

立法會
Legislative Council

Paper No. WKCD-160
(These minutes have been
seen
by the Administration)

Ref : CB1/HS/2/04

**Subcommittee on
West Kowloon Cultural District Development**

**Minutes of seventh meeting held on
Friday, 6 May 2005, at 8:30 am
in Conference Room A 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
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-yee, GBS, JP
Hon SIN Chung-kai, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon Audrey EU Yuet-mee, SC, JP
Hon LEE Wing-tat
Hon Ronny TONG Ka-wah, SC
Hon Patrick LAU Sau-shing, SBS, JP
Hon Albert Jinghan CHENG
Hon KWONG Chi-kin
- Members absent** : Hon Albert HO Chun-yan
Hon CHAN Kam-lam, JP
Hon LAU Wong-fat, GBS, JP
Hon CHOY So-yuk
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Hon CHEUNG Hok-ming, SBS, JP
Hon CHIM Pui-chung

- Public officers attending** : Miss AU King-chi, JP
Deputy Secretary for Housing, Planning and Lands
(Planning and Lands)
- Ms Lolly CHIU, JP
Deputy Secretary for Home Affairs
- Mr Vincent FUNG
Principal Assistant Secretary for Home Affairs
- Ms Anissa WONG, JP
Director of Leisure & Cultural Services
- Mr CHUNG Ling-hoi, JP
Acting Deputy Director of Leisure & Cultural Services
- Mr Enoch LAM
Deputy Project Manager/Kowloon
Civil Engineering and Development Department
- Mr Anthony KWAN
Assistant Director of Planning
- Attendance by invitation** : The Ink Society Ltd.
- Mr David PONG Chun-yee
Co-vice Chairman
- Mr Charles WONG Pak-chung
Administration Officer
- 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

Ms Christina SHIU
Legislative Assistant

Action

I Confirmation of minutes

(Paper No. WKCD-142 -- Minutes of meeting on 8 April 2005)

The minutes of the meeting held on 8 April 2005 were confirmed.

II Meeting with deputation and the Administration

- (Paper No. WKCD-141 -- Latest submission from the Ink Society
Paper No. WKCD-145 -- Supplementary information provided by the Administration on the usage rate of performance venues and the patronage rate of cultural events
Paper No. WKCD-146 -- The Administration's paper entitled "Arts and cultural policy in Hong Kong"
Paper No. WKCD-147 -- The Administration's letter dated 3 May 2005 in response to the motion passed by the Subcommittee on 22 April 2005)

Shortfall and long-term needs in the development arts and culture in Hong Kong

2. Mr David PONG of the Ink Society (InkS) highlighted the salient points of its latest submission (Paper No. WKCD-141) as follows:

- (a) The Culture and Heritage Commission Policy Recommendations Report (CHC Report) and the Administration's Response provided a solution to the Hong Kong long-term arts and cultural development;
- (b) All along, the Administration had been the owner of major performance venues in Hong Kong. It also provided financial support for many performing groups. All these placed a great financial burden on the Administration. The Administration should encourage more private sector participation in the provision of arts and cultural programmes, as well as the construction and management of cultural facilities. The West Kowloon Cultural District (WKCD) development would be a good starting point for greater private sector involvement;

- (c) For the WKCD project, it would be necessary to establish a statutory body to oversee the implementation and operation of the project. Potential donors of art works would have more confidence in a statutory body than a private organization; and
- (d) With WKCD, Hong Kong could develop into a more prominent art market.

3. The Chairman thanked InkS for its valuable views.

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

Usage of existing cultural facilities and provision of new facilities

5. Ms Emily LAU noted from the supplementary information provided by the Administration (Paper No. WKCD-145) that on average, the overall patronage rate of admission-charged events at performance venues managed by the Leisure and Cultural Services Department (LCSD) from 2001-02 to 2003-04 was about 60%. She was concerned about whether such a patronage rate could substantiate the need for the provision of additional cultural facilities in the WKCD.

6. The Deputy Director of Leisure & Cultural Services (Acting) (DD, LCS (Acting)) responded that the average patronage rate of about 70% for the performance venues managed by LCSD was considered acceptable by international standards. For the more popular cultural events/performance, such as Cantonese Opera, the patronage rate was over 80%. Certain cultural events/performance had low patronage rates because they were intended to create diversity to meet the need of different audiences on one hand and to provide opportunities for the artists on the other.

7. While noting Ms Emily LAU's concern about the patronage rate of future performance venues in WKCD, the Principal Assistant Secretary for Home Affairs (PAS, HA) said that unlike existing venues managed by LCSD, the new venues in WKCD would be managed by the private sector with greater flexibility. This could help tremendously in promoting the quality of programme and hence, patronage.

8. Mr David PONG pointed out that the provision of new cultural facilities should not take into account usage alone because such facilities could also enrich the cultural life of the people.

9. In this connection, the Deputy Secretary for Housing, Planning and Lands (Planning and Lands) (DSHPL) referred members to a relevant study conducted by the Planning Department in 1999 which found that in both Hong Kong and

overseas countries, the provision of cultural facilities would be “supply-led”. In planning for the provision of cultural facilities, the Administration would also consider corresponding measures to build up audiences.

10. Dr LUI Ming-wah did not object to the provision of new cultural facilities because there was always delicate interaction between the supply and demand sides. However, it would be most important for the Government to maintain proper control over the financing and operation of WKCD within its 30-year operation period and beyond. He opined that the public would have more confidence in the Government than the private sector. In response, the Deputy Secretary for Home Affairs said that the Administration would carefully consider all views collected during the on-going public consultation exercise.

11. The Chairman said that new cultural facilities should be provided to support a clear policy of the Government in the promotion of arts and culture. However, the Administration had yet to provide convincing justifications that it was the case for the WKCD proposal.

12. Mr James TO considered that as illustrated by the information from the Administration, many performance venues were not very well-utilized. He also referred to the case of Ngau Chi Wan Civic Centre which recorded a 71.3% overall patronage rate with 74 performances in 2001/02 but a mere 57.9% with 134 performances in 2003/04, and sought explanation for such discrepancy. DD, LCS (Acting) explained that the said venue was undergoing renovation in 2001/02 which accounted for the relatively high overall patronage rate with fewer performances.

13. Mr James TIEN was concerned about the long-term financial and programming aspects of the proposed performance venues in WKCD.

14. Mrs Selina CHOW stressed that it would be most important for the Administration to make better use of the private sector in the provision of arts and cultural programmes.

15. In response, PAS, HA said that the Invitation for Proposals (IFP) required the proponents to submit a business plan for the operation of the arts and cultural facilities for 30 years which should be transparent, sustainable and with community involvement. The proponents were also required to provide information on the partnership agreements they had entered into with various arts and cultural groups. He assured members that with a good governance structure and appropriate provisions of financial resources, the quality of the programmes would be safeguarded.

16. Ir Dr Raymond HO asked whether there was any requirement in the IFP for the provision of venues/space for budding local artists where they could express their creativity. The Director of Leisure & Cultural Services said that under the provision of other arts and cultural facilities in the IFP, the proponents

could propose various facilities such as art education centre and art academy for the development of young artists. Ir Dr HO considered that the use of such facilities to promote the development of young arts talents should be clearly specified in the agreement to be made between the Administration and the successful proponent.

17. In reply to Dr LUI Ming-wah's enquiry about the Administration's measures to improve the usage rate of under-utilized performance venues, DD, LCS (Acting) said that continuous efforts had been made by the Administration which included the establishment of partnership agreements between the less well-utilized venues and specific performing groups. This could provide flexibility for the performing groups to run their own productions within a certain period of the year. At the district level, LCSD would work with the District Councils and local schools to enhance co-operative efforts with arts and cultural groups for the purposes of cultural education and arts promotion.

Proposed themes of museum

18. Mr LEE Wing-tat enquired about the Administration's basis for including the four preferred themes of museums in the IFP, in particular the Ink Museum. PAS, HA explained that they were developed with reference to the views expressed by the arts and cultural sector as well as experts and relevant professionals during previous consultations. The Administration had also made reference to the planning made by the ex-Municipal Councils and the CHC Report. He stressed that the four proposed themes were not mandatory and the proponents could propose other themes for the museums with good justifications.

19. Mr David PONG said that InkS had advocated for the establishment of an ink museum in Hong Kong for many years. The idea was also supported by a number of studies. As regards the estimated recurrent expenditure of an ink museum as proposed in the IFP, Mr PONG advised that a world class ink museum would need an annual recurrent expenditure of US\$10 million excluding the endowment fund.

InkS' proposal on statutory body

20. Ms Margaret NG asked whether WKCD was pivotal to achieving InkS' vision for the future development of arts and culture in Hong Kong. Mr David PONG replied that the future development of arts and culture in Hong Kong would depend on a number of factors. For InkS, the WKCD project would be conducive to such development.

21. In response to Ms Margaret NG's further enquiry about the set-up of the proposed statutory body, Mr David PONG said that reference could be made to the different statutory bodies in charge of the management of cultural facilities in overseas countries. However, special consideration should be given to the unique scale of the WKCD. He added that InkS would prefer a streamlined and

well-managed governance structure for the proposed statutory body which should include representatives from the successful proponent, the Government, arts and cultural groups, professionals and Legislative Council Members.

22. At the Subcommittee's invitation, InkS would provide further written views after the meeting on its proposed statutory body as well as its stance on the issue of land sale/ grant for the development of WKCD.

(Post-meeting note: The InkS' further views were circulated to members vide Paper No. WKCD-154.)

The canopy

23. Mr LEE Wing-tat, Mr James TIEN and Dr LUI Ming-wah expressed concern about the safety risks posed by the proposed canopy. Mr LEE sought information on the Fire Services Department (FSD)'s assessment of the risk of the canopy in the event of fire. Mr TIEN enquired about the maintenance of the canopy in case it was damaged or soiled by fire or black smoke. Dr LUI pointed out that with the proposed canopy, smoke dissipation would be a great problem.

24. In response, the Deputy Project Manager/Kowloon, Civil Engineering and Development Department advised that input from FSD and Buildings Department (BD) had been sought in drawing up the IFP requirements. In the IFP, the proponents were required to submit study on smoke dissipation for the canopy. Any study proposal received would be vetted by FSD and BD. Advising members on the fire-resistant properties of the latest materials available for the construction of the canopy, he assured members that the canopy would be required to comply with the relevant provisions of the Buildings Ordinance (Cap. 123).

- Admin 25. The Administration was requested to provide the following information:
- (a) whether FSD had conducted any independent study on the safety risks posed by the proposed canopy as a result of fire; if so, the details of the relevant findings including the worst case scenario; if no, the reasons why;
 - (b) whether FSD's comments had been sought on the reports for computerized modelling of heat and smoke dissipation for the canopy as submitted by the screened-in proponents; if so, what were the comments;
 - (c) the maintenance measures to be taken in case any part of the canopy was damaged or soiled as a result of fire or black smoke; and

- (d) information on the percentage of complimentary tickets given out for admission-charged events at performance venues managed by LCSD.

26. Members agreed that they had completed deliberation on the “Shortfall and long-term needs in the development of arts and culture in Hong Kong”. As various issues in relation to land use and planning had already been covered in previous discussions, members agreed that the Subcommittee had completed its Phase I study. The Subcommittee would proceed to the preparation of its Phase I report which would be submitted to the House Committee at its last meeting before recess on 8 July 2005. Members further agreed that closed meetings would be held to deliberate on the Subcommittee’s draft report.

III Any other business

Overseas duty visit

(Paper No. WKCD-148)

27. The Chairman recapped that at the meeting on 23 March 2005, Mr Albert CHAN had proposed an overseas duty visit to Abandoibarra, Spain in September 2005 after the Subcommittee had completed its Phase I study.

28. Members noted the paper prepared by the Secretariat on the proposed duty visit.

29. Mr Albert CHAN suggested that apart from Abandoibarra, the Subcommittee could also consider visiting one or two more cities in Europe to learn from their experience. In this connection, the Chairman advised members that due to the long flight time, the proposed visit to Abandoibarra alone would need six days.

30. Ms Margaret NG expressed support for the proposed duty visit, and said that the visit should focus on learning from the experience of the Abandoibarra project including its development and management. Enough time should be set aside in the programme to facilitate a meaningful exchange between members and the relevant parties. Mr Albert CHAN said that the visit should also include meetings with arts and cultural groups as well as those groups which might hold alternative views on the project.

31. After deliberation, members supported the proposed duty visit which should be held in September. The exact dates would be fixed after further discussion with the host organizations in Abandoibarra.

32. The Chairman reminded members that the next Subcommittee meeting would be held on Friday, 13 May 2005 at around 3:30 pm (or after the House

Committee meeting scheduled for 2:30 pm on that day). It would be a closed meeting to deliberate on the Subcommittee's draft report.

33. The meeting ended at 10:30 am.

Council Business Division 1
Legislative Council Secretariat
13 June 2005

**Proceedings of the seventh meeting of the
Subcommittee on West Kowloon Cultural District Development
on Friday, 6 May 2005, at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 – 000054	Chairman	Confirmation of minutes of the meeting held on 8 April 2005 (Paper No. WKCD-142)	
000055 – 001129	The Ink Society Ltd. (InkS)	Presentation of views by InkS (Paper No. WKCD-141)	
001130 – 002409	Ms Margaret NG InkS	<ul style="list-style-type: none"> - Whether the proposed ink museum could be set up without the West Kowloon Cultural District (WKCD) project - Details of the proposed statutory body for the WKCD project - Recurrent expenditure of a world class ink museum 	
002410 – 004721	Ms Emily LAU Administration Chairman InkS	<p><u>Usage of cultural facilities</u> (Paper No. WKCD-145)</p> <ul style="list-style-type: none"> - Average patronage rate of Government performance venues - Forecasted patronage rate of WKCD performance venues and its impact on the existing facilities - Whether the provision of cultural facilities should be “supply-led” - The Administration’s explanation that: <ul style="list-style-type: none"> (a) Hong Kong’s average patronage rate of performance venues compared well with other famous overseas performance venues; (b) the Hong Kong Coliseum and Hong Kong Cultural Centre, which had a similar capacity as the proposed performance venues in WKCD, had a high patronage rate. These figures supported the need for new venues; and (c) both local and overseas studies showed that planning for arts and cultural facilities 	

Time marker	Speaker	Subject(s)	Action required
		<p>should base on the supply-led approach. The targeted audience could be both the local people and tourists.</p>	
004722 – 005757	Mr LEE Wing-tat Administration InkS	<p><u>The proposed canopy</u> (Paper No. WKCD-147)</p> <ul style="list-style-type: none"> - Information on assessment of the risk of the canopy in the event of fire - Criteria and justifications for choosing the four preferred themes of museums in WKCD - The Administration’s explanation that: <ul style="list-style-type: none"> (a) Fire Services Department and Buildings Department were involved in the drafting of the Invitation for Proposals (IFP) requirements and the vetting of technical studies provided by the proponents; (b) IFP required proponents to provide information on heat and smoke dissipation and assessment of risk of canopy in the event of fire; (c) the four preferred themes of museums were chosen taking into account previous studies and consultation with the relevant groups. IFP also allowed proponents to suggest other themes with justifications. 	The Administration to provide information as per paragraph 25(a) and (b) of the minutes
005758 – 010929	Mr James TO Administration	<p><u>Usage of cultural facilities and patronage of cultural events</u> (Paper No. WKCD-145)</p> <ul style="list-style-type: none"> - Whether complimentary tickets were included in the calculation of patronage rates; - Discrepancy in usage of performance venues and their patronage rates; - The Administration’s explanation that: <ul style="list-style-type: none"> (a) only events with admission charge were used to calculate the patronage rates. For 	The Administration to provide information as per paragraph 25(d) of the minutes

Time marker	Speaker	Subject(s)	Action required
		<p>these programmes, complimentary tickets were also included in the calculation; and</p> <p>(b) usage rates included days for setting-up, rehearsals and free-of-charge events.</p>	
010930 – 012122	Mr James TIEN Administration	<ul style="list-style-type: none"> - Whether openings were allowed in the canopy - Maintenance and cleaning for parts of the canopy in case they were damaged or soiled as a result of fire or black smoke - Subsidy of arts and cultural events in WKCD by the successful proponent - Measures to ensure the quality of arts and cultural programmes - The Administration's explanation that: <ul style="list-style-type: none"> (a) proponents could design the canopy with openings; (b) relevant departments had studied the use of materials for the canopy as proposed by the proponents; (c) IFP required proponents to submit plan on the operation of the arts and cultural facilities for 30 years; and (d) Proponents had to provide information on partnership agreements with arts and cultural groups. Quality of the programmes could be ensured with a proper governance structure and the appropriate provisions of financial resources. 	The Administration to provide information as per paragraph 25(c) of the minutes
012123 – 012556	Dr LUI Ming-wah Administration	<ul style="list-style-type: none"> - Smoke dissipation would pose a greater problem than fire for the canopy which was not fully enclosed - The Administration should ensure proper control in the management and operation of cultural facilities as well as the provision of arts and cultural programmes 	

Time marker	Speaker	Subject(s)	Action required
		<ul style="list-style-type: none"> - The Administration's explanation that: <ul style="list-style-type: none"> (a) IFP required proponents to study smoke dissipation for the canopy; and (b) the Administration would consider its role in WKCD taking into consideration public views. 	
012557 – 012955	Ir Dr Raymond HO Administration	<p><u>Arts and cultural policy</u> (Paper No. WKCD-146)</p> <ul style="list-style-type: none"> - Venues should be provided to nurture budding local artists. This direction should be clearly set out in the agreement to be entered into between the Administration and the successful proponent - The Administration's explanation that: <ul style="list-style-type: none"> (a) The provision of other arts and cultural facilities in IFP could accommodate the need of grooming budding local artists; and (b) Screened-in proponents had made proposals for arts groups-in-residence as well as art academy and art education centres. 	
012956 – 013529	Ms Margaret NG InkS	<ul style="list-style-type: none"> - Land grant to one developer under the single-package development approach - Measures to ensure that WKCD could be operated successfully for 30 years and beyond - InkS' view that a statutory body with suitable representation was needed for the successful implementation of the WKCD project 	
013530 – 013724	Dr LUI Ming-wah Administration	<ul style="list-style-type: none"> - Measures to improve the usage rates of less popular performance venues - The Administration's explanation that: <ul style="list-style-type: none"> (a) partnership arrangements 	

Time marker	Speaker	Subject(s)	Action required
		<p>such as arts groups-in-residence were formed to allow performing groups to organize events for a period of time at the less well-utilized venues;</p> <p>(b) Co-operation with local groups via District Councils and schools to educate the public and promote cultural events to a wider audience</p>	
013725 – 014003	Mrs Selina CHOW Administration	<ul style="list-style-type: none"> - The Administration’s measures to allow more private sector involvement in the provision of arts and cultural events - The Administration could consider using private promoters to organize arts and cultural events - The Administration’s explanation that the funding policy was being reviewed to encourage performing groups to be more proactive in soliciting donations from the private sector 	
014004 - 014136	Mr Albert CHAN Administration	<ul style="list-style-type: none"> - The Administration’s presentation of the usage rates was misleading - The Administration’s explanation that detailed figures on the usage rates based on days and sessions had been provided previously vide Paper No. WKCD-135 	
014137 – 014534	Chairman Ms Margaret NG	<ul style="list-style-type: none"> - Conclusion of the discussion on “Shortfall and long-term needs in the development of arts and culture in Hong Kong” - Discussion on land use and planning already covered - Preparation of Phase I study report 	
014535 – 015141	Ms Margaret NG Mr Albert CHAN Clerk Chairman	<p><u>Overseas duty visit</u> (Paper No. WKCD-148)</p> <ul style="list-style-type: none"> - Endorsement of the proposed 6-day visit to Abandoibarra, Spain 	

Time marker	Speaker	Subject(s)	Action required
		<ul style="list-style-type: none">- Groups to meet during the duty visit- Planning for the duty visit- Places to visit	
015125 – 015142	Chairman	Date of next meeting	

Council Business Division 1
Legislative Council Secretariat
13 June 2005