

立法會
Legislative Council

LC Paper No. CB(1)1450/07-08
(These minutes have been seen
by the Administration)

Ref : CB1/BC/5/07/2

Bills Committee on West Kowloon Cultural District Authority Bill

**Minutes of third meeting held on
Saturday, 12 April 2008, at 9:00 am
in the Chamber of the Legislative Council Building**

Members present : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP (Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Margaret NG
Hon James TO Kun-sun
Hon Bernard CHAN, GBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon Alan LEONG Kah-kit, SC
Prof Hon Patrick LAU Sau-shing, SBS, JP

Members absent : Hon CHEUNG Hok-ming, SBS, JP (Deputy Chairman)
Dr Hon LUI Ming-wah, SBS, JP
Hon CHAN Yuen-han, SBS, JP
Hon SIN Chung-kai, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon CHOY So-yuk, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon LEUNG Kwok-hung

**Public officers
attending**

: Ms Esther LEUNG, JP
Deputy Secretary for Home Affairs (WKCD)

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

Mr Frederick YU
Assistant Secretary for Home Affairs
(West Kowloon Cultural District) 4

Mr Anthony KWAN
Assistant Director of Planning/Metro
Planning Department

Ms NG Wah-chi, Lonnie
Senior Assistant Law Draftsman (Acting)
Department of Justice

Miss Emma WONG
Government Counsel
Department of Justice

**Attendance by
Invitation**

: Museum of Site Ltd.

Mr Andrew LAM
Chairman

Zuni Icosahedron

Mr Mathias WOO
Programme and Creative Director

Hong Kong Society for Education in Art

Ms LEUNG Chi-fan
Secretary

C & G Artpartment

Mr CHENG Yee-man, Gum
Curator

Democratic Party

Mr WU Chi-wai
Central Committee Member

Individual

Mr HUNG Chiu-wah
Yau Tsim Mong District Council Member

Designing Hong Kong Ltd.

Mr Paul ZIMMERMAN
Founding Member

Hong Kong Arts Festival Society Ltd.

Ms Tisa HO
Executive Director

The Chinese Artists Association of Hong Kong

Mr LEUNG Hon-wai
Vice Chairman

The Composers & Authors Society of Hong Kong Ltd.

Professor CHAN Wing-wah
Chairman

Individual

Miss FONG Kwok-shan, Christine
Sai Kung District Council Member

Professional Property Services Ltd.

Mr Nicholas BROOKE
Chairman

Ms Margaret BROOKE
Chief Executive Officer

Hong Kong Curators Association

Mr CHAN Ki-hung
Chairman

Dr TANG Man-leung
Vice-chairman

The Professional Commons

Mr Dennis KWOK
Secretary

The Ink Society Ltd.

Mr David PONG Chun-yee
Vice Chairman

Mr Charles WONG Pak-chung
Administration Officer

The Hong Kong Institute of Architects

Mr Alex LUI
Convenor
West Kowloon Cultural District Task Force

Asia Art Archive

Ms Claire HSU
Executive Director

Ms Jane DEBEVOISE
Chair, Board of Directors

Association of Engineering Professionals in Society Ltd.

Mr LEE Ping-kuen
Senior Vice Chairman

Local Action

Mr CHU Hoi-dick
Member

Community Cultural Concern

Mr YUEN Chi-yan
Member

People's Democracy Foundation

Miss SO Lok-yee, Sophia
Coordinator

Individual

Dr Darwin CHEN

Individual

Mr Oscar HO
Department of Cultural and Religious Studies
The Chinese University of Hong Kong

The Hong Kong Academy for Performing Arts

Professor Kevin THOMPSON
Director

The Civic Party

Ms Tanya CHAN
Internal Vice Chairperson
Hong Kong Island Branch

Chung Ying Theatre Company

Mr KO Tin-lung
Artistic Director

Mr CHAN Man-bun, Angus
General Manager

Individual

Mr Frank LEE

Hong Kong Repertory Theatre

Mr Vincent CHOW
Chairman

The Lion Rock Institute

Mr WONG Peter
Executive Director

Hong Kong Dance Company

Mr YUEN Lup-fun
Executive Director

Mr William LEUNG, JP
Chairman, Board of Directors

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

Staff in attendance : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2

Mr WONG Siu-yee
Senior Council Secretary (1)7

Ms Christina SHIU
Legislative Assistant (1)7

Miss Janice PANG
Clerical Assistant (1)1

I Meeting with deputations and the Administration

(LC Paper No. CB(1)1189/07-08(01) -- Submission dated 27 March
2008 from Mr HUNG
Chiu-wah

LC Paper No. CB(1)1189/07-08(02) -- Submission dated 31 March
2008 from Professional Property
Services Ltd.

- LC Paper No. CB(1)1189/07-08(03) -- Submission dated 28 March 2008 from The Professional Commons
- LC Paper No. CB(1)1189/07-08(04) -- Submission dated April 2008 from The Hong Kong Institute of Architects
- LC Paper No. CB(1)1189/07-08(05) -- Submission dated 28 March 2008 from Local Action
- LC Paper No. CB(1)1189/07-08(06) -- Submission dated 28 March 2008 from Community Cultural Concern
- LC Paper No. CB(1)1189/07-08(07) -- Submission dated 1 April 2008 from The Hong Kong Institution of Engineers
- LC Paper No. CB(1)1236/07-08(01) -- Submission dated 31 March 2008 from Hong Kong Curators Association
- LC Paper No. CB(1)1236/07-08(02) -- Submission dated 10 April 2008 from Association of Engineering Professionals in Society Ltd.
- LC Paper No. CB(1)1236/07-08(03) -- Submission dated 2 April 2008 from Mr LEUNG Siu-tong, Islands District Council Member
- LC Paper No. CB(1)1236/07-08(04) -- Submission dated 9 April 2008 from The Hong Kong Construction Association Ltd.
- LC Paper No. CB(1)1236/07-08(05) -- Submission dated 10 April 2008 from Hong Kong Arts Administrators' Association Ltd.
- LC Paper No. CB(1)992/07-08(01) -- Submission dated 4 March 2008 from The Law Society of Hong Kong)

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee noted that the Town Planning Board (TPB) had agreed at its meeting on 14 March 2008 to amend the relevant Draft Outline Zoning Plan (OZP) to incorporate development parameters for the West Kowloon Cultural Development (WKCD) project. According to the Administration, the proposed amendments would be gazetted on 18 April 2008 for public comments for 3 weeks, followed by a maximum period of 9 months for TPB to hear and deal with objections.

3. In this regard, Ms Emily LAU suggested that the Subcommittee on West Kowloon Cultural District Development should schedule a meeting to discuss the

matter. She also suggested that the Subcommittee on West Kowloon Cultural District Development should discuss the proposed upfront endowment for the WKCD project.

III Any other business

4. There being no other business, the meeting ended at 12:50 pm.

Council Business Division 1
Legislative Council Secretariat
6 May 2008

**Proceedings of the third meeting of the
Bills Committee on West Kowloon Cultural District Authority Bill
on Saturday, 12 April 2008, at 9:00 am
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 – 000955	Chairman	Opening remarks	
000956 – 001502	Museum of Site Ltd.	Presentation of views (LC Paper No. CB(1)1274/07-08(03), received after the meeting and issued on 16 April 2008)	
001503 – 002049	Zuni Icosahedron (Zuni)	Presentation of views	
002050 - 002121	Hong Kong Society for Education In Art	Presentation of views	
002122 – 002333	C & G Artpartment	Presentation of views	
002334 – 002909	The Democratic Party	Presentation of views (LC Paper No. CB(1)1274/07-08(04), received after the meeting and issued on 16 April 2008)	
002910 – 003239	Mr HUNG Chiu-wah	Presentation of views (LC Paper No. CB(1)1189/07-08(01))	
003240 – 003811	Designing Hong Kong Ltd.	Presentation of views	
003812 – 004017	Hong Kong Arts Festival Society Ltd.	Presentation of views	
004018 – 004452	The Chinese Artists Association of Hong Kong	Presentation of views	
004453 – 005004	The Composers & Authors Society of Hong Kong Ltd. (CASH)	Presentation of views	
005005 – 005248	Miss FONG Kwok-shan, Christine	Presentation of views (LC Paper No. CB(1)1274/07-08(01), tabled and issued on 16 April 2008)	
005249 – 005814	Professional Property Services Ltd.	Presentation of views (LC Paper No. CB(1)1189/07-08(02))	

Time marker	Speaker	Subject(s)	Action required
005815 – 010317	Hong Kong Curators Association (HKCA)	Presentation of views (LC Paper No. CB(1)1236/07-08(01))	
010318 – 010608	The Professional Commons (TPC)	Presentation of views (LC Paper No. CB(1)1189/07-08(03))	
010609 – 011008	The Ink Society Ltd. (InkSo)	Presentation of views (LC Paper No. CB(1)1340/07-08(01), received after the meeting and issued on 22 April 2008)	
011009 – 011614	The Hong Kong Institute of Architects	Presentation of views (LC Paper No. CB(1)1189/07-08(04))	
011615 – 012114	Asia Art Archive	Presentation of views	
012115 – 012519	Association of Engineering Professionals in Society Ltd.	Presentation of views (LC Paper No. CB(1)1236/07-08(02))	
012520 – 013028	Local Action	Presentation of views (LC Paper No. CB(1)1189/07-08(05))	
013029 - 013649	Community Cultural Concern (CCC)	Presentation of views (LC Paper No. CB(1)1189/07-08(06))	
013650 – 014302	People's Democracy Foundation (PDF)	Presentation of views (LC Paper No. CB(1)1257/07-08(01), softcopy of PowerPoint presentation materials issued on 14 April 2008)	
014303 – 014913	Dr Darwin CHEN	Presentation of views	
014914 – 015401	Mr Oscar HO	Presentation of views	
015402 – 022014	The Hong Kong Academy for Performing Arts (HKAPA)	Presentation of views	
022015 – 020553	The Civic Party	Presentation of views	
020554 – 020932	Mr Frank LEE	Presentation of views	
020933 – 021154	Hong Kong Repertory Theatre (HKRT)	Presentation of views	
021155 – 021433	The Lion Rock Institute (LRI)	Presentation of views	
021434 – 022041	Hong Kong Dance	Presentation of views	

Time marker	Speaker	Subject(s)	Action required
	Company (HKDC)	(LC Paper No. CB(1)1274/07-08(05), received after the meeting and issued on 16 April 2008)	
022042 – 022054	Chairman	Taking a break for 10 minutes	
022055 – 023053		Break	
023054 – 023129	Chairman	Continuation of meeting	
023130 – 023435	Chung Ying Theatre Company (CYTC)	Presentation of views	
023436 – 024103	Chairman Ms Emily LAU CCC	Ms LAU's views that -- (a) the Administration had to consider the naming of WKCD; and (b) a workable mechanism for selecting members from the community for appointment to the two committees proposed by CCC would be a prerequisite for adopting its proposal CCC's further elaboration on its proposal of setting up two committees	
024104 – 025232	Mr LEE Wing-tat Administration Chairman Mr Oscar HO Zuni CASH HKCA	Mr LEE's enquiries about -- (a) how street performers would be managed in WKCD; and (b) whether the Administration would take the views of professionals on board in implementing the WKCD project Administration's response that -- (a) the establishment of WKCD would enhance participation by professionals and the community in arts and cultural development; and (b) the composition of the WKCD Board as well as the operation and management of facilities in WKCD would provide opportunities for participation by professionals and	

Time marker	Speaker	Subject(s)	Action required
		<p>arts and cultural organizations</p> <p>Mr HO's view that the Administration would need a new frame of mind on the issue</p> <p>Zuni's view that a dedicated Cultural Authority was required</p> <p>CASH's views that --</p> <p>(a) criticisms on the nomination system adopted for the Hong Kong Arts Development Council had gradually decreased;</p> <p>(b) the Administration should give some thoughts on how to manage street performers;</p> <p>(c) it was of paramount importance to commence the development of WKCD as soon as possible; and</p> <p>(d) interim measures to strengthen museum and performing arts facilities were required</p> <p>HKCA's views that there should be --</p> <p>(a) a clear mechanism for appointing members to the WKCDA Board;</p> <p>(b) an explanation if the views of the professionals being consulted were not accepted; and</p> <p>(c) objective indicators for evaluating the success or otherwise of the WKCD project and necessary rectification measures in case of failure</p>	
025233 – 030140	<p>Mr CHAN Kam-lam Zuni HKCA InkSo TPC Chairman Prof Patrick LAU</p>	<p>Mr CHAN's views that --</p> <p>(a) to implement the WKCD project successfully was a common goal for all and it should proceed as soon as possible; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(b) deputations could make suggestions on the criteria for appointment of WKCDA Board members</p> <p>Zuni's view that the nomination process should be transparent and the Administration should explain clearly the criteria for appointment of WKCDA Board members</p> <p>HKCA's view that a recommendation list could be drawn up for consideration</p> <p>InkSo's query on the need for a nomination or election mechanism for constituting the WKCDA Board when other statutory bodies did not have such a mechanism</p> <p>TPC's view that there was no need to adhere to the appointment mechanism adopted in the past and new ideas in this regard should be accepted, and that paragraph 21 of its submission was relevant</p> <p>Prof LAU's view that WKCDA Board members should be appointed on a representative basis so that they could report and be accountable to their respective sectors</p>	
030141 - 030904	<p>Chairman Ms Audrey EU HKCA LRI Zuni CASH</p>	<p>Ms EU's solicitation of deputations' views on whether the Legislative Council (LegCo) should approve the \$21.6 billion one-off upfront endowment or approve funding by phases, having regard to the Bill</p> <p>HKCA's view that the two options would make no difference as long as there was sufficient monitoring</p> <p>LRI's view that while it did not support the \$21.6 billion funding for the WKCD project, it preferred funding by phases to a one-off upfront endowment if it had to choose among the two options</p> <p>Zuni's view that the relevant information</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>disclosed by the Administration was much less when compared with that disclosed for Initial Public Offerings</p> <p>CASH's view that it did not support funding by phases because it could offer no better protection against possible abuse when compared with a one-off upfront endowment</p>	
030905 - 032308	<p>Mr Alan LEONG Chairman HKDC HKAPA LRI Administration</p>	<p>Mr LEONG's enquiry on whether the Administration would strengthen the monitoring mechanisms provided in the Bill as reported by the media</p> <p>HKDC's view that it supported a one-off upfront endowment because funding by phases would impede planning and implementation and would create uncertainty, but it could accept appropriation of funds on a yearly basis after approval of the one-off upfront endowment</p> <p>HKAPA's view that it supported a one-off upfront endowment and the community should have trust in WKCD</p> <p>LRI's view that trust alone was inadequate in managing financial resources</p> <p>Administration's elaboration on --</p> <p>(a) its stance regarding the suggestions of specifying mission statements of the WKCD;</p> <p>(b) providing a nomination/election mechanism for constituting the WKCD Board; and</p> <p>(c) measures to enhance public accountability</p>	
032309 – 033029	<p>Prof Patrick LAU HKCA CYTC Chairman Mr Oscar HO</p>	<p>Prof LAU's view on the naming of the WKCD Board; support for the WKCD Board to hold annual public forums; and suggestion that the planning of WKCD should be expedited</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>HKCA's view that the actual programme contents offered were much more important than the naming of WKCDA</p> <p>CYTC's view that the name of WKCD or WKCDA should be changed as WKCD should serve the city as a whole, not just a district or region</p> <p>Chairman's view that an appropriate name would help in international promotion of WKCD</p> <p>Mr HO's views that criteria for monitoring the work of WKCDA would be required</p>	
033030 – 033825	Chairman Administration	Administration's briefing on the planning parameters proposed to be introduced to the relevant Draft OZP and advice that while there was no consensus on the naming of WKCDA, the name of the WKCD district itself could be changed later as it was not bound by the provisions of the Bill	
033826 – 034100	Ms Emily LAU	<p>Suggestion that the Subcommittee on West Kowloon Cultural Development should discuss the proposed amendments to the relevant Draft OZP and the one-off upfront endowment</p> <p>View that public opinions on proposed amendments to the Bill could be solicited</p>	
034101 – 034803	Mr LEE Wing-tat Chairman HKDC HKRT Dr Darwin CHEN	<p>Mr LEE's enquiry on the Venue Partnership Scheme (the Scheme)</p> <p>HKDC's advice that the Leisure and Cultural Services Department planned to announce the Scheme in May 2008</p> <p>HKPT's view that the Scheme was a new initiative of the Leisure and Cultural Services Department</p> <p>Dr CHEN's view that the Bill should have the flexibility to cater for the Scheme</p>	
034804 – 035029	Chairman	Administration's advice that it could	

Time marker	Speaker	Subject(s)	Action required
	Administration	discuss with the appropriate LegCo committee on planning-related aspects for WKCD and the one-off upfront endowment and that it would seek funding approval for the WKCD project from the Finance Committee after passage of the Bill	
035030 – 035116	Chairman HKCA	HKCA's comment that the Scheme had not yet been implemented; and those arts groups which were not able to join the Scheme should also be involved in the future evaluation of the Scheme	
035117 – 035255	Chairman Ms Emily LAU	Chairman's advice that deputations could provide their written submissions to the Bills Committee for consideration	
035256 – 035320	Chairman	Date of next meeting	