Hong Kong Ballet) studio space and performance venues if Dynamic Star International won the development application (Shenzhen Special Zone Daily, 2005, February 19). Through building a high culture profile, the developers could seek for higher rent for their property in the district (Zukin, 1995). The culture values held by the arts and cultural sector and the economic benefit of the private developers were not mutually exclusive. Sometimes a certain interpretation of “cultural values” could be transformed into economic values which was in favour of the private developers. Culture values and economic values could be interchangeable, and it depends on the interpretation of “culture”.

The changes in symbolic meaning of culture

The meaning of culture is changing from time to time interpreted by different stakeholders throughout the planning process. It is not easy to clearly define the differences of the meaning. However, I will identify the significant change of the official description on the meaning of culture in the project.

After the development approach of the WKCD was changed to a statutory-body development approach, the WKCDA has emphasised that the WKCD was “a place for everyone” (West Kowloon Cultural District Authority, 2011, September 29). Hong Kong people were the major users of the district. The WKCDA stressed more on its contribution to the general public as a place for leisure and to the local arts and cultural sector as a base for advancement for artistic quality.

Also, tourism or global city image were no longer the main purposes of the WKCD project. Profit-making was no longer (or should not be) the major concern. The project should benefit the local citizens and local arts and cultural sectors, instead of winning favour with
tourists. The “culture value” was still upheld but it was interpreted as the quality of the arts and cultural programmes. In both development approaches, “culture” was considered as a product and embodied in a form of programme. That’s why the “world standard” and “international quality” of cultural programmes were always emphasised.

A Hong Kong sociologist Lui (2008) described the WKCD project in public-private partnership as “city branding without content”. Lui argued that the emphasis on iconic buildings, media visibility and mega-projects of the WKCD project was a typical package of urban entrepreneurialism; there was no content for culture. However, I argue that the WKCD has content for culture, but the content depends on the interpretation of “content” – whose culture value or whose culture representation – are used.

5.3.2 Negotiation on material dimension: Production of space

In the previous section, the negotiations on the meaning making of culture in the WKCD project were discussed. The symbolic meaning also had material consequences in the production of space.

In this section, I discuss the material consequence of culture in the WKCD project. How was the material “culture” interpreted in urban development? Two key issues concerning the material consequence of culture are discussed:

- How was the cultural space designed? What were the district plans?
- How was the cultural space operated and managed?

Negotiations on district plan and architecture: Culture-led means icon-led?

Many culture-led urban development projects have built iconic architectures to develop a unique “culture” of the city to gain a competitive edge in the global market. In this regard, the WKCD was not an exception. The “icon-led” plan became the most controversial issue in the planning of the WKCD.

In the open competition for concept plan, the first criteria was a “unique and gorgeous” architecture (Planning and Lands Bureau, 2000). Later, the concept plan namely “Canopy” plan, featured an iconic canopy-shaped architecture, designed by a team led by an internationally well-known architect Norman Foster won the competition. The jury commented that the plan could “establish Hong Kong as a city of world-class arts and cultural activities [...] a great canopy, ‘flows over the various spaces contained within the
development’ to **create a unique landmark**” (Planning and Lands Bureau, 2002, April 19, p.2).

![Figure 4. The Canopy plan by Foster and Partner. Source: Hong Kong Special Administrative Region Government (2002, February 28).](image)

Figure 4 shows the Canopy plan by Foster and Partner. In this plan, a wavy horizontal canopy-shaped cover is the main feature. An elongated area of commercial, retail and entertainment uses starts from the east (which is near Jordan, a well-developed district in West Kowloon) and extends to the cultural facilities including a major performance venue, a concert hall, theatres and museums, in the west. Along the southern waterfront, there is a large lagoon and a continuous promenade (Planning and Lands Bureau, 2002, April 19).

The canopy-shaped cover is gigantic and covers all the buildings in the district. It would become the most visible and largest building along the Victoria Harbour if the design came into reality. The creation of “unique landmark” and its representation as a world-class cultural facility were the main reasons that the Canopy plan was selected. The uniqueness of a landmark would help to increase the monopoly rent (Harvey, 2012) in the district.

The iconic Canopy architecture then became the core element of the district plan. In the Invitation For Proposals, the building of the Canopy was one of the mandatory requirements.
by the government. One local large developer SWIRE submitted a counter proposal suggesting to portray the physical canopy-shaped architecture by planting trees, instead of building a physical iconic building (Ming Pao Daily News, 2004, July 15). However, SWIRE’s proposal was rejected by the government without any negotiation or consultation, simply because SWIRE’s proposal did not fulfil the requirement of building a physical Canopy architecture (Hong Kong Economic Times, 2004, November 23). The government was determined to build the iconic Canopy architecture, in which culture materialised in the form of extraordinary architecture to present a global city image.

Also, the government chose the Canopy as the major image for the Invitation For Proposals to represent the WKCD. Three proponents of the Invitation For Proposals also chose the Canopy as the major image of their proposal. Except Sunny Development, the other two proponents in the Invitation For Proposals, World City Culture Park and Dynamic Star International, also portrayed the WKCD as a shiny Canopy in the waterfront area in the darkness. It implied that the Canopy brightened and upgraded the city. The images are presented as the below Figures 5-7.

Figure 5. The cover of the “Invitation For Proposals” for the WKCD project. Source: Hong Kong Special Administration Region Government (2003).
Figure 5 shows the booklet cover of the “Invitation For Proposals” by the HKSAR government. The image captures the Canopy under a bird’s eye view from the west to the east. The western part of the district, which is concentrated by most of the cultural facilities in the Foster’s Canopy plan, is the most visible part. The harbour and the area besides the district are immersed in the darkness of the black background. Only the Canopy is visible. It shows that the Canopy brightens up the city and illustrates the grandness of the Canopy.

Figure 6. The image of the Canopy in the information pamphlet by World City Culture Park. Source: World City Culture Park (2004).

Figure 6 shows the Canopy image portrayed by World City Culture Park in its information pamphlet. The image focuses on the Canopy and the buildings under the Canopy themselves. The Canopy and these facilities are bright, whereas the tall buildings behind the Canopy are dull. The district looks “alive” as there is a water spout in the harbour next to the district.

Figure 7. The image of the Canopy in the information pamphlet by Dynamic Star International. Source: Dynamic Star International (2004).
Figure 7 shows the Canopy portrayed by Dynamic Star International. The image is portrayed in an extreme wide shot from the harbour. The Canopy is also a bright architecture in darkness. The buildings under the Canopy are shining with the Canopy, whereas the tall buildings next to the Canopy which are also part of the district are dull. The Canopy is very bright; it even creates an inverted shining image in the water. The source of the light is from the water amphitheatre at the west-end of the district. It implies that "something" important is at the west-end – which is concentrated by the arts and culture facilities in Foster’s plan. The tall buildings behind the Canopy are residential facilities and they seem immersed with the darkness. The dark colour makes the residential facilities to not attract the focus.

Figures 5-7 show the key images of the WKCD portrayed by the government and two of the developers. As mentioned, these three images highlight the Canopy and make it brighter than the background or buildings nearby. It delivers a message that the Canopy brightens the city. Also, all of them take a wide shot or even bird’s eye view of the district. It shows the view from outside the district – an outsider’s view. There are no people or activities in the site. How outsiders look at the district – becomes the key question of the planning.

The iconic architecture had a role to play in the city image. World City Culture Park described their plan of the WKCD as “a gleaming icon for Asia’s world city” (World City Culture Park, 2004); and Dynamic Star International used “THE ICON: The West Kowloon Cultural District – Encapsulating Hong Kong in one iconic image” (Dynamic Star International, 2004) as the slogan of its plan. The government also promoted the WKCD project with a slogan of “an icon for culture and leisure”. In an official promotion video announcement for the WKCD by the government, the video showed different kinds of cultural events, including musical, dance, Xiqu, and exhibitions available on an open area (the background was a lawn) for people of different ages to enjoy and participate in (Information Service Department, 2004). The iconic architecture did not only build the “global city image”, but also provided extra values to the city’s culture and leisure. “Icon” became the common word to describe the meaning of culture, and also used to justify the district planning – the iconic architecture. The meaning of culture was shaping the space. The production of space and the production of meaning were intertwined.

On the other hand, other stakeholders shared other concerns for the building of the Canopy. The first concern was the technical problem. Some architects and engineers did not support the Canopy because it might not comply with the requirements under the Buildings Ordinance and the Fire Services Ordinance; and the construction and maintenance of the 120-meter Canopy were very expensive (Legislative Council, 2003, November 25).
According to a survey collecting the architects’ view on the Canopy made by the Hong Kong Institute of Architects (2005), 62% of the respondents “object or have reservation” on the Canopy plan. The major reasons included technical or environmental concerns (33%), value and cost concerns (34%) and other concerns (44%)\(^{16}\) (Hong Kong Institute of Architects, 2005).

Meanwhile, some arts and cultural groups argued that the WKCD should be developed along with the goal of cultural development. They called for a long-term cultural policy to guide the development of the WKCD. In their perspective, the materialisation of the culture of the WKCD should be led by the cultural policy in Hong Kong (Legislative Council, 2003, November 25).

The negotiations over the district plan were not only the technical argument on the Canopy plan, but also the rationale of planning. The government planned the district by an architectural concept; and some arts and cultural groups evaluated the district plan with visions on cultural development. The conflicts came from a different interpretation on the materialisation of culture in the culture-led development. One side considered “culture-led” as an **iconic architecture led**, another side considered “culture-led” as **culture development or cultural vision led**.

**Negotiations on contract and development approach: Public-private partnership approach or statutory-body development approach?**

The negotiations on the contract and development approach were the major reasons why the WKCD project was suspended in 2006. While the government proposed a public-private partnership, some members from the arts and cultural sector and Legislative Council proposed a statutory-body development approach. The questions are: who owned the space? Who and how was the space managed?

At the beginning of the project, the government proposed a public-private partnership approach to reduce the burden on public expenditure. The government believed that the public-private partnership would encourage the private sectors to “participate in the development and the future running of the cultural and arts facilities on a commercial basis and to provide creative ideas to **meet the market demand**” (Legislative Council Secretariat, 2000, May 17, p.5). The “market demand” here did not refer to the existing demand and supply of cultural facilities. Instead, it meant that the cultural programmes

\(^{16}\) Although other concerns counted for 44%, the details of other concerns were not mentioned in the report.
could not meet the “general public’s needs”. Therefore, the government was calling for “creative ideas” to make the cultural programmes be commercialised and self-financed. This was because most of the cultural facilities and cultural programmes in Hong Kong were financially supported by subvention by the government or a non-profit foundation.

The most controversial issue was the “single package approach” proposed by the government under the public-private partnership. Under this approach, the government would lease the land and grant the development right of the whole site of the WKCD to one selected private developer (or joint developer) for a term of 50 years. The land premium would be agreed upon by the selected private developer and the government. The developer could sell, lease and license any units in the lot area to finance the district. The government tied the non-profit making cultural facilities with the profit-making residential and commercial facilities in the site and named this contract as “single package approach”. The selected developer would be responsible to plan, design, finance, construct, procure, fit out and complete the WKCD and subsequently operate, manage and maintain the core art and cultural facilities (CACF) for a period of 30 years with its own funding or income from the site. Upon expiry of the 30-year period, the CACF would be handed back to the government and the proponent might apply for extension of the operation right. It is the typical Build- Operate-Transfer\(^{17}\) model in a public-private partnership in Hong Kong.

There were different concerns regarding this development approach. The first concern was the financial sustainability for the cultural facilities. King-man Lo, a famous opera and theatre director in Hong Kong and the then principal of the Hong Kong Academy of Performing Arts, became an advisor of Henderson Land, one of the developers bidding for the WKCD project. Lo supported the single package approach and said, “If the project was divided [into smaller parts], who will pay for the cultural facilities?” (translated from Sing Tao Daily, 2005, October 3). Lo assumed the combination of real estates and the development of cultural facilities would ensure the financial sustainability.

The second concern was the developers’ opportunity to participate in the development of the WKCD project. According to Abraham Shek, the then functional constituency member of Real Estate and Construction, the eligibility for entry into the Invitation For Proposals

\(^{17}\)The Build-Operate-Transfer model is one type of partnership between the government and the private sector in building an infrastructure. The government grant the development right of the infrastructure to the private sector, so the private sector participates in the financing, construction, operation, and maintenance works of the infrastructure project. Also, the concessionaire is granted to the private sector to charge the service users in a certain period. On the expiry of the Build-Operate-Transfer agreement, the infrastructure will be transferred to the government with or without compensation. The Build-Operate-Transfer model is commonly adopted in the construction of tunnels in Hong Kong (Lo, 2004).
favoured large developers and excluded the small and medium-sized developers. Even small and medium-sized developers opted for a joint venture, where members contributing 10% of the investment had to guarantee for other investors holding the other 90% of the stake (Legislative Council, 2003, November 26). Therefore, Abraham Shek and Stanley Ho, the then president of the Real Estate Developers Association of Hong Kong, which represented the small and medium-sized developers, suggested the government to abandon the single package approach, and divide the WKCD into smaller parts to allow more developers to participate in the project (ibid.; Ta Kung Pao, 2005, January 8).

The third concern was who manages the space, especially the cultural facilities in the site. Henry Kar-shun Cheng, the founder of New World Development Company, one of the large developers in Hong Kong, opposed the single package approach and did not bid for the WKCD project. Cheng proposed the government separate the non-profit-making cultural facilities and profitable real estate, and then extract part of the land premium to develop the cultural facilities. Cheng said, “Let the property developers build the real estate. Let the professional cultural groups manage the cultural facilities” (translated from Sing Tao Daily, 2004, June 18). Cheng believed that there was no way to combine the non-profit-making arts and profit-making real estate, also the property developers did not know how to operate the cultural facilities (ibid.). Some arts and cultural groups also shared similar concerns. They thought that the private property developers held different values from the cultural sectors, and the private property developers did not have any experience in running cultural facilities (Sing Tao Daily, 2003, December 22).

The fourth concern was that the single package approach allowed the developers turning the WKCD project into a real estate project. Some Legislative Council members doubted the private property developers’ intention of building cultural facilities for boosting their real estate. Shing-chi Wong from the pro-democratic camp described such partnership made the government cede the site to large developers and the WKCD became the “leased territory” of the tycoons (Legislative Council, 2003, November 26). It meant the cultural facilities would become the backyard of real estate.

Therefore, some members from civil society, especially independent cultural groups, architects and planners, demanded that the government should establish a statutory body to act as a developer to plan and implement the WKCD project, and divide the site into different smaller parts for development. It was believed that a statutory body would ensure the WKCD be a “cultural project” instead of a “property project” or “real estate project”, and then “public interests” would be protected. The “public interests” here referred to the culture values for culture development.
The changes in material consequence of culture

There were two major changes: the district plan and development approach.

Firstly, regarding the production of space, the district plan was no longer led by an iconic architecture. When the WKCD has changed to implemented by a statutory body, the WKCDA selected Norman Foster’s plan, namely the “City Park” plan, based on the result of the second stage public engagement exercise.

Figure 8 shows the model of City Park by Foster and Partner. This plan features a magnificent urban park “bridging the countryside to the city” (Foster + Partners, 2010), a continuous waterfront, green spaces and streetscapes. The network of service roads would be built below ground, and a public transportation system above ground (ibid.). Different from the previous iconic Canopy plan, the City Park plan featured on the public open spaces in the large urban park, but no longer on extraordinary buildings. The image of the green spaces does not emphasise on the world-class cultural facilities, but on the accessibility of the general public.

![Figure 8. Model of City Park plan by Foster + Partners. Source: Foster + Partners (2010).](image)

The production of symbolic meaning depends on the production of space (Zukin, 1995). While green space was preferred and the City Park plan was selected after the second stage public engagement, “a place for everyone” was used as a slogan by the WKCDA to promote the district under the statutory-body development approach (West Kowloon Cultural District Authority, 2011, September 29).
Figure 9 shows the promotion of the third stage public engagement of the WKCD. The image focuses on people sitting in the park in the daytime. It paid more attention to the people, rather than the architecture. People are doing different kinds of activities on the lawn. Two men in the left are playing chess. Several children are playing balls. A family at the back is taking a walk. No high art activity is taking place. The use of colours – including the orange colour under the slogan and the green colour of the grass – are brighter. It gives the reader a feeling of “relaxing”. Culture was no longer portrayed as an iconic city image, but it was considered as quality of life.

Figure 9. The promotion image of the stage 3 public engagement exercise of the WKCD from the WKCD website. Source: West Kowloon Cultural District (2011).

Secondly, regarding the contract and development approach, the government abandoned the public-private partnership approach and adopted the statutory-body development approach, and re-planned the district with a statutory planning process. A statutory body namely the West Kowloon Cultural District Authority (WKCDA) was established to implement the project and manage the space. In addition, the Legislative Council remained some control in the planning. The development parameter of the WKCD project was required to seek for the Legislative Council’s approval. Then the WKCDA would draft the master plan according to the approved development parameter for plan amendment application to the TPB. It implied the public could remain some power to monitor the WKCD project through the Legislative Council.

Also, the government separated the development right of residential, office and hotel land use in the district from that of the arts and cultural facilities and other public facilities in the WKCD. The land for cultural facilities and other related facilities would be granted to the WKCDA to own and manage with an upfront endowment of HK$21.6 billion (approximately €2.53 billion) provided by the government. The WKCDA could generate income by investment and operation (such as renting the retail/dining/entertainment facilities) of the site, and receive money and property. The WKCDA has statutory autonomy to implement the project with its financial resources.
5.3.3 Negotiation on political dimension: Power of framing

In the early phase under the public-private partnership, the WKCD received widespread opposition because the government did not implement any comprehensive public consultation before planning. The way of participation could show the political values of culture in this case.

To study the political values of culture, I analyse who had the power to frame the culture of the WKCD project (i.e. the power of framing), and how culture legitimated the political and economic claims in the early phase, i.e. under the public-private partnership approach. In this part, the negotiations on the political dimension of culture are discussed by asking the following questions:

- Who were the selected stakeholders?
- How did the general public participate in the public consultation?

Negotiations on the power of vision: Who were the selected stakeholders?

In the case of this thesis, not only the meaning of culture (symbolic meaning), contract and development (material consequence) were negotiated by stakeholders, the way of participation was also negotiated. As the way of participation would affect who has the right to frame the culture (in both symbolic and material basis) in the project, I call the participation as the “power of vision” or “framing of culture” suggested by Zukin (1995).

In the early stage under the public-private partnership approach, there was no comprehensive public consultation before the planning. The government claimed that the stakeholders' views were taken into account in formulating the details of the concept plan competition (Planning and Lands Bureau, 2000, p.4). However, the guidelines of the concept plan competition only listed out the general description of the core and the optional facilities of the districts (ibid., Annex). Also, the selection of stakeholders and the result of the consultation were not disclosed. It could not fully reflect the concerns from different stakeholders and it mainly included the opinions of the supporters of the WKCD project.

On the other hand, after the launch of the Invitation For Proposals, the developers invited some members from the arts and cultural sector as well as architects and planners for private consultation for the district plan behind closed doors. These consultation meetings were not official, and the developers selected some well-established arts and cultural groups to join their alliance (Ming Pao Daily News, 2003, December 22). Without official
and comprehensive open public consultation, the arts and cultural sector who opposed the plan had limited opportunity to influence the planning.

In other words, the power of vision – to define the image of the WKCD – rested in the hand of the government and developers. The government set the rules for participation, and the property developers selected partners to maximise their own interests. The well-established cultural organisations participated in the framing of culture through building alliance with the developers. did not allow alternative proposals on the planning.

While the government and private developers controlled the framing of culture under the public-private partnership, other stakeholders formed alliance to advocate counter proposals. An alliance of 11 local cultural and academic organisations launched their own public consultation during the First Public Consultation by the government, as they complained the consultation period was too short and there was no comprehensive cultural policy to guide the development of the WKCD project (The Standard, 2004, November 12). The People’s Panel on West Kowloon (PPWK), formed by different members from the civil society, proposed to establish a statutory body for the WKCD project to plan and implement the project with a democratic approach. Besides the statutory body, the PPWK suggested to set up a “Metropolis Cultural Think Tank” to include the cultural sector, urban planning sector, architecture sector, business sector and education sector to formulate the cultural vision and urban planning vision for the WKCD project. The think tank would provide a mechanism to involve the community in every stage of the development of the WKCD, and facilitate the town planning process with research and development under a democratic participation process (People’s Panel on West Kowloon, 2005). The PPWK attempted to enlarge the groups who can participate in the framing of culture in the WKCD project, as well as the culture of the city.

How did the general public participate in the public consultation?

The previous section discussed how the government controlled the selection of stakeholders to be included in the consultation, this section discusses how the government also shaped the public consultation to legitimate its political and economic claims under the public-private partnership approach. After the concept plan was chosen by the government, the first public consultation exercise was finally organised by the government from December 2004 to June 2005. It was open to the general public.

The major purpose of the consultation exercise was to choose one plan from the three screened-in proposals. During the consultation, the government organised a series of
exhibitions to present the three screened-in proposals and distributed a “Comment Card” at the exhibition to collect the public views. However, the Comment Card only invited the respondents to indicate their preference on the three proposals. There was little room for the general public to contribute original ideas or alternative plans to participate in the planning. Also, the government in its agenda setting in the public consultation exercise took for granted the Canopy plan and single package approach, which were the most controversial issues in the project.

**Figure 10.** Extract from the Comment Card of the first public consultation organised by the government from mid-December 2004 to late June 2005, under the public-private partnership.
Source: Hong Kong Special Administration Region Government (2004).

Figure 10 shows one of the questions in the Comment Card. Regarding the comment on the design for the canopy, the question is: "In terms of the following major aspects of the design for the canopy, which proposal do you like the most? Please ✓ to indicate your preference." It is followed by four sentences: “a. It provides a pleasant sheltered environment for public space underneath. / b. Its unique design is most likely to make it a waterfront landmark that will attract overseas visitors and local residents. / c. It has state-of-art architectural and engineering design with the strongest artistic appeal. / d. Overall, which proposal is the best in terms of design for canopy?

Please suggest areas for improvement to the proposal you indicate in 3d:

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18 In the public consultation exercise, the government named the questionnaire as “Comment Card” to collect the public views.
engineering design with the strongest artistic appeal. Overall, which proposal is the best in terms of design for canopy?

The four sentences are close-ended. Their purposes are to collect the respondents’ preference among the three proposals, rather than asking for their opinions on the plan. Also, these sentences were self-evident. Take the sentence “It [the Canopy] provides a pleasant sheltered environment for public space underneath” as an example. There was no room for the public to comment whether the Canopy would provide “a pleasant sheltered environment for public space underneath” or if the Canopy was essential to provide “a pleasant sheltered environment for public space underneath”. The sentences were based on the assumption that the plan must have a Canopy, and the evaluation criteria set by the government. An open-ended question “Please suggest areas for improvement to the proposal you indicate in 3d [the respondent’s preferred plan]” followed the four sentences, however, it just invited respondents to give suggestion on the preferred plan. It shaped the respondents to give opinions on the three screened-in proposals only.

The limitation of participation was also caused by the planning procedure. As building an iconic building in a culture-led urban development was the main goal, a design competition had been organised at the beginning to achieve this goal. The public consultation came after the concept plan was selected. The public consultation could only influence the technical or minor changes, but not the concept of the whole plan.

Therefore, the consultation was not for collecting the diverse public feedback on the plan and allowing the public to participate in the planning. Instead, the consultation was just a framing process for the government to justify their “support” from the public, since the public can only “indicate their preference” in either one of the plans. The limited public consultation allowed the government to legitimate its political and economic claims through the way of participation.

The changes in political values of culture

After the failure of the public-private partnership approach, the government proposed the WKCD to be planned in a statutory planning process. The authority changed the way of participation in planning and allowed more stakeholders to participate in the planning.

Firstly, a statutory body namely the WKCD was established to carry on the project and conduct the public consultation to re-plan the district. This was the first statutory body established to plan a cultural district in statutory process. It was supposed that the WKCD was independent from the government and business sector to protect “public interest”, and
carry on the project with wide public engagement. In order to enhance the public involvement in the planning process, the WKCD named the public consultation as “public engagement” to emphasise that the public were engaged in the development of the WKCD. Secondly, the WKCD organised a three-stage public engagement exercise before a district design competition, so that the architect team could design a master plan based on the result of public engagement.

The following are some possible references. If you like, you may also indicate your preferences:

<table>
<thead>
<tr>
<th></th>
<th>Most Preferred</th>
<th>Preferred</th>
<th>Neutral</th>
<th>Least Preferred</th>
<th>Not Preferred at all</th>
<th>No Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Harmonising with the harbour-front and the ridgelines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Distinct from and in contrast to its surrounding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Exhibiting a green setting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Presenting an urban setting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Showcasing Hong Kong’s unique local and traditional characteristics</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f) An innovative mix of local and international features</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g) Others</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Figure 11. Extract from the questionnaire of the stage one public engagement exercise. Source: West Kowloon Cultural District Authority (2009).

Figure 11 shows the extract of the questionnaire of stage one of the public engagement, which aimed at collecting the general public’s views on the district. The question is “The
following are some possible references. If you like, you may also indicate your preferences”. Some sentences describing the setting of the future WKCD project were listed as follows: “a) Harmonising with the harbour-front and the ridgelines/ b) Distinct from and in contrast to its surrounding/ c) Exhibiting a green setting/ d) Presenting an urban setting/ e) Showcasing Hong Kong’s unique local and traditional characteristics/ f) An innovative mix of local and international features”. The public were invited to indicate the degree of their preferences on the planning of the district. The setting was more open for the public to discuss what kinds of cultural district were preferred. These sentences were suggestions, but not a set of evaluation criteria given by the government.

In stage two, three district plans were designed for the general public to comment on. Figure 12 shows the extract of the questionnaire of stage two. Regarding the essential features, for example “open space”, the respondents were asked to indicate the degree of liking on this specific feature among the three plans. It was different from the previous public consultation under the public-private partnership which solely invited the public to select one plan according to the evaluation criteria set by the government. This attempted to include the public views in the framing of culture – what kinds of features should be included and how a cultural district should be designed. Overall, the WKCD Authority organised over
100 activities, including open forum and focus group meetings with the stakeholders, during the public engagement period. The WKCD also uploaded the voice records and meeting transcription to their website to increase the transparency of the planning.

Although the WKCD paid relatively more attention on the public involvement, there were also shortcomings in the consultation. On the selection of stakeholders, the WKCD invited members of the selected art groups, including performing arts and visual arts, for in-depth discussion. Both selected art forms were more appealing in visual effects, which would explicitly enhance the value of the cultural district. They were the major venue users of the district and therefore the major stakeholders in consultation. Two of the three Advisory Groups of the Consultation Committee set up by the government also focused on performing arts groups and museums. The individual artists of other art forms could hardly influence the selection of art form in the district. Some literature groups and writers, who considered their works as part of Hong Kong’s culture, were not invited as stakeholders by the WKCD. The literature groups and writers proposed to build a museum for Hong Kong literature (The Advocacy Group for the House of Hong Kong Literature, 2009, June 15) but it was turned down by the WKCD without in-depth discussion with the public. The inclusion, as well as exclusion, of “culture” are unavoidable in the planning of culture-led urban development. Which kind of culture is leading the district? How is the culture framed in the culture-led urban development? Who is making the decision of framing the culture? These become unavoidable questions to framing the “culture”, and a city image is built through this framing process.

The public consultation under the statutory-body development approach was more open to the public and comprehensive, but the framing of culture was still in control by those who had power to frame. The WKCD and the government have the final say on the framing of culture of the WKCD. The committees of the WKCD comprise the representatives of the government, the Legislative Council and the leaders of the arts and cultural sector, survey sector, urban planning sector and accounting professionals. Except two board members of the WKCD were legislators who were elected from the general public or the functional sectors, all other board members of the WKCD were appointed by the government. The Chief Secretary for Administration also chaired the board of the WKCD. The decision making of the development of the WKCD and the framing of culture remained in the hand of the government under the statutory-body development approach.
5.4 Unusual Practices in the WKCD

In this subchapter, the practices of the WKCD between the public-private partnership approach and the statutory-body development approach are compared with the general practices in land policy, urban planning policy and cultural policy. The three policy areas were identified based on the theoretical framework. The data were collected from the documents from the government, the Legislative Council and the WKCD. These comparisons help to discover the unusual practices of the WKCD. Also, I discuss what possible problems might be brought from these unusual practices in each section.

5.4.1 Land matters: Land grant practice

For the land grant practice, the government claimed the uniqueness of the WKCD as a reason for the unusual practice (Legislative Council Secretariat, 2000, May 17). The comparison between the WKCD and general practices are listed in Table 4.

<table>
<thead>
<tr>
<th>Process of disposal of government land</th>
<th>The WKCD under the public-private partnership</th>
<th>The WKCD under the statutory-body development approach</th>
<th>General practice</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The Executive Council would first select one private developer from the Invitation For Proposals and then sell the land to the winning private developer under the single package approach.</td>
<td>The government grant the site to a newly established statutory body, namely the WKCD, under a private treaty grant (except the land for residential, office and hotel use which would be sold in normal land auctions).</td>
<td>Under land auction, the developer who offers the highest bid price would get the land grant. Otherwise, a private treaty grant is also usually made to a public utility company, or charity, or the corporates in which the government is the largest shareholder.</td>
</tr>
</tbody>
</table>

| Land premium | The land premium would be agreed upon by the selected developer and the government. | No land premium | In land actions, the land premium would be the highest bid price. For private treaty grants, the land premium would be decided by the government from project to project. |

| The term of land grant | 50 years (30 years for the cultural facilities) | 50 years | 50 years |

Table 4. Comparison of the land grant practice in the WKCD and the general practice.
Under the public-private partnership approach, the land disposal process of the WKCD was very different from the general practice – both of land auction and private treaty grant.

Under the general land auction, land is granted to the developer who offers the highest bid price. The land auction is open to the public. However, with the single package approach in public-private partnership, the land of the WKCD was not sold by land auction at the highest bid price. The land of the WKCD would be granted to the developer who won the Invitation For Proposals and the land premium would be agreed upon by the selected developer and the government. Although a public consultation was organised to collect public views for the Invitation For Proposals, the decision of the Invitation For Proposals was in the hand of the Chief Executive and the Executive Council. The members of the Executive Council were appointed by the Chief Executive and the meetings were closed door and confidential. The selection process of the winning proposal in the Invitation For Proposals was not disclosed. This increased the possibility of collusion between the government officials and private developers under the public-private partnership.

In 2014, ten years after the Invitation For Proposals, Rafael Hui, the former Chief Secretary for Administration who was in-charge of the WKCD project, was jailed because of the corruption involving Thomas Kwok and Raymond Kwok, the joint-chairman of Sun Hung Kai Properties (which is the holding company of Dynamic Star International, one of the proponents in the Invitation For Proposals). It was reported that Rafael Hui did not declare any conflict of interest when he took part in government discussions on the WKCD project during his tenure (South China Morning Post, 2014, July 24). Therefore collusion between government officials and private developers could happen without proper monitor and sufficient transparency in decision making.

On the other hand, the land disposal under the single package approach in public-private partnership was also different from the general private treaty grant. The WKCD would blend the arts and culture with commercial and residential use. It was not a sole non-profit cultural project. The whole site would be sold to a private developer and the developer could build residential and commercial facilities for profit making. It was different from the general private treaty grant which was usually made for the public utility company, charity, or the corporates of which the government is the largest shareholder (such as Disneyland and MTR Corporation).

Under the statutory-body development approach, the land for the WKCD is divided into two parts. The first part would be residential, office and hotel use; this part would be sold under
the general land sale mechanism. The second part would be the rest area for cultural facilities, open space and transport and communal facilities; this part would be granted to a new established statutory body, namely the West Kowloon Cultural District Authority (WKCDA), as land subsidy without charging any land premium.

Although the area of the site for land sales is smaller in the statutory-body development approach than that in the public-private partnership, it may not result in receiving less land revenue under some conditions. Firstly, under the public-private partnership, the whole area blended the “non-profit” cultural facilities and profit-making residential and commercial use, therefore, the winning developer may negotiate a lower land premium to develop the “non-profit” infrastructure. Secondly, under the statutory-body development approach, the land for residential, office and hotel use would be divided into different parts and sold in the general land auction. The government could set the minimum price in land auction under the current land policy. The land could be sold during economic prosperity and the land premium would be higher under competition19.

Although the land disposal in both development approaches were different, the land resources were both considered as land subsidy. Under the public-private partnership, the gap between the market price and the potential lower land for the whole site, which would be agreed upon by the government and the selected developer, would be the land subsidy. Under the statutory-body development approach, the land subsidy would be the market price of the site granted to the WKCDA.

5.4.2 Urban planning practice: Zoning and plan amendment process

Similar to the land disposal matters, the government claimed the uniqueness of the WKCD was the reason to make the unusual planning practice in the WKCD (Legislative Council Secretariat, 2000, May 17). The district planning practices under both development approaches are compared with the general practice as listed in Table 5.

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19 The land of residential, commercial, and hotel use have not been put in land sales until the time of this research, therefore the outcome of land sales is still uncertain.
<table>
<thead>
<tr>
<th>Land use for cultural facilities</th>
<th>The WKCD under the public-private partnership</th>
<th>The WKCD under the statutory-body development approach</th>
<th>General practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoned under “Other Specified Use” (“OU”)</td>
<td>Zoned under “Government, Institution or Community (GIC)”</td>
<td>The developer submits the plan application or plan amendment to the TPB. The TPB will make decision without involvement of other parties.</td>
<td></td>
</tr>
<tr>
<td><strong>Plan amendment</strong></td>
<td>Two-stage approach for plan amendment</td>
<td>Statutory planning process</td>
<td>The developer submits the plan application or plan amendment to the TPB. The TPB will make decision without involvement of other parties.</td>
</tr>
<tr>
<td>The developers make plans based on the guidelines provided by the government. At the first stage of the plan amendment, the government would choose one preferred plan and consult the Town Planning Board (TPB) about the plan. At the second stage, the TPB would incorporate the development parameters proposed by the selected developer into the draft South West Kowloon OZP for public inspection and comment.</td>
<td>The statutory body, the WKCDA, is responsible for preparation of the development plan. The development parameters and any changes are required to seek approval from the Legislative Council. The WKCDA drafted a master plan and submitted the plan application to the TPB and Executive Council for approval. After the approval, the master plan then replace any draft South West Kowloon OZP.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 5. Comparison of the planning practice in the WKCD and the general practice.

In general, most of the cultural facilities are considered as a “place of recreation, sports, or culture” and zoned under “Government, Institution or Community” (Town Planning Board, 2012). The nature of the site is solely for the provision of cultural service.

In the case of the WKCD, the cultural facilities were zoned under “Other Specified Use” (“OU”). The “OU” annotated "Arts, Cultural, Entertainment and Commercial Uses" ["OU(ACECU)"] zone is primarily intended for the provision of core arts and cultural facilities (CACF) supported by a range of mixed office, hotel, retail, dining, recreational and entertainment uses, while the “OU” annotated "Mixed Uses" ["OU(MU)"] zone is a mixed land use including cultural use. The government claimed that the new zoning practice would allow “design flexibility” to develop the site into an integrated cultural district (Housing,
Planning and Lands Bureau, & Home Affairs Bureau, 2005, October 27). However, how could it be ensured that the cultural facilities are designed mainly for cultural use, instead of building cultural facilities to support other land use? The “design flexibility” was in line with Cuthbert’s comment on Hong Kong’s urban planning system as the combination of “minimum statutory control” and “maximum bureaucratic discretion”, and allows the micro-powers at district level (Cuthbert, 1991).

Another unusual practice was the plan amendment process. The site for the WKCD was originally planned as a regional park under the draft South West Kowloon Outline Zoning Plan (OZP). The amendment to re-zone the WKCD site to “Other Specified Use (Arts, Cultural, Entertainment and Commercial Uses)” was gazetted in July 2003 and objection hearing procedures were completed in December 2003. Since then, the plan amendment process of the district had yet to be completed.

Under the public-private partnership, the government proposed a two-stage approach for plan amendment to “fit the special nature of the WKCD” (Housing, Planning and Lands Bureau, & Home Affairs Bureau, 2005, March, p.19). At the first stage, the government would consult the Town Planning Board (TPB) and get its approval on the development parameters20 of the preferred proposals. Once the TPB would agree the preferred plan, the government would sign the provisional agreement with the selected developer. At the second stage, the TPB would incorporate the development parameters proposed by the selected developer into the draft South West Kowloon OZP and gazette the draft plan for public inspection. The public may comment and raise objections to the draft plan. Then the TPB would consider the views in accordance with the normal statutory planning process.

The two-stage approach for plan amendment of the WKCD under the public-private partnership would bring two problems. Firstly, the two-stage approach mixed up the plan making (i.e. preparation of the Outline Zoning Plan (OZP), with the plan amendment. In general practice, the plan making and plan amendment are separated. The OZP is prepared by the TPB independently, without any influence either by the government or developers. Developers should submit plan amendment to the TPB on their own and the government would not be involved in the reviewing process. The government is also required to submit a plan amendment if the government intends to change the land use of the government land. The TPB should function independently from the government, although all members of the TPB are appointed by the government. In the case of the WKCD, under the two-stage

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20 Development parameters includes plot ratio, gross floor area of buildings of different uses, maximum building height and open space of the site.
approach in public-private partnership, the TPB would incorporate the development parameters proposed by the developers to prepare the draft OZP, before the public gazette of the general statutory process. In other words, the draft OZP by the TPB would be tailor-made for the developers. The TPB would not collect the public view before reviewing the plan. The selected developers’ proposed development parameters would be probably passed in the TPB, even if the public opposed the plan. The TPB could not work as an independent agent to collect public views and make a judgment among the public, the government and developers.

The second problem was that the roles of the government and the developers were not clear. While the government suggested that the WKCD project should be private-sector led, the government did not sell the land directly and let the private sector develop the project on their own. Instead, the government organised a concept plan competition and initiated the plan amendment process to the TPB. The government acted as a representative of the private developer to settle on the plan amendment. This risked the potential collusion between the government officials and private developers.

After the failure of the public-private partnership approach, the WKCD was planned under the statutory planning process. The government established a statutory body, the WKCDA, to draft a master plan to carry on the plan amendment process. The WKCDA, as the developer of the project, is responsible for the preparation of the development plan draft as usual. However, the planning process was under the monitoring and review by the Legislative Council. The key development parameters including overall plot ratio of 1.81, development mix (restriction on the total gross area for residential development), provision of public open space and building height control, were approved by the Legislative Council. Also, any amendment in development parameters in the future would be required to seek approval by the Legislative Council as well. This practice ensured that the WKCD project would protect the “public interests” and not become a profit-making “property” project. This was very different from the other government’s projects.

5.4.3 Cultural practice: Nature and operation of cultural facilities

As the government aimed to build state-of-art cultural facilities in the WKCD, the operation of the cultural facilities of the WKCD were different from the general cultural practice as listed in Table 6.
### Table 6. Comparison of cultural practice in the WKCD and the general practice.

<table>
<thead>
<tr>
<th>Nature of the cultural facilities</th>
<th>The WKCD under the public-private partnership</th>
<th>The WKCD under the statutory-body development approach</th>
<th>General practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>“An icon for culture and leisure”</td>
<td>“A place for everyone”</td>
<td></td>
<td>Cultural service</td>
</tr>
<tr>
<td>Who operate the cultural facilities?</td>
<td>Private developers</td>
<td>The West Kowloon Cultural District Authority (WKCDA)</td>
<td>The Leisure and Cultural Service Department under the government</td>
</tr>
<tr>
<td>Financial arrangement</td>
<td>The WKCD would be self-financed by a private developer for 30 years.</td>
<td>The WKCD would be self-financed by the WKCDA. An upfront endowment of HK$21.6 billion was granted by the government to the WKCDA to build and operate the cultural facilities. The WKCDA could also earn rental income from commercial and retail areas in their premises.</td>
<td>The public cultural facilities are financed by annual public funding upon the approval by the Legislative Council.</td>
</tr>
<tr>
<td>Management of programmes</td>
<td>Managed by the developers.</td>
<td>Managed by the WKCDA. The government has the final say through controlling the board.</td>
<td>No control in programmes. Venues are rented in a first-come-first-served basis.</td>
</tr>
<tr>
<td>Legal power</td>
<td>No</td>
<td>The WKCD has statutory power to draft a bylaw to manage the premises and public space.</td>
<td>The LCSD or the HAB do not have legal power on managing the cultural facilities or public space.</td>
</tr>
</tbody>
</table>

In Hong Kong, all public cultural facilities are owned and operated by the Leisure and Cultural Service Department (LCSD) under the Home Affairs Bureau (HAB). The WKCD was the first cultural cluster operated by a private sector or statutory body.

Firstly, the meaning of culture under the two approaches was different from the general practice. In general practice, the government provides cultural activities as “cultural service”, which is similar to social service, for local citizens. International audience only
accounted for a very small percentage, and art and cultural programmes were not considered as tourism strategies.

The WKCD was different. As the WKCD was a large culture-led urban development, it was assumed that the culture provided more than the general cultural activities. Under the public-private partnership, the WKCD was promoted as an icon for culture and leisure. It implied that culture would improve the city image and bring economic opportunities. The international cultural programmes were preferred in the WKCD as tourism strategy and city branding.

Under the statutory-body development approach, the WKCD changed to be "a place for everyone", which was the slogan used by the WKCDA. "Everyone" here referred to local citizens (West Kowloon Cultural District Authority, 2011, September 29). As the project was financed by public money and land subsidy, the targeted group has changed from overseas tourists to local citizens. The culture of the WKCD was considered as an advancement of life of the local citizens and the cultural development of the city. The WKCDA would be responsible to produce and manage all the cultural programmes in the district. It was different from the government’s "descriptive cultural policy" which avoided playing a role in planning cultural content and mainly distributed funding to the cultural programmes or organisations at the “arm’s length principle”. The government became more active in the cultural matters through the development of the WKCD. The world-class cultural programme was embraced by the WKCDA, because it was considered as the advancement of cultural development in Hong Kong.

Secondly, the managing body of the cultural facilities are different. Under the general practice, the public cultural facilities, including theatre, libraries and museums, are all operated by the LCSD. In the case of the WKCD, the “owner”, the facilities would be managed by private developers under the public-private partnership approach, or the West Kowloon Cultural District under the statutory-body development approach. The government preferred to “contract out” the WKCD to private sector or a statutory body, instead of managing the district under the existing government structure.

Thirdly, the financial arrangement was the most unusual practice of the WKCD project. In the general practice, the income sources of the LCSD’s cultural facilities come from annual public funding approved by the Legislative Council and the rental of cultural venues. In the case of the WKCD, under the public-private partnership approach, the cultural facilities were self-financed by private developers and the finance of the cultural facilities and programmes would solely rely on the funding from the private developers. Under the statutory-body development approach, the WKCDA would operate the district with its own
reserve funds. The WKCD received upfront endowment of HK$21.6 billion (which was over 13 times of the government funding in 2014-15 on the public performing arts venues, museums and exhibitions) to develop the district and manage the cultural facilities. The WKCD can also earn income from different resources including investment income and operating surplus, such as rental income from the retail/dining/entertainment facilities, sponsorship, gifts or property. It was different from other public cultural bodies, i.e. the LCSD and the Hong Kong Arts Development Council, which rely on the annual funding granted by the HAB and approved by the Legislative Council.

Fourthly, the management of the programmes in the WKCD was unusual. In the general practice, most of the cultural programmes in Cultural Centers (under the LCSD) are created by local cultural organisations; the LCSD would not have strict control on the cultural programmes. In addition, these cultural venues can be booked on a first-come first-served basis. Cultural Centers are not solely for cultural programmes, but also for different kinds of activities such as school ceremonies and seminars. The venues are for both the public and the arts and cultural sectors; the provision of venues does not aim at enhancing the cultural development. On the other hand, the cultural programmes in the WKCD aimed at achieving high standard or even world-class standard. Under the public-private partnership, the cultural programmes of the WKCD would be decided by the developer. These private developers preferred to work with well-known international cultural groups or local well-established arts group to build a high art profile, which might also bring monopoly rent and increase the property values in the site. Under the statutory-body development approach, the WKCD manages the district. The WKCD has the right to select the cultural programmes which meet their required “artistic level” to be presented in their venue. It is totally different from the management of public cultural venues by the LCSD to rent out venues by application on a first-come first-served basis. The WKCD can frame the culture presented in the district. In addition, the government reserve the final say on the development of the district, as most of the board members of the WKCD are assigned by the government, and the board is chaired by the Chief Secretary. In 2013, Carrie Lam, the current Chief Secretary and the chairman of the board of the WKCD, ordered the authority to downsize the cultural district to reduce the overrun costs (South China Morning Post, 2013, July 9). Later, the WKCD decided to merge the theatres in its plan to reduce costs (South China Morning Post, 2015, March 24). This reflected that the government could control the development of the district through chairing the statutory body.

Last but not least, the WKCD has the right to make a bylaw for the regulation, operation and management of the facilities, premises or lands (including public space) which the
WKCD holds or manages whether within or outside the leased area. In March 2015, the WKCD announced the draft of bylaw and guidelines in the regulation of public space. It has a stricter regulation in street performance than the general practice. According to the draft of the guidelines of street performance by the WKCD, all street performers in the WKCD have to obtain a renewable one-year street performance permit. The WKCD also proposed to organise the West Kowloon Street Performer Programme to call for quality street performance by Hong Kong residents. It would offer a 10-year membership to the performers and promotes these street performances in better areas (West Kowloon Cultural District Authority, 2015b). Therefore, the artistic quality of street performance is not judged by the audience or market force but by the WKCD. The WKCD also would categorise a different level of “culture” and promote a certain kind of “culture” recognised by the WKCD in the district.

On the other hand, in general there is no specific law or regulation on management on cultural facilities and street performance in Hong Kong. The street performances in public space (including parks) are mainly regulated or prohibited upon receiving a public complaint to the Police or the Food and Environmental Hygiene Department. All street performers can present all kinds of street performance in all public space in Hong Kong without a permit. In other words, with the land resource and legal power, the WKCD becomes the one who can control the framing of culture in this largest cultural district to represent the image of the city. Although all the bylaws are subject to the approval of the Legislative Council, the WKCD still has more power in law making to protect or pursue its interests comparing with the public-private partnership and the general practice. The power of framing is legitimated by its statutory power.

The comparison between the practices in the WKCD and the general practices in Hong Kong shows clearly that the former was an unusual project in several ways. In what follows further discussion of these unusual practices of the WKCD project is given.
Chapter 6  Discussion

The previous chapter discovered and discussed the unusual practices in the WKCD comparing with the general practice. In order to discuss the relationship between culture and urban development in the case of the WKCD, in the following I will question these unusual practices in land policy, urban planning policy and cultural policy and ask: Why were there unusual practices in the WKCD?

6.1  Land Subsidy For Privatisation

As the Hong Kong government always claimed that free market economy is the foundation of the success of the Hong Kong economy, why would the government provide land subsidy to the WKCD, such a mega culture-led urban development comprising different land use? Or should it be asked: Was land subsidy solely for culture development?

As discussed, most of the public cultural facilities were owned and operated by the government. There was a general assumption that the government had the responsibility to provide cultural services to the public. Culture was usually considered as public service. However, due to the economic depression between the late 1990s and early 2000s, the government was tempted to privatising cultural facilities in order to reduce the public expenditure on culture. The WKCD was planned to be privatised through the major economic sector in the city – the real estate development.

Therefore, the government proposed a single package approach under the public-private partnership by tying the non-profit-making cultural land use with other profit-making residential and commercial land use in order to attract private developers to invest on culture. For private developers, if the WKCD project was considered as a “meal” (mentioned by Stanley Ho, the then president of the Real Estate Developers Association of Hong Kong, as reported in Ta Kung Pao, 2005, January 8), the real estate development would be the “main dish” and the cultural facilities would be the “side dish”. Without a certain potential profit or rent gap from the real estate development, private developers would not participate in the WKCD project. Therefore, the land grant of the whole valuable site was an attraction for private developers to privatise the cultural facilities. Meanwhile, the private developers aimed at developing real estates for revenue making and increasing its property values in the site through the high cultural profile. The culture can be used as an excuse by the government for the unusual practices. It is in line with what Evans (2005) suggests that culture-led urban development can be used to hide the underlying power.
After the failure of the public-private partnership, the nature of the WKCD has changed. The government simply granted the site without charging land premium to the new established statutory body, namely the WKCDA. The original idea to establish a statutory body was to protect public interest of the WKCD and to avoid the site from becoming an economic-oriented project. "Public interests" seemed to be opposite of "private interest", which referred to the interests of private developers. The abandonment of the public-private partnership, which favoured private developers, became considered as "protection of public interests", although the “public interests” were not clearly defined.

However, without sufficient democratic planning and monitoring process, the WKCDA could function as a private body with statutory power and an independent funding source. While the WKCDA could generate income from its retail/dinning/entertainment facilities, in which the land was granted to the WKCDA as land subsidy, the sustainable financial resources would allow the WKCDA to “privatise” the cultural facilities.

In addition, the WKCDA not only privatises the cultural facilities, it also privatises the public space. The WKCDA could generate income through regulating the public space of the district with its legal power. As in the mentioned draft of bylaw and guidelines in the regulation of public space, the WKCDA proposed a list of fees to use the public space for commercial use, such as film shooting or wedding photography (West Kowloon Cultural District Authority, 2015a).

In recent years, it was reported that the WKCD project had an over-budget problem, and the WKCDA might seek for additional funding from the government, said Fung-kowk Ma, the Legislative Council member who was also the board member of the WKCDA (Apple Daily, 2013, July 4). While the over-budget problem was not yet solved, the pro-government newspaper, Sing Tao Daily, recently reported that, the government was studying the possibility to grant three more lots of lands of residential, commercial or hotel use to the WKCDA as its additional funding source. Although the WKCDA would be required to pay land premium for the additional land lots, the WKCDA could earn the rental income from these land lots (Sing Tao Daily, 2015, October 5). The additional land resources was also a kind of subsidies to the project. The government attempted to support the project with land resources.

Land not only is considered as a physical resource to house the cultural facilities, it also generates rental income and brings financial resources. In the case of the WKCD, the land subsidy acts as financial subsidy to privatise the cultural facilities. “Culture” may be used as a reason for unusual practices to hide the underlying power in the development.
6.2 Planning of Space and Framing of Culture in Culture-led Urban Development

Many scholars have paid attention to how culture influences the urban space. As Zukin (1995) notes, culture is a means of framing urban space. Harvey (2012) argues that culture can be used in a search for monopoly rent that is of economic benefit. However, the planning of space is also a means of framing culture. The planning of space and framing of culture are inextricably intertwined in this case study.

After the handover, the cultural identity of Hong Kong was fluid. Hong Kong was no longer a British colony; it was neither a typical Chinese city. The Hong Kong government framed culture as international high profile and intended to develop a new city image of “Asia’s entertainment capital” to maintain its uniqueness in the global market (Kong, 2007). With the goal of building a global city image, the iconic Canopy plan was selected. Because of the iconic plan, the government later called the WKCD “an icon for culture and leisure”. The framing of culture influences the planning of space; and the planning of space influences how the government frame the culture again.

The planning of space and the framing of culture were not only controlled by the major framer – the government. Other actors also actively participated in this “game” to negotiate the framing of the culture and planning of the space. It was because that the government seldom directly invested on culture and did not have clear cultural policy before the proposal of the WKCD; then the WKCD project had became the largest investment on culture led by the government. Many arts and cultural groups and elites strived for participating in the urban planning to frame the culture to favour their art form and taste, which may influence the long-term cultural policy formulation. Therefore, under the public-private partnership, many well-established arts groups provided their expertise in arts and culture to private developers for planning the cultural space during the planning process, in return they could frame the culture of the city.

While the culture of the WKCD was framed to be to a world-class standard in the early phase, local small and independent cultural groups, who were considered by the elites to have lower artistic values and less chance to be international, were excluded in the participation of planning in the early phase. The small and independent local groups therefore opposed the WKCD project and criticised that the large cultural facilities might not fulfil the needs of the local audience and artists. Through negotiating the planning of space, the small and independent cultural groups negotiated the power of framing of culture as well.
On the other hand, the authority also manages the space with their power of framing, and frame the culture through shaping the space. The WKCDA differentiated types of street performance according to their artistic values judged by the WKCDA, and assigned different public spaces for these street performers. Through inclusion, exclusion and categorisation of artistic values, the WKCDA would manage the use of space. At the same time, through inclusion, exclusion and categorisation of the use of space, the WKCDA would pursue its culture value and frame the culture of the district as well as the city.

In the case of the WKCD, the planning of space and framing of culture are inextricably intertwined. Planning a culture-led urban development is not only about planning urban space, but also framing the culture of a city. Without analysing the material consequences and politics of culture, it is not possible to thoroughly understand the dynamics in planning a culture-led urban development.
Chapter 7  Concluding Remarks

In the post-colonial period, culture has become one of the significant factors in urban development in Hong Kong. The government initiated many urban development projects with culture, such as transforming the heritage into a new facility and redeveloping industrial buildings into cultural facilities. "Culture" has become a catalyst of urban development in planning, and the culture-led urban developments also shape the public discussion on the cultural identity of the city. It is not only about urban planning, but also culture planning. This was the starting point for this study on culture-led urban development in a Hong Kong context.

Although many scholars have used different terms such as “culture-led (urban) regeneration” and “cultural urban policy”, I use the term “culture-led urban development” referring to the strategic use of culture in urban development. The expenses on culture is not considered as public expenditure for provision for cultural service, but as “cultural investment”, which implies the goal for economic return or certain social changes.

This thesis studies the planning of the WKCD project to examine the relationship between culture and urban development in culture-led urban development. Sociologist Sharon Zukin's concept of culture (1995) was employed to discuss the negotiations and changes in the planning process of the WKCD during 1998 and 2013. The unusual practices in this case are revealed comparing the existing policies and practices in Hong Kong to examine the relationship between culture and urban development. Next, the findings and discussion of this research are summarised.

7.1     How was the WKCD project planned in phases between 1998 and 2013?

In this research, I focus on the planning process of the WKCD during 1998 and 2013. It’s because the project was proposed in 1998 and the construction finally started in 2013. Two main periods of the planning were identified by the development approach: the public-private partnership between 1998 and 2005, and the statutory-body development approach from 2006 until now.

Under the public-private partnership approach, the government first organised an open competition for the concept plan in 2001. The Canopy plan designed by an internationally well-known architect Norman Foster won. For the operation of the district, the government proposed a single package approach, in which the government would grant the
development right of the whole site in a term of 50 years to only one developer (or joint developer) to develop both the profit-making residential and commercial facilities and non-profit-making cultural facilities in the district. The Invitation For Proposals was launched on the basis of the selected Canopy plan. Three proponents were screened-in for the first public consultation. However, the project received widespread opposition on the mandatory Canopy plan and the single package approach. Later the government imposed new terms in the planning application. The new terms reduced the potential economic return of private developers, therefore, the developers did not continue to participate in the project. The public-private partnership failed and the Canopy plan was abandoned in 2005. Since then, the development approach has changed to a statutory-body development approach.

Three advisory committees were established to review the core arts and cultural facilities (CACF). Later, the Legislative Council passed the West Kowloon Cultural District Authority Ordinance, and a statutory body namely the West Kowloon Cultural District Authority (WKCDA) was established in 2008 under the Ordinance to implement the WKCD project. The Legislative Council also approved the key development parameters of the district for its statutory planning. Between 2009 and 2011, the WKCDA organised a three-stage public engagement to collect the views from the public and stakeholders, including the arts and cultural sector and business sectors. A district design competition was also organised alongside with the public engagement. Finally, the master plan based on the winning City Park plan by Norman Foster was completed in 2011 and approved by the Chief Executive in the Executive Council in early 2013. The construction started in late 2013.

The long planning process was caused because of the long negotiations between different stakeholders between 2000 and 2003, i.e. under the public-private partnership approach. Also, the government did not gain enough support from the general public to carry on the project. To understand this negotiation process, it is necessary to look at the key stakeholders and their roles and interests.

7.2 Who Were the Key Stakeholders in the Planning Process Under the Public-private Partnership? What Were Their Roles and Interests?

Under the public-private partnership, four key stakeholders were identified for analysis: the government, private developers, the arts and cultural sector and the Legislative Council.

The government initiated the WKCD project and was in-charge of the whole planning process. It was responsible to plan the district, consult different stakeholders and the
general public, set the rules and guidelines for the project, co-ordinate different actors and allocate resources. At first, the major interest of the government in this project was to boost the economy and tourism during the economic depression. Later, to respond to the public demand for the cultural turn of the project, the government emphasised to build the cultural district for global city image as well as cultural identity.

Private developers would be responsible to implement the planning, construction, operation and maintenance of the cultural infrastructure under the public-private partnership. Their major interest was to maximize their revenue through this urban development project. Some developers also claimed that they participated in the WKCD project for developing a good city image for Hong Kong. However, without enough potential economic return, they would not have continued to participate in the project without a certain level of potential economic return. Also, the uneven opportunity to participate in bidding the project made some developers oppose the WKCD project. These were the significant reasons why the public-private partnership could not continue.

The actors in the arts and cultural sectors were quite diverse in their roles and interests in the project. There were three major groups according to their roles and interests. The first group was those who fully supported the project, including the development approach and rules set by the government. Most of them were well-established performing arts companies and galleries. They had capacity to form alliance with private developers, and exchange their expertise in arts and culture for their places in the WKCD. The second group were those who were generally in support of the idea of developing a cultural district but disagreed with the details of the development. The members of this group were from different professional fields, including artists, academics, planners etc. They proposed an alternative democratic and participatory development approach to build the district, and suggested to improve the existing cultural and planning policies in a holistic way. The third group opposed the whole idea of building a cultural district. They demanded to increase investment on the software of cultural development and improve the existing regulations related to arts and culture, instead of investing on an uncertain and artificial mega cultural project. They were excluded from the planning process.

The Legislative Council also played a significant role as an official monitor of the WKCD project and enacted the laws and regulations for the development of the district. The Legislative Council members cannot lead the planning but can put pressure on the government to change the planning by approving or rejecting the financial arrangement of the WKCD. Their interests were gaining a political profile through protecting their stakeholders’ interests.
Overall, the stakeholders who could directly benefit from this mega project in terms of land and financial resources would support the project. However, actors within the sector could have various interests and a different level of opportunities to participate in the project. It is hard to conclude which sectors would benefit most. Also, actors from private developers, the Legislative Council and the arts and cultural sector formed alliances in order to exchange their expertise for their benefits from the project.

7.3 What Was Negotiated and How Did the Plans Change From Public-private Partnership To Statutory-body Development Approach?

This thesis differentiated between symbolic, material and political dimensions of culture in the negotiations. The three dimensions were not mutually exclusive. The negotiations on one dimension could affect another.

The negotiation on the symbolic dimension was mainly concerned about the meaning of culture in such culture-led urban development. While the government, private developers and their supporters (including some well-established arts groups) considered culture as a way for building global image, some independent cultural sectors proposed culture as local cultural democracy, i.e. a way for democracy through cultural participation. Different stakeholders would influence the planning through different interpretations on “cultural values”, which referred to the meaning of culture. To respond to the public demand to protect “public interests” and develop the district for local needs, the meaning of culture has changed from “global city image” under the public-private partnership to “a place for everyone” under the statutory-body development approach.

The negotiation on the material dimension focused on the production of space. Two key issues were identified in the negotiation process. Firstly, there was a negotiation as to whether “culture-led” was interpreted as “icon-led” in the early phase. As discussed, the government interpreted culture as a way to build a global city image, the government selected the iconic “Canopy” plan as concept plan; the Canopy architecture and world-class cultural facilities were the core elements in the planning. However, the general public doubted whether such large-scaled facilities could meet the needs of local arts and cultural groups and the cost effectiveness of the project, and suggested that the cultural district should be planned to serve Hong Kong people and local arts and cultural groups rather than international arts groups and tourists. Later, to respond to the criticism, the government abandoned the iconic “Canopy” plan; the WKCDA selected the “City Park” plan, which featured a large urban park, and promoted the cultural district as “a place for everyone”.

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The meaning of culture changed from the city's "icon" to a place for leisure; culture is fluidity and changing along with the changing of production of space. Secondly, there was a negotiation between the public-private partnership approach and the statutory-body development approach. Some stakeholders criticised that the single package approach under public-private partnership was unfair and would subsidise the land resource to large private developers to build a real estate project rather than a cultural project. The uneven opportunities to participate in the project between large developers and small developers, and between well-established cultural groups and small independent cultural groups, made them negotiate the development approach of the district to protect "public interest". Finally, as the public-private partnership could not continue, the government adopted a statutory-body development approach to re-planned the district.

The negotiation on political dimension focused on the power of vision. I examined the power of vision by analysing the selection of stakeholders and the public consultation process. Different cultural groups negotiated the framing of culture in order to negotiate the opportunity of participation in the project. Under the public-private partnership, while some members from the arts and cultural sector complained that they were not invited in the official consultation, some arts and cultural groups were invited by private developers to be their alliance and contribute their expertise in the planning to exchange for their places in the project. In other words, only the supporters of the developers could participate in the district planning and shape the space through framing the culture. Moreover, regarding the public consultation, the government controlled the way of public consultation and framing of culture, and the consultation was not effectively to collect diverse views on the district plan and vision of culture. The government could control the shaping of space through controlling the power of vision. Some stakeholders suggested to establish a think tank to allow more people to participate in the framing of culture. After the WKCD was established to take over the district planning, the WKCD integrated the public engagement exercises into the district planning process. This allowed more stakeholders and the general public to participate in the framing of culture during the public engagement period.

7.4 What Practices in the WKCD Were Different From the General Practices in Land Policy, Urban Planning Policy and Cultural Policy in Hong Kong?

The practices in the WKCD and the general practices in land policy, urban planning policy and cultural policy were compared and the unusual practices in the WKCD were discovered.
This section provided findings to further discuss the relationship between culture and urban development in culture-led urban development in a Hong Kong context.

The controversial unusual land grant practice found in the WKCD was the single package approach in public-private partnership. Under this approach, the whole land site would be sold to the developer chosen by the government in the Invitation For Proposals, instead of the developer who would offer the highest bid in the land auction in the general practice. As the terms of the Invitation For Proposal favoured large property developers, and the decision making was in the hand of the Chief Executive in the Executive Council, the public cannot monitor the selection process and this may risk collusions between the government officials and large developers. After the failure of the public-private partnership, the government established a statutory body, namely the WKCDA to receive the land grant and implement the whole project. The WKCDA was the first statutory body specifically for a culture-led urban development project. The government divided the site into two parts. The area for residential, office and hotel use would be sold in normal land grant practice or mechanism; and the area for cultural use, open space, and other purposes would be granted to the WKCDA in a normal private treaty grant.

Regarding the urban planning, the practice in the WKCD was unusual in its land use zoning and plan amendment process. In the general practice of land use zoning, cultural facilities were zoned as "Government, Institution or Community (GIC)", in which the area was solely for non-profit-making cultural uses. In the WKCD, the land for cultural facilities was zoned under “Other Specified Use(OU)” annotated "Arts, Cultural, Entertainment and Commercial Uses" [OU(ACECU)], or annotated "Mixed Uses" [OU(MU)]. The site would be developed in mixed land use with a different proportion of cultural facilities. The facilities would combine cultural facilities and other land uses.

For the plan amendment, the government would intervene the plan amendment process under the public-private partnership. The two-stage approach mixed up the plan making by the Town Planning Board (TPB) and the plan amendment by the developers. During the selection of developers in the Invitation For Proposal, the government would consult the TPB about the preferred plan by developer, and then the TPB would incorporate the proposed development parameters by the selected developer into the draft South West Kowloon Outline Zoning Plan (OZP) before the public gazette. The OZP would then become tailor-made for the developers. Later after the WKCD had changed to a statutory-body development approach, the development parameters of the WKCD and any amendment would be required to be approved by the Legislative Council. The WKCD was then planned in the statutory planning process and it was the first time for the Legislative Council to be
involved in district planning. Then the WKCDA prepare the plan and proceed the plan amendment process as usual practice.

Regarding the operation of the cultural facilities, the WKCD was the first and largest privatisation of cultural facilities initiated by the government. Under the public-private partnership, the district was promoted as a “cultural icon” mainly for tourism and economic returns; it was different from the general public cultural facilities that were considered as a public service to the local citizens. Later, although the WKCDA was established to protect the public interest in this culture-led urban development project, the WKCDA would have the development right, upfront endowment and rental incomes gained from the district, as well as the right to make laws, to operate the cultural facilities. This was different from the general public cultural facilities that were managed by the government department, the LCSD. Without proper monitoring and sufficient participation channels, the WKCDA functioned as a private body to develop the district with autonomy and statutory power.

7.5 Relationship Between Culture and Urban Development in the WKCD

To discuss the relationship between culture and urban development, I analysed the reason why there were unusual practices in the WKCD. Furthermore, two key issues in the relationship were identified in my case.

Firstly, land was subsidy for the culture-led urban development, and the provision of land subsidy was aimed for privatisation of cultural facilities in my case. Under the public-private partnership, the potential rent gap between the market land price and the potential lower land price agreed by the government and the selected developer would be the subsidy. Through developing cultural facilities with real estate, the government planned to privatisate the cultural facilities. However, the privatisation requires significant potential rent gap to attract the private sector to participate in the project. As the government revised the terms of the Invitation For Proposal to respond to the public criticism, the new terms reduced the potential rent gap. It was the major reason that the public-private partnership could not continue. On the other hand, under the statutory-body development approach, the land subsidy was the market land price of the site granted to the WKCDA. Besides receiving the development right of the site and an upfront endowment, the WKCDA owns the statutory power to make bylaw and guidelines to manage the space in the district. Without proper monitoring and public engagement, the WKCDA could “privatise” the cultural district.

Secondly, the planning of space and the framing of culture were inextricably intertwined, as culture was unavoidably used as a reason for the different uses of space in culture-led urban
development. The space would be shaped through the framing of culture; and the culture was framed through shaping the space. To understand the dynamics of planning a culture-led urban development, it is important to analyse different framing of culture by different actors. Therefore, the planning of a culture-led urban development is not only about planning the space, it is also a process to frame the culture in the district as well as in the city.

7.6 Contribution to Previous Studies and A Call for Further Research

This research has analysed the planning process and the negotiations in symbolic, material and political dimensions of culture in a case of culture-led urban development in the post-colonial period in Hong Kong. It also attempts to illustrate the relationship between culture and urban development by discussing the unusual practices in the land grant, urban planning and cultural management. I found that the land subsidy could be a way to privatisate the cultural facilities in a Hong Kong context and the planning of space and framing of culture were inextricably intertwined in culture-led urban development. It is important to analyse the symbolic meaning, material consequence and politics of culture to understand the dynamic and contestation of culture-led urban development.

Some urban studies scholars suggest that culture may be a reason of gentrification. The increased aesthetic value of space would search for monopoly rent (Harvey, 2012). That’s why culture-led urban development would be favoured in real estate. It is only one side of the story. On the other side of the story in the Hong Kong context, by tying the cultural facilities with residential and commercial facilities, the government attempted to privatisate the cultural facilities by real estate, to reduce the public expense on culture. It also echoed with the neoliberal cultural policy in Hong Kong suggested by Chow (2012).

Culture does not only affect the result (the rent), but also the process (the planning). By mixing the cultural land use with other uses, including residential and commercial uses, culture-led urban development would boost the real estate with culture, and also facilitate “culture development” with real estate. These urban projects are not only shaping the urban space, but also shaping the culture of the city. Only some members of the arts and cultural sector, whose art forms fit in the culture framed by the government or the developers, benefit from this “culture-led” game. In other words, the “culture development” reflects the representation of culture framed by the elites in the city.

In the post-colonial period of Hong Kong, more urban development projects are initiated in the name of culture, especially the transformation of historical buildings into cultural use,
including “Revitalising Historic Buildings Through Partnership Scheme” by Development Bureau, transformation of industrial buildings into cultural use. In a culture-led urban development, combining the culture development and urban planning, it is unavoidable to frame the culture to shape the space, or through shaping the space. The key question is how to exercise the power of framing: Who has the power of framing? How to make the decision of framing the culture? How to include and exclude the use of space? Is the decision making process top-to-down or bottom-to-up? How the public and different stakeholders engage and participate in the district planning (and framing of culture) process? This thesis calls for further research on the democratic planning process on urban planning and cultural planning in the future.

Also, from the findings of this case study, a public-private partnership and a statutory-body development approach have different implications on the symbolic, material and political dimensions on culture as well as the planning of a culture-led urban development. Due to the time constraints of this research, focus was given to the negotiations of the planning process of the WKCD and the changes of the plans from the public-private partnership approach and the statutory-body development approach. As culture-led urban development become more popular in Asia, this thesis also calls for more research on how different development approaches influence the materialisation and framing of culture in culture-led urban development in different cultural contexts.
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