

# 立法會

## *Legislative Council*

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### **Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project**

**Updated background brief prepared by the Legislative Council Secretariat  
for the meeting on 7 July 2015**

### **Consultation Panel of the West Kowloon Cultural District Authority**

#### **Purpose**

This paper provides background information on the Consultation Panel ("CP") of the West Kowloon Cultural District Authority ("WKCD") and highlights the views and concerns expressed by members of the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project ("the Joint Subcommittee") on the subject.

#### **Background**

2. CP was established by WKCD in 2009 under section 20 of the West Kowloon Cultural District Authority Ordinance (Cap. 601) ("WKCDAO") to "gather public views on matters relevant to the functions of WKCD". Pursuant to section 20(5) of WKCDAO, WKCD shall from time to time issue guidelines in relation to the functions of CP<sup>1</sup>. CP is required to hold at least one meeting each year and any such meeting shall be open to the public.

3. Under section 20(2) of WKCDAO, CP consists of a chairman and such number of other members as WKCD may determine. The chairman and members of CP are appointed by the Board of WKCD. In March 2013, WKCD announced the appointment of Professor John LEONG Chi-yan as the CP Chairman, following the retirement of Professor Stephen CHEUNG Yan-leung who had led CP since 2009. The current membership of CP is in **Appendix I**.

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<sup>1</sup> The Guidelines for CP is available on WKCD's website (<http://www.westkowloon.hk/en/the-authority/consultation-panel>).

## **Members' concerns**

4. The Joint Subcommittee received a briefing from the Administration and WKCDA on the roles and functions of CP at its meeting on 9 June 2014. The key views and concerns expressed by members are summarized in the ensuing paragraphs.

### Role and functions

5. Members were advised that following the conclusion of the public engagement exercise conducted during the period from 2009 to 2011 for the preparation of the Development Plan for the West Kowloon Cultural District ("WKCD"), CP members had reviewed and discussed the focus of CP's work, and agreed that CP should continue to serve as a platform to engage the public. According to WKCDA, CP's current functions were to (a) play the role of a bridge between WKCDA and the public; (b) promote WKCD with a view to enhancing public's understanding of the project; (c) reflect public expectations/views to WKCDA; and (d) ensure that consultations are conducted in an open and transparent manner. The Joint Subcommittee also noted that as the Park was a major and first-batch facility to be delivered in WKCD, CP had conducted a public engagement exercise in 2014 to collect public views on the future use and management of the Park.

6. Members in general expressed concern that due to the limited functions of CP as prescribed by WKCDA and its mode of operation, CP had not been able to perform its intended role since its establishment in 2009. Hon Alan LEONG pointed out that during the deliberations of the former Bills Committee on the WKCDA Bill in 2008, CP was generally expected to perform a role similar to that of Metropoli-30 of the Abandoibarra Project in Bilbao of Spain as mentioned in the Report on Phase II Study of the former Subcommittee on WKCD Development formed by the Third Legislative Council ("LegCo")<sup>2</sup>. It was hoped that CP would provide an open platform for engaging stakeholders and members of the public in an ongoing, systematic and transparent manner, with a view to striking a proper balance among various interests and building consensus on major matters relating to the development of WKCD and the work of WKCDA. With CP being said to be generally having held meetings only once or twice a year and given its limited functions, members were of the view that CP had failed to perform the intended role and functions.

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<sup>2</sup> The Report is available on the LegCo website ([http://www.legco.gov.hk/yr04-05/english/hc/sub\\_com/hs02/reports/hs02cb1-rt2-e.pdf](http://www.legco.gov.hk/yr04-05/english/hc/sub_com/hs02/reports/hs02cb1-rt2-e.pdf)). Members may wish to refer to paragraphs 5.17-5.37 and 6.31 which are particularly relevant to Metropoli-30.

7. Members also pointed out that as WKCDA was tasked to issue guidelines from time to time in relation to the functions of CP, it was incumbent upon WKCDA to critically review the work of CP and seek to enhance its role and functions. Members stressed that to fulfill its role as a bridge between WKCDA and the public, CP should ensure that consultations on matters relating to the WKCD development were widely-based and conducted in an open manner. Some members suggested that before the commissioning of the WKCD facilities and commencement of full operation of WKCD, CP should focus its work on gathering public views on the development of cultural software and the use of public open space, including the future Park, in WKCD. Members called upon WKCDA and CP to have due regard to members' views and expectations on CP's role and functions in formulating the way forward for the work of CP.

8. The Chairman of CP advised that CP's functions were prescribed by WKCDA. Two members of the Board of WKCDA, viz. Hon Ronald ARCULLI and Dr Hon Allan ZEMAN, were also members of CP and they had attended most meetings of CP. While he agreed that CP's current functions were limited and there was room for CP to strengthen its work, it would be for the Board of WKCDA to consider and decide on the need for enhancing CP's role and functions, having regard to CP's views on its role going forward.

9. According to WKCDA, it had been reporting to CP on progress in various aspects of the WKCD project and receiving feedback on the project and WKCDA's work from different sectors of the community through CP. CP could always advise WKCDA on issues relating to the WKCD development, including ways for CP to help WKCDA gauge public views more effectively. WKCDA gathered that CP was generally expected to play the role of a bridge between WKCDA and the public, rather than assuming a monitoring role. WKCDA would discuss with the Chairman of CP how CP could strengthen its work on, among others, enhancing the public's understanding of the work of WKCDA in taking forward the WKCD project.

#### Mode of operation

10. Members considered it important that CP should be able to work independently from WKCDA and have a free hand in steering the direction of its work. To enable CP to discharge its originally intended functions effectively, consideration should be given to providing CP with additional resources including dedicated secretariat support to facilitate the agenda setting for CP and other matters relating to its operation. WKCDA assured members

that while CP had not been provided with dedicated resources for its operation, WKCDA had allocated resources to support CP's work as necessary and the views of CP would be conveyed to WKCDA after the meetings of CP. WKCDA would continue to provide appropriate resources and support to facilitate CP's work.

11. While recognizing that CP was established under WKCDA and its members were appointed by WKCDA, members stressed that the Home Affairs Bureau ("HAB"), as the housekeeping bureau of WKCDA, had the responsibility to monitor the work of WKCDA. They urged HAB to assume a more proactive role in ensuring that the work of CP would meet the aspirations of LegCo, stakeholders as well as the general public.

12. According to the Administration, HAB recognized the importance of CP's role and had all along been concerned about CP's work. It noted that WKCDA had from time to time sought the views of CP members on CP's work, and the current terms of reference of CP were drawn up by WKCDA in consultation with CP members. CP would further discuss its role going forward at its meeting scheduled for August 2014 to map out the future work plans.

### Composition

13. Concern had been expressed over the composition of CP. Ms Cyd HO considered that the composition of CP lacked members with extensive knowledge in arts and cultural policies and management of arts and cultural resources. WKCDA was urged to appoint persons with passion and knowledge in promoting the development of the arts and culture as members of CP. Some members were of the view that it was necessary and timely for the Administration/WKCDA to revamp CP's composition to ensure that its membership was balanced and more broadly representative of different sectors of the community and different political parties.

14. In response to the concern about whether the incumbent Chairman of CP, who was also the Chairman of the Hospital Authority, would be able to devote sufficient time to the work of CP, the CP Chairman advised that he had no problem steering CP's work at the present stage. Should there be any major revamp to CP or enhancement of its role and functions in future, he would consider whether he would be able to allocate sufficient time to continue to participate actively in CP's work.

### **Latest development**

15. Subsequent to the meeting on 9 June 2014, the Chairman, on behalf of the Joint Subcommittee, had written to the Chief Secretary for Administration cum Chairman of the Board of WKCDA to convey members' views and concerns about the role and functions of CP (LC Paper No. CB(2)2031/13-14(01)). In its response, the Administration advised that WKCDA had undertaken to convey the Joint Subcommittee's views to members of CP and to report to the Joint Subcommittee in due course.

16. The Administration and WKCDA will update the Joint Subcommittee on the work of CP at the meeting on 7 July 2015.

### **Relevant papers**

17. A list of the relevant papers on the LegCo website is in **Appendix II**.

**Consultation Panel of  
the West Kowloon Cultural District Authority ("WKCD")**

**Membership List  
(1 March 2015 - 29 February 2016)**

1. Prof John LEONG Chi-yan, SBS, JP – Chairman
2. Hon Ronald ARCULLI, GBM, GBS, JP\*
3. Dr Hon Allan ZEMAN, GBM, GBS, JP\*
4. Mr CHING Cheung-ying, MH
5. Mr CHOW Yick-hay, BBS, JP
6. Mr Derek HUNG Chiu-wah
7. Ms KO Po-ling, BBS, MH, JP
8. Mr LAM Ying-kit
9. Prof Lena LEE
10. Hon Charles Peter MOK, JP
11. Mr NG Cheuk-yin
12. Ms Yolanda NG Yuen-ting, MH
13. Mr TANG Shu-wing
14. Mr Coleman WAI Ching
15. Ms Ada WONG Ying-kay, JP
16. Hon Wayne YIU Si-wing

\*also member of the Board of WKCD

Source: WKCD's website (<http://www.westkowloon.hk>)

**Relevant papers on  
Consultation Panel of the West Kowloon Cultural District Authority**

<b>Committee</b>	<b>Date of meeting/issue</b>	<b>Paper</b>
Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project formed in the Fifth LegCo	10.6.2013 (Item IV)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	29.11.2013 (Item III)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	9.6.2014 (Item I)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	9.7.2014	<a href="#">Letter dated 9 July 2014 from the Joint Subcommittee Chairman to the Chief Secretary for Administration cum Chairman of the Board of West Kowloon Cultural District Authority ("WKCDA") conveying the Joint Subcommittee's views and concerns regarding the role and functions of the Consultation Panel</a>
	31.7.2014	<a href="#">The Administration's reply dated 28 July 2014 to the letter dated 9 July 2014 from the Joint Subcommittee Chairman to the Chief Secretary for Administration cum WKCDA Board Chairman (English version only)</a>