

立法會
Legislative Council

Paper No. WKCD-505
(These minutes have been
seen
by the Administration)

Ref : CB1/HS/2/04/1

**Subcommittee on
West Kowloon Cultural District Development**

**Minutes of thirty-sixth meeting held on
Thursday, 29 November 2007, at 2:30 pm
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 Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J.,
JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHAN Yuen-han, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon LEE Wing-tat
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Prof Hon Patrick LAU Sau-shing, SBS, JP
- Member absent** : Hon CHAN Kam-lam, SBS, JP
Hon SIN Chung-kai, SBS, JP
Hon CHOY So-yuk, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon CHIM Pui-chung
- Public officers** : Ms Esther LEUNG, JP

attending

Deputy Secretary for Home Affairs (3)

Mr Vincent FUNG
Principal Assistant Secretary for Home Affairs
(West Kowloon Cultural District) 1

Mr Danny LAU
Principal Assistant Secretary for Home Affairs
(West Kowloon Cultural District) 2

Mr Howard LAM
Chief Treasury Accountant
(West Kowloon Cultural District)
Home Affairs Bureau

Mr Anthony T K KWAN
Assistant Director/Metro
Planning Department

Clerk in attendance : Ms Anita SIT
Chief Council Secretary (1)4

Staff in attendance : Ms Pauline NG
Assistant Secretary General 1

Mr Kelvin LEE
Assistant Legal Adviser 1

Mr Anthony CHU
Council Secretary (1)2

Ms Christina SHIU
Legislative Assistant (1)7

Action

I Confirmation of minutes
(Paper No. WKCD-444 -- Minutes of meeting on
12 September 2007)

The minutes of the meeting held on 12 September 2007 were confirmed.

**II Review of the business to be followed up by the Subcommittee on
West Kowloon Cultural District Development**

(Paper No. WKCD-449 -- Paper on "Review of the business to be followed up by the Subcommittee on West Kowloon Cultural District Development" prepared by the Legislative Council Secretariat)

2. The Subcommittee deliberated (Index of proceedings attached at the **Appendix**).

3. The Assistant Secretary General 1 (ASG1) briefed members on the salient points of the paper on "Review of the business to be followed up by the Subcommittee on West Kowloon Cultural District Development" (Paper No. WKCD-449). Members agreed to the recommended approaches set out in paragraph 10 of the paper. The Chairman said that the Secretariat would inform the Panel on Development and the Panel on Home Affairs of the decision of the Subcommittee and the Panels would discuss the issue at their forthcoming meetings.

III Major contents and proposals in relation to the Bill on the establishment of the West Kowloon Cultural District Authority

(Paper No. WKCD-398 -- Paper on "Recommendation Report of the Consultative Committee on the Core Arts and Cultural Facilities of the West Kowloon Cultural District" provided by the Administration

Paper No. WKCD-450 -- Summary of views of various organizations and individuals expressed at the meetings on 9 and 23 October 2007 prepared by the Legislative Council Secretariat

Paper No. WKCD-451 -- Information paper on "Key aspects of the proposed legislation for establishing a statutory body" provided by the Administration)

IV Town planning work and financing approach for the West Kowloon Cultural District project

(Paper No. WKCD-398 -- Paper on "Recommendation Report of the Consultative Committee on the Core Arts and

- Papers Nos. WKCD-441 and 446 -- Cultural Facilities of the West Kowloon Cultural District" provided by the Administration
- Paper No. WKCD-450 -- Administration's response to the questions raised by Subcommittee members at the meetings on 3 and 9 October 2007 and questions raised in the letter dated 2 October 2007 from Hon LEE Wing-tat
- Paper No. WKCD-452 -- Summary of views of various organizations and individuals expressed at the meetings on 9 and 23 October 2007 prepared by the Legislative Council Secretariat
- Information paper on "Statutory planning process for West Kowloon Cultural District" provided by the Administration)

4. Members agreed to discuss Items III and IV together.

5. In view of the tight timeframe for scrutiny of the bill on the establishment of a statutory body ("WKCD Authority" as the working title) to take forward the WKCD project, members requested the Administration to provide further details on the proposed legislation for the Subcommittee's discussion of the relevant proposals in advance. ASG1 suggested that the Administration provided discussion papers to the Subcommittee on the proposed legislation on a topic-by-topic or part-by-part basis based on the relevant Drafting Instructions. The Chairman requested the Secretariat to follow up with the Administration on the arrangements.

Follow-up actions

6. To assist members in the discussion of the Administration's proposals in relation to the WKCD Authority, members requested the Research and Library Services Division of the Secretariat to conduct research on the relevant legislations on the key aspects of comparable local and overseas statutory bodies. Members also requested the Clerk to prepare a summary of the discussion at this meeting on the key aspects of the WKCD Authority for members' reference at the next meeting.

- Admin 7. The Administration was requested to provide the following information:
- (a) the total capital cost, with a breakdown by facilities, of the arts and cultural facilities and other facilities which would be developed by

the future statutory body during Phase 1 of the WKCD project;

- (b) the systems and mechanisms to handle the interface and coordination of the works projects for the arts and cultural facilities, retail/dining/entertaining facilities and infrastructure facilities which would be constructed during Phase 1 of the WKCD project; and
- (c) the public engagement work undertaken by the Administration since the release of the Recommendation Report of the Consultative Committee, the groups or sectors which had been engaged/consulted and the number of people involved.

8. Members agreed that the next two meetings should be held on 15 December 2007 and 4 January 2008, both from 9:00 am to 12:00 noon, for continuation of the discussion with the Administration on the key aspects of the WKCD Authority and for receiving views from interested parties on the subject.

(Post-meeting note: Notice of meetings was issued to members vide CB(1)371/07-08 on 3 December 2007.)

V Any other business

9. The meeting ended at 5:30 pm.

Council Business Division 1
Legislative Council Secretariat
21 January 2008

**Proceedings of the thirty-sixth meeting of the
Subcommittee on West Kowloon Cultural District Development
on Thursday, 29 November 2007, at 2:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 - 000044	Chairman	Confirmation of minutes of the meeting held on 12 September 2007 (Paper No. WKCD-444)	
000045 - 000148	Chairman	Opening remarks	
000149 - 001000	Assistant Secretary General (ASG1) Chairman Ms Margaret NG	Review of the business to be followed up by the Subcommittee (Paper No. WKCD-449)	The Clerk to inform the Panel on Development and Panel on Home Affairs on the decision of the Subcommittee.
001001 - 001359	Chairman	The arrangement of discussing Items III and IV together	
001400 - 003218	Administration	Briefing on the key aspects of proposed legislation for establishing a statutory body to take forward the West Kowloon Cultural District (WKCD) project (Paper No. WKCD-451)	
003219 - 004450	Chairman Mr James TO Administration	Composition of the WKCD Authority Corporate and business plans of the WKCD Authority to be submitted to the Government for records Approving and paying the endowment funds for the WKCD Authority in one go or by instalments Relationship between the facilities within the purview of WKCD Authority and the office, hotel and residential developments in WKCD	
004451 - 005343	Ir Dr Raymond HO Administration	Tight timeframe for the Legislative Council (LegCo) to scrutinize the bill on the WKCD Authority	

Time marker	Speaker	Subject(s)	Action required
		<p>Timing for seeking funding approval for the upfront endowment and the interim M+ and whether the estimated amounts would be sufficient</p> <p>Arrangements for preparatory work and coordination of work</p> <p>Whether the accounts of WKCD Authority would be subject to the audit of the Audit Commission</p>	
005344 - 010257	Mr LEE Wing-tat Administration	<p>Approving and paying the endowment funds for the WKCD Authority in one go or by instalments</p> <p>Viability of M+</p> <p>Composition of the WKCD Authority</p> <p>Measures to ensure fairness in tender assessment, and the arts and cultural objectives not being overridden by the commercial and property interests</p> <p>The Administration was requested to provide the total capital cost, breakdown by facilities, of the arts and cultural facilities and other facilities developed by the future statutory body during Phase 1 of the WKCD project.</p>	Administration to take necessary follow up action
010258 - 011211	Dr KWOK Ka-ki Administration	<p>Approving and paying the endowment funds for the WKCD Authority in one go or by instalments</p> <p>Consultation work done by the Administration so far. The Administration was requested to provide details of the public engagement work undertaken by the Administration since the release of the Recommendation Report of the Consultative Committee</p> <p>Funding and other support for artists and arts groups</p>	Administration to take necessary follow up action
011212 - 012032	Ms Emily LAU	Consultation with LegCo on the town	

Time marker	Speaker	Subject(s)	Action required
	Administration	<p>planning aspects of WKCD</p> <p>Approving and paying the endowment funds for the WKCD Authority in one go or by instalments</p> <p>Composition of the WKCD Authority and its accountability</p> <p>Transparency of the work of the WKCD Authority, e.g. meetings to be held in public</p>	
012033 - 013104	Ms Margaret NG Administration	<p>Purposes and objects, and powers and functions of the WKCD Authority</p> <p>Implications on the liabilities of the WKCD Authority and where funds could be spent on</p>	
0013105 - 013948	Prof Patrick LAU Administration	<p>Disposition of different land uses in WKCD</p> <p>Expediting the planning process for WKCD</p>	
013949 - 015049	Mr LEUNG Kwok-hung Administration Chairman	<p>Administration's answer to the Subcommittee's previous question on the integration and connectivity of WKCD with the surrounding districts</p> <p>Creation of a new cultural district named as WKCD vis-à-vis provision of cultural facilities at existing local communities</p> <p>Powers, objects and purposes of the WKCD Authority and viability of M+</p> <p>Manner in which the bill on the WKCD Authority would be scrutinized</p>	
015050 - 015442	Ms Margaret NG	<p>Functions and powers of the WKCD Authority</p> <p>Whether criteria for funding support to relevant organizations and tender assessment would be stipulated in the proposed legislation</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>Role of experts and professionals appointed to the Board of the WKCD Authority</p> <p>Procedural transparency of the WKCD Authority and public access to information on its work and proceedings</p> <p>Requirement of setting up particular committees for public consultation to be stipulated in legislation</p> <p>Drafting of the Bill should aim at clarity and conciseness</p>	
015443 - 015830	Ms Emily LAU Administration	Submission of funding applications for individual arts and cultural facilities submitted to LegCo in batches or one by one to enhance accountability and monitoring	
015831 - 021620	Chairman Ms Emily LAU Ms Margaret NG Mr Abraham SHEK Miss CHAN Yuen-han Administration ASG1	<p>Meeting scheduled for 4 January 2008 to receive views from the public on the WKCD Authority</p> <p>Administration to provide further information on the proposed legislation in light of the discussion at the meeting</p> <p>Research on comparable local and overseas statutory bodies</p> <p>Measures to facilitate Members' scrutiny of the proposed legislation in view of the tight schedule</p> <p>ASG1's suggestion that the Administration could provide papers on the proposed legislation on a topic-by-topic or part-by-part basis based on the relevant Drafting Instructions</p>	<p>The Research and Library Services Division of the Secretariat to take necessary follow up action.</p> <p>The Secretariat to follow up with the Administration</p>
021621 - 022645	Chairman Administration	<p>Members' concerns on –</p> <p>(a) composition, objects, purposes</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>and powers of the WKCD Authority;</p> <p>(b) public engagement in the planning process of WKCD; and</p> <p>(c) financial arrangements for the project.</p>	
022646 - 023732	Mr LEE Wing-tat Administration	<p>Tender assessment by the WKCD Authority - how to avoid collusion and transfer of benefits</p> <p>Interface and coordination problems in developing 12 performance venues, 70% of M+ and other related facilities within six to seven years during Phase I of the project. The Administration was requested to provide a paper to access the risk of these problems.</p>	Administration to take necessary follow up action
023733 - 023838	Chairman Mr Abraham SHEK	Summary of the discussion at the meeting	The Clerk was requested to prepare a summary of the discussion at the meeting
023839 – 024704	Mr LEUNG Kwok-hung Administration	<p>Public consultation and discussion at the Subcommittee before the bill was introduced into LegCo</p> <p>Public aspiration for the WKCD project to be implemented properly but not in a hasty manner</p> <p>Retail/dining/entertainment facilities in WKCD</p>	
024705 - 025539	Ms Margaret NG Administration	<p>The WKCD Authority should be established as soon as possible</p> <p>Individual arts and cultural facilities having their unique characteristics, with room for organic growth</p> <p>Whether arts accountability system could be implemented</p> <p>Proposed Planning Office for WKCD</p>	

Time marker	Speaker	Subject(s)	Action required
025540 - 030050	Chairman ASG1 Administration	Arrangements for next meeting on 15 December 2007 Progress of the drafting of the proposed legislation	

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21 January 2008