

立法會
Legislative Council

LC Paper No. CB(1)2251/07-08
(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 fifteenth meeting held on
Monday, 16 June 2008, at 1:00 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
(Chairman)

Hon James TO Kun-sun
Hon CHAN Yuen-han, SBS, JP
Hon SIN Chung-kai, SBS, JP
Hon WONG Yung-kan, SBS, JP
Hon Howard YOUNG, SBS, 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

Members absent : Hon CHEUNG Hok-ming, SBS, JP (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Margaret NG
Hon Bernard CHAN, GBS, JP
Hon CHAN Kam-lam, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung

Prof Hon Patrick LAU Sau-shing, SBS, JP

Public officers attending : Agenda item I

Ms Esther LEUNG, JP
Deputy Secretary for Home Affairs
(West Kowloon Cultural District)

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 Louis KAU
Senior Town Planner
(West Kowloon Cultural District)

Ms NG Wah-chi, Lonnie
Senior Government Counsel
Department of Justice

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

I Meeting with the Administration

Draft Committee Stage Amendments

(LC Paper No. CB(3)361/07-08 -- The Bill
LC Paper No. CB(1)1901/07-08(01) -- Further Committee Stage
Amendments intended to be
proposed by the
Administration

- LC Paper No. CB(1)1851/07-08(02) -- Committee Stage amendments proposed by Legislative Council Members of The Democratic Party
- LC Paper No. CB(1)1889/07-08(02) -- Committee Stage amendments proposed by Hon Emily LAU Wai-hing
- LC Paper No. CB(1)1907/07-08(01) -- Committee Stage amendments proposed by Hon Alan LEONG Kah-kit
- LC Paper No. CB(1)1907/07-08(02) -- Committee Stage amendments proposed by Hon CHAN Yuen-han
- LC Paper No. CB(1)1907/07-08(03) Committee Stage amendments proposed by Prof Hon Patrick LAU Sau-shing)

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

2. The Administration was requested to consider making an undertaking at the resumption of the Second Reading debate on the Bill that it would require the West Kowloon Cultural District Authority (WKCDA) to conduct three stages of public consultation in preparing the development plan.

II Any other business

3. There being no other business, the meeting ended at 2:00 pm.

**Proceedings of the fifteenth meeting of the
Bills Committee on West Kowloon Cultural District Authority Bill
on Monday, 16 June 2008, at 1:00 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 - 000042	Chairman	Opening remarks	
000043 - 000405	Administration	Administration's briefing on its proposed Committee Stage amendments (CSAs) (LC Paper No. CB(1)1901/07-08(01)) Clauses 4(2)(1), 6(3)(c)(iii) and new clause 17A	
000406 - 000600	Senior Assistant Legal Adviser 2 (SALA2) Administration	SALA2's enquiry on whether the Administration would move CSAs to clarify the relationship between sections 9 and 15 of the Schedule Administration's response in the affirmative	
000601 - 001629	Miss CHAN Yuen-han Administration Chairman	Miss CHAN's briefing on her proposed CSAs (LC Paper No. CB(1)1907/07-08(02)) Administration's views on Miss CHAN's proposed CSAs	
001630 - 002132	SALA2 Miss CHAN Yuen-han Mr WONG Yung-kan	SALA2's comments on the technical aspects of the drafting of Miss CHAN Yuen-han's proposed CSAs Mr WONG's enquiry on whether it would be appropriate to specify good standing in the Mainland as well under Miss CHAN's proposed CSAs to clause 6(3)(c)(i) Miss CHAN's advice that she would discuss with SALA2 the exact wording to be used	
002133 - 003440	Miss CHAN Yuen-han Administration SALA2	Miss CHAN's elaboration on her proposed amendments to clause 18(3)(a)	

Time marker	Speaker	Subject(s)	Action required
	Chairman	<p>Administration's response that the consultation panel proposed to be established under new clause 17A could also be consulted on planning matters; and it might be difficult to interpret wording such as "深入" from the legal point of view</p> <p>SALA2's comments on the technical aspects of the drafting and suggestion that wording such as "at least three rounds of consultation" could be considered</p>	
003441 - 004238	Ms Audrey EU Administration SALA2	<p>Ms EU's enquiry on whether the Administration would consider making an undertaking at the resumption of the Second Reading debate on the Bill to address Miss CHAN's concerns on public consultation</p> <p>Administration's response that specifying in the Bill a specific mode of consultation might preclude the adoption of an even better mode in future; but it would consider making a clear representation of its policy intent at the resumption of the Second Reading debate</p> <p>SALA2's enquiry on the circumstances under which public consultation on the development plan had to be conducted afresh</p> <p>Administration's explanation that if the Town Planning Board refused to deem the development plan as suitable for publication, the plan preparation process, including public consultation, had to be started afresh; and for amendments to the development plan after publication by the Town Planning Board, the procedures under the Town Planning Ordinance (Cap. 131) for amendments to draft plans proposed by the Town Planning Board would be applicable</p>	
004239 - 004729	Miss CHAN Yuen-han	Miss CHAN's view that conducting three	

Time marker	Speaker	Subject(s)	Action required
	Chairman	<p>stages of public consultation would facilitate the preparation of the development plan</p> <p>Chairman's advice that the Administration should consider making an undertaking at the resumption of the Second Reading debate on the Bill that it would require WKCDA to conduct three stages of public consultation in preparing the development plan.</p>	Administration to consider
004730 - 004909	Chairman Administration	<p>Prof Patrick LAU's proposed CSAs (LC Paper No. CB(1)1907/07-08(03))</p> <p>Administration's advice that it would not take up Prof LAU's proposed amendments on open design competition into the Bill</p>	
004910 - 005106	Chairman Administration	<p>Mr Alan LEONG's proposed CSAs (LC Paper No. CB(1)1907/07-08(01))</p> <p>Administration's advice that clause 17A would further provide that in appointing any member of the consultation panel, WKCDA shall have regard to the purpose for which the panel was established</p>	
005107 - 005251	Chairman	Chairman's advice that members should give notice on their CSAs, if any, by 21 June 2008	
005252 - 005303	Chairman	Closing remarks	