

**立法會**  
**Legislative Council**

Paper No. WKCD-87  
(These minutes have been  
cleared with the Chairman)

Ref : CB1/HS/2/04

**Subcommittee on  
West Kowloon Cultural District Development**

**Minutes of first meeting held on  
Friday, 4 February 2005, at 2:45 pm  
(i.e. after the House Committee meeting scheduled for 2:30 pm)  
in the Chamber of the Legislative Council Building**

**Members present** : Hon Alan LEONG Kah-kit, SC (Chairman)  
Hon James TO Kun-sun (Deputy Chairman)  
Hon James TIEN Pei-chun, GBS, JP  
Hon Albert HO Chun-yan  
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP  
Dr Hon LUI Ming-wah, JP  
Hon Margaret NG  
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP  
Hon CHAN Kam-lam, JP  
Hon SIN Chung-kai, JP  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon LAU Wong-fat, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon CHOY So-yuk  
Hon Abraham SHEK Lai-him, JP  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Albert CHAN Wai-yip  
Hon Audrey EU Yuet-mee, SC, JP  
Hon LEE Wing-tat  
Hon LEUNG Kwok-hung  
Dr Hon KWOK Ka-ki  
Hon CHEUNG Hok-ming, SBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon CHIM Pui-chung  
Hon Patrick LAU Sau-shing, SBS, JP  
Hon Albert Jinghan CHENG  
Hon KWONG Chi-kin

- Member attending** : Hon YEUNG Sum
- Member absent** : Hon Timothy FOK Tsun-ting, GBS, JP
- Clerk in attendance** : Miss Odelia LEUNG  
Chief Council Secretary (1)4
- Staff in attendance** : Ms Pauline NG  
Assistant Secretary General 1
- Ms Bernice WONG  
Assistant Legal Adviser 1
- Ms Alice AU  
Senior Council Secretary (1)5
- Mr Anthony CHU  
Council Secretary (1)2
- Miss Michelle NIEN  
Legislative Assistant (1)3

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Action

**I Election of Chairman**

Mr James TIEN, the member who had the highest precedence amongst members of the Subcommittee, presided over the election of the Chairman and invited nominations for the chairmanship. Mr Alan LEONG was nominated by Ms Margaret NG and the nomination was seconded by Mr Albert CHENG. Mr Alan LEONG accepted the nomination. Mr TIEN asked if there were other nominations. Mr James TO was nominated by Mr LEE Wing-tat and the nomination was seconded by Ir Dr Raymond HO. Mr James TO accepted the nomination. Mr TIEN announced a vote by secret ballot. Of the members present, 13 voted for Mr Alan LEONG and 13 voted for Mr James TO. As there was a tied vote, Mr James TIEN, in accordance with the House Rules, drew lots to decide who should be the Chairman. Mr LEONG's name was drawn. Mr Alan LEONG was declared Chairman of the Subcommittee.

2. Mr Alan LEONG took over the chair. Members decided that the Subcommittee should have a Deputy Chairman. The Chairman invited nominations for the deputy chairmanship. Mr James TO was nominated by Ms Margaret NG and the nomination was seconded by Mr Patrick LAU. Mr James

TO accepted the nomination. As there were no other nominations, Mr James TO was declared Deputy Chairman of the Subcommittee.

## **II Any other business**

3. Members agreed to deal with the following items as set out in the agenda for the meeting:

- (a) Proposed terms of reference of the Subcommittee;
- (b) Proposed areas of study of the Subcommittee;
- (c) Proposed meeting schedule of the Subcommittee; and
- (d) Way forward.

4. The Subcommittee deliberated (Index of proceedings attached at **Annex I**).

### Proposed terms of reference

5. After deliberation, members agreed to adopt the proposed terms of reference as set out in Appendix III to the Members' Brief (attached herein as **Annex II**). Members also agreed to make a report to the House Committee on the terms of reference of the Subcommittee.

### Proposed areas of study

6. After deliberation, members agreed that the items on the proposed areas of study as set out in Appendix IV to the Members' Brief should be re-ordered as follows:

- (a) Item I "Land use and planning";
- (b) Item II "Interface with arts and cultural development";
- (c) Item III "Financing implications and arrangements";
- (d) Item IV "Environmental considerations";
- (e) Item V "Establishment of a statutory body to oversee the implementation of WKCD development"; and
- (f) Item VI "Other related matters".

7. Members also agreed to the Deputy Chairman's suggestion to amend the

last bullet point under item III “Financing implications and arrangements” from “hand-over arrangements after the 30-year operation period” to “hand-over arrangements after the operation period, if there is any operation period”. Members further agreed that the areas of study could be amended from time to time taking into account the course of work of the Subcommittee. The adopted areas of study of the Subcommittee were attached herein as **Annex III**.

Proposed meeting schedule

8. Members agreed that as a principle, the Subcommittee would held its meetings once every two weeks.

9. Members agreed that the second meeting would be held on Monday, 21 February 2005, at 10:45 am. The Secretariat would consult members’ view and schedule the third meeting in early/mid March 2005.

Way forward

10. Members noted the previous consultation work conducted by the Panel on Planning, Lands and Work (PLW Panel) on West Kowloon Cultural District Development (WKCD) (attached herein as **Annex IV**).

11. Mr CHAN Kam-lam, Mrs Selina CHOW, Mr Patrick LAU, Mr LEE Wing-tat considered that as the previous consultation work conducted by PLW Panel would provide a useful basis for the Subcommittee to take the matter forward, the Subcommittee could decide at a later stage when and how to tap into concrete suggestions from interested organizations on specific issues relating to the WKCD project.

12. Mr LEUNG Kwok-hung suggested that subject to availability of resources, the Subcommittee should conduct a territory-wide consultation forum on the WKCD development.

13. The Chairman referred to the draft research paper prepared by the Research and Library Services Division (RLSD) on “Public Private Partnership” (LC Paper No. CB(1)831/04-05(01)), and said that it could serve as a useful reference to examine the WKCD development. Members noted that the draft research paper had been circulated to members of the PLW Panel pending discussion and endorsement by the Panel, tentatively in March 2005.

14. After deliberation, members agreed to invite the Administration to attend the next meeting of the Subcommittee scheduled for 21 February 2005 to discuss items I and II of the areas of study, i.e. “Land use and planning” and “Interface with arts and cultural development”. Members also agreed to request the Administration to:

Admin

- (a) provide detailed information on any previous studies and research

work carried out or commissioned by the Administration or other parties as regards the conceptual planning of the West Kowloon Reclamation;

- (b) provide information on the factors it had considered for adopting the present course of action in relation to the planning and development process, public consultation, invitation of interest, mode of tender, development control of the project, etc.;
- (c) advise whether it had conducted any impact analysis on the suggestion that the whole WKCD project be planned as from scratch and as one project;
- (d) explain its commitments in relation to the proponents, and to advise whether the Government could hold its entering into agreement with any party pending thorough deliberation and an expression of support by the Legislative Council and the public for the project;
- (e) explain its proposed course of action as regards the application(s) to the Town Planning Board for changing the land use zoning of the WKCD area;
- (f) explain why it had not adhered to the guidelines stipulated in the Efficiency Unit's publication "Serving the Community by Using the Private Sector – An introductory Guide to Public Private Partnerships (PPP)" in developing the WKCD project;
- (g) provide information on the existing and future demand and supply of the kinds of arts and cultural facilities to be provided in the WKCD;
- (h) provide information on previous studies it had conducted on the operation, financing and management of comparable arts and cultural facilities in other parts of the world;
- (i) provide information on the models it had used to project the future demand and supply of the software side of arts and cultural development such as human resources and training; and
- (j) advise on its commitment in providing funding support to local arts and cultural groups after WKCD's completion, say in respect of fee charging arrangements, and how far did the Government subsidize arts and cultural groups at present.

*(Post-meeting note: To allow sufficient time for discussion, the Chairman subsequently decided that only item I "Land use and planning"*

would be discussed at the meeting scheduled for 21 February 2005. Discussion on item II “Interface with arts and cultural development” would be deferred to a later meeting. A detailed list of information to be provided by the Administration on items I and II of the areas of study was forwarded to the Administration on 7 February 2005.)

RLSD 15. Members agreed that RLSD should be requested to prepare a research paper on the operation, financing and management of comparable arts and cultural facilities in other parts of the world.

Clerk 16. Members also agreed that the Clerk should provide a list of relevant papers issued previously on the WKCD development for members’ easy referencing.

17. The meeting ended at 4:05 pm.

Council Business Division 1  
Legislative Council Secretariat  
18 February 2005

**Proceedings of the first meeting of the  
Subcommittee on West Kowloon Cultural District Development  
on Friday, 4 February 2005, at 2:45 pm  
(i.e. after the House Committee meeting scheduled for 2:30 pm)  
in the Chamber of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
000000 - 001038	Mr James TIEN Ms Margaret NG Ir Dr Raymond HO Mr Alan LEONG Mr LEE Wing-tat Mr Albert CHENG Mr James TO Ms Emily LAU Mr Tommy CHEUNG Clerk	Election of Chairman	
001039 - 001208	Chairman Ms Margaret NG Mr Patrick LAU Mr James TO	Election of Deputy Chairman	
001209 - 001741	Chairman Deputy Chairman Ms Margaret NG Mrs Selina CHOW	Proposed terms of reference	The Subcommittee to make a report to the House Committee.
001742 - 002719	Chairman Deputy Chairman Mrs Selina CHOW Mr CHAN Kam-lam Mr Patrick LAU Ms Audrey EU Ms Margaret NG	Proposed areas of study	
002720 - 002955	Chairman Mr CHAN Kam-lam Deputy Chairman	Proposed meeting schedule	
002956 - 011551	Chairman Mr CHAN Kam-lam Mrs Selina CHOW Mr Patrick LAU Mr LEUNG Kwok-hung Mr LEE Wing-tat Clerk Ms Margaret NG Mr Albert HO	Way forward and agenda for the next meeting	The Administration to provide information as per paragraph 14 of the minutes. The Clerk to provide a list of relevant papers. RLSD to prepare a

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
	Deputy Chairman Ms Audrey EU Ms Emily LAU		research paper as per paragraph 15 of the minutes.
011552 – 011617	Chairman Ms Margaret NG	Any other business	

Council Business Division 1  
Legislative Council Secretariat  
18 February 2005



**Subcommittee on West Kowloon Cultural District Development**

**Terms of Reference**

To study and follow up issues relating to the development of West Kowloon Cultural District including its interface with arts and cultural development, land use and planning, environmental considerations, financing implications and arrangements, and other related matters.

Council Business Division 1  
Legislative Council Secretariat  
4 February 2005

**Subcommittee on West Kowloon Cultural District Development**

**Areas of study**

**I. Land use and planning**

- appropriateness of the use of the 40-hectare land for the development of WKCD
- conceptual planning, key development parameters, mix of commercial components vs. arts and cultural components in relation to the objectives of the project
- planning process, public consultation, invitation of interest, mode of tender, development control of the project which has a leasehold term of 50 years

**II. Interface with arts and cultural development**

- provision of the WKCD hardware facilities in relation to Hong Kong's long-term and sustainable arts and cultural policies
- types and scale of arts and cultural facilities to be provided in the WKCD taking into account the future demand for such facilities in Hong Kong
- participation of the local arts and cultural sector in the development and operation of the WKCD
- relationship between WKCD and the existing arts and cultural authorities and bodies

**III. Financing implications and arrangements**

- computation of the development and operating costs of the arts and cultural component of WKCD
- financing options: single-package development vs. multiple-package development
- Government's financial contribution to WKCD and expected proceeds from the development and operation of commercial and other components of WKCD
- Proponents' propositions on the financing arrangements and their fee charging policies for arts and cultural facilities
- hand-over arrangements after the operation period, if there is any operation period

**IV. Environmental considerations**

- sustainable development of the WKCD project

**V. Establishment of a statutory body to oversee the implementation of WKCD development**

**VI. Other related matters**

- mandatory requirements in the Invitation for Proposals such as canopy
- selection and assessment criteria and process such as weighting of public opinion collected during public consultation
- mode of governance of the WKCD development

Council Business Division 1  
Legislative Council Secretariat  
4 February 2005

**Subcommittee on West Kowloon Cultural District Development**

**Previous consultation work conducted by the  
Panel on Planning, Lands and Works**

List of deputations which have made oral presentation at previous meetings

*Proponents*

1. Dynamic Star International Ltd
2. Sunny Development Ltd
3. World City Culture Park Ltd
4. Swire Properties Ltd

*Arts and cultural organizations*

5. Hong Kong Arts Centre
6. Hong Kong Arts Development Council
7. Museum of Site, Ltd
8. Hong Kong Curators Association
9. Hong Kong Institute of Archaeology
10. Project Hong Kong
11. Zuni Icosahedron Ltd
12. Hong Kong Chinese Orchestra
13. Hong Kong Repertory Theatre
14. Spring-Time Group Ltd
15. Hong Kong Ballet
16. Jing Kun Theatre Ltd
17. Hong Kong Dance Company
18. The Hong Kong Academy for Performing Arts
19. The Ink Society Ltd.
20. The International Association of Art Critics Hong Kong Chapter
21. Fringe Club
22. Hong Kong Arts Administrators Association Ltd
23. Cattle Depot Artist Village Committee

*Professional institutes and trade associations/unions*

24. The Hong Kong Institution of Engineers
25. The Hong Kong Institute of Planners
26. The Hong Kong Institute of Surveyors

27. The Hong Kong Institute of Architects
28. Hong Kong Institute of Real Estate Administration
29. The Association of Architectural Practices Ltd
30. The Real Estate Developers Association of Hong Kong
31. Association of Engineering Professionals in Society
32. Government Cultural Services Grades' Alliance
33. Hong Kong Construction Industry Employees General Union

*Other organizations*

34. Hong Kong Christian Service
35. Hong Kong People's Council for Sustainable Development
36. The People's Panel on West Kowloon
37. The Democratic Party

List of organizations which have submitted written views to the Panel

1. The Hong Kong Construction Association Ltd
2. Urban Watch
3. West Kowloon Joint Conference on Cultural Sector

Remark: A total of 40 organizations have presented views on the subject to the Panel and a total of 39 submissions have been received.

Council Business Division 1  
Legislative Council Secretariat  
3 February 2005