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Paper for the House Committee meeting on 28 November 2008

**Proposal for the appointment of a subcommittee under
the House Committee to monitor
the West Kowloon Cultural District project**

Purpose

This paper invites Members to endorse a proposal for a subcommittee to be appointed under the House Committee (HC) to monitor the West Kowloon Cultural District (WKCD) project.

Background

2. The WKCD project is a major initiative by the Administration to implement its policy on arts and culture by meeting the long-term infrastructural and development needs of Hong Kong's art and culture. Under the project, a 40-hectare waterfront site at the southern portion of the West Kowloon Reclamation will be developed into a world-class integrated arts, cultural and entertainment district.

3. The Legislative Council (LegCo) has been following up issues relating to the WKCD project since 1999 in various forums, including at meetings of the former Panel on Planning, Lands and Works (now renamed as the Panel on Development) and the Panel on Home Affairs. As the issues pertinent to the WKCD project straddled a number of policy areas including culture and arts, planning and lands, environment and public finance, HC appointed a subcommittee on 21 January 2005 to study a range of issues relating to the development of WKCD. The terms of reference of the Subcommittee on WKCD Development (the former Subcommittee) were as follows:

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

4. The former Subcommittee published three reports on its study. The first two reports, which were submitted to HC on 6 July 2005 and 6 January 2006 respectively, highlighted the deficiencies in the development approach under the Invitation for Proposals process and the need to consult the public in a structured manner on the facilities to be built in WKCD. In its third report submitted to HC on 20 June 2008, the former Subcommittee concluded its study on the WKCD project and highlighted, among other things, the need for the Administration to engage the public and stakeholders extensively and systematically in the planning and implementation the project, and to ensure a transparent, fair and objective mechanism for constituting the West Kowloon Cultural District Authority (WKCDA). The former Subcommittee also recommended some important parameters for future monitoring of the WKCD project in the following major areas: town planning and integration with neighbouring districts, core arts and cultural facilities, financial arrangements, WKCDA, and public engagement. On 25 June 2008, the Council endorsed the final report through the passage of a motion moved by the Chairman of the former Subcommittee, Hon Alan LEONG.

5. After the enactment of the West Kowloon Cultural District Authority Ordinance by the Legislative Council (LegCo) in July 2008, which provides for the establishment of WKCDA to implement the WKCD project, the Administration has embarked on setting up the Board of the WKCDA (the Board). On 23 October 2008, the Administration announced the appointment of 19 members, including four public officers and 15 non-public officers to the Board. The Board held its first meeting on 28 October 2008 and endorsed among other things, the setting up of six committees under WKCDA, namely, the Audit Committee, the Investment Committee, the Remuneration Committee, the Development Committee, the Museum Committee and the Performing Arts Committee to deal with different areas of work.

Joint Panel meeting on 14 November 2008

6. The Panel on Development and Panel on Home Affairs held a joint meeting on 14 November 2008 to discuss the development of the WKCD project since the enactment of the WKCDA Ordinance and the way forward for monitoring the project. The Chief Secretary for Administration, in his capacity as the Chairman of the Board, briefed members on the latest development on a number of issues, including the preparation of the development plan for WKCD, establishment of committees, governance requirements of WKCDA and recruitment of staff.

7. At the joint meeting, members urged the Administration to expedite the implementation of the WKCD project to create more employment opportunities amidst the financial tsunami. Members expressed concern over the appointment of the WKCDA Board, as well as a number of issues relating to the implementation of the WKCD project. These issues included public engagement in the planning and implementation of the project, institutionalized

mechanism to collect public views in a more systematic and structured manner, opening up meetings of WKCD, public access to the Authority's records and plans, mechanism for the appointment of the Chief Executive Officer (CEO) and members to various committees set up by the Authority, shortlisting of the three conceptual plans in the master planning of the WKDC project, creation of synergy and connectivity with WKCD's neighbouring districts, and WKCD's interface with arts and cultural development. In consideration of the high expectation of the community on the WKCD project, the important impact of WKCD on Hong Kong's long term development especially on the cultural life of the populace, and the significant public resources involved, members considered that LegCo should continue to monitor the project vigilantly.

Proposal for the appointment of a subcommittee

8. In considering the way forward to monitor the WKCD project, members had examined two options, viz. the appointment of a joint subcommittee under the Panel on Development and Panel on Home Affairs (Option 1), or a subcommittee under HC as proposed by Hon Alan LEONG (Option 2).

9. In respect of Option 1, members noted that since the appointment of the former Subcommittee to follow up the WKCD project, the Rules of Procedure (RoP) of the Council and the House Rules (HR) had been amended in October 2005 (RoP77(9A) and HR22(t)) to provide for the appointment of a joint subcommittee by two or more Panels to study any matter of common interest to the relevant Panels.

10. As regards Option 2, some members considered this preferable for the following reasons -

- (a) the former Subcommittee on WKCD was appointed under HC and dedicated to study issues relating to WKCD on behalf of all LegCo Members. Its reports and the recommendations contained therein represented the views and consensus of all LegCo Members. The same arrangement should be followed in monitoring the work of the WKCD project;
- (b) a subcommittee appointed under HC will enable wider participation by LegCo Members, including Members who are not members of the two Panels concerned; and
- (c) the Administration had made a number of undertakings to LegCo as a whole regarding the WKCD project during its past discussions with the former Subcommittee on WKCD. The appointment of a subcommittee under HC, which represents all LegCo Members, will provide a more appropriate forum for the Administration to revert back on the progress on its delivery of these undertakings.

11. After deliberation, members decided to take a vote on Option 2. Thirteen members voted for it, no member voted against it, and one member abstained. As Option 2 was carried, members of the two Panels agreed that the proposal should be forwarded to HC for endorsement.

Advice sought

12. Members are invited to endorse the proposal for the appointment of a subcommittee under HC to monitor the implementation of the WKCD project. Subject to HC's endorsement, a proposal on the Terms of Reference, work plan and time frame of the subcommittee will be made for the consideration of HC in accordance with HR20(k)(ii).

Council Business Division 2
Legislative Council Secretariat
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