香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

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3 May 2005

本局檔號 Our Ref.

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Miss Odelia LEUNG Legislative Council Secretariat Legislative Council Building 8 Jackson Road Central, Hong Kong

Dear Miss LEUNG,

Subcommittee on West Kowloon Cultural District Development Seventh Meeting on 6 May 2005

Thank you for your letter of 25 April. Item (a) of the Appendix to your letter requests us to provide a response to the motion passed by the Subcommittee at its sixth meeting on 22 April.

Our response to the motion is as follows –

(a) As set out in paragraphs 14 to 16 of Paper No.WKCD-118 (issued vide LC Paper No. CB(1)1310/04-05 on 19 April) on "West Kowloon Reclamation Concept Plan Competition", paragraph 33 of Section I of the Competition Document of the West Kowloon Reclamation Concept Plan Competition stipulates that "the assessment process will be carried out in strict confidence. The organiser shall not disclose the details of the assessments". This

arrangement is in line with Government's established policy as set out in the Code on Access to Information. It seeks to promote frankness and candour of advice given to, and deliberations of, the Technical Panel and the Jury. Disclosure of details of assessments may also harm the competitive or financial position of the competition entrants. In addition, members of the Technical Panel had been advised that their assessments were confidential and privy to the Jury only. For the above reasons, we are not in a position to disclose Technical Panel's assessments on individual entries of the Competition.

Nevertheless, to allow the public to better understand the work of the Technical Panel, we have already disclosed the main body of the Report of the Technical Panel. Paragraphs 37 to 38 of the Report has set out Technical Panel's observations about entries with large canopies covering all or substantial parts of the Scheme Area. The Report of the Jury, which was published in September 2002, has addressed the advice given by the Technical Panel on the winning entry (Foster's Scheme).

(b) As explained in paragraph 17 of Paper No.WKCD-118, we had reviewed the technical feasibility of the Foster's Scheme. As pointed out by the Secretary for Housing, Planning and Lands at the last Subcommittee meeting, we have addressed the technical issues identified by first, making modifications to the Foster's Scheme; second, introducing relevant requirements in the Invitation for Proposals¹ (IFP); and third, formulating appropriate criteria for assessing the proposals. Details of the modifications to the Foster's Scheme and relevant design and technical requirements are set out in Section 4 of the IFP. In particular, specific requirements regarding the canopy are set out in Annex 4.5 of the IFP (attached at Appendix A). The assessment criteria are at Annex 3.1 of the IFP (attached at Appendix B), in which items 8 and 9 cover technical assessments and solutions, including those for the canopy. As

¹ The Invitation for Proposals for the Development of the West Kowloon Cultural District issued by the Government in September 2003.

advised by the Secretary for Housing, Planning and Lands at the last Subcommittee meeting, technical issues were considered at various stages of the IFP and we have not prepared any technical feasibility report on the Foster's Scheme.

(c) As mentioned in paragraphs 5 to 6 of the Annex to Paper No.WKCD-103 (issued vide LC Paper No. CB(1)1090/04-05 on 12 March) on "West Kowloon Cultural District and Public Private Partnerships", feasibility studies have been conducted covering the financial aspects of the project. These studies involved financial assumptions adopted by the Government. Premature disclosure of these studies may weaken the Government's position in future negotiations with the proponents, making it impossible for the Government to secure a package that is in the best interest of the public. In this regard, we have undertaken to arrange for disclosure of relevant information before signing any provisional agreement with the successful proponent, subject to Government's negotiation position not being compromised.

The Home Affairs Bureau will respond to your other requests set out in the Appendix to your letter in due course.

Yours sincerely,

(Arsene YIU)

for Secretary for Housing, Planning and Lands

Design Brief and Submission Checklist for the Canopy

(Section 4.4.2(a) refers)

Design Brief

Design Intents of Government's Baseline

Design of the Canopy should adhere to the design intents of Government's Baseline. It should assume a continuous and undulating structural form supporting a similarly undulating cladding shell. The gradient of the undulations may vary in sections whilst the form in plan may also consist of continuous curvilinear geometry. The finished levels of the shell are expected to vary between heights of around 40 to 120 metres above general or harbour promenade level. It is a **MANDATORY REQUIREMENT** that the Canopy must cover at least 55% of the Development Area. The shell should be composed of an assembly of a variety of in-fill panels of a shape that may be defined by the geometry of the supporting structure, and may also include completely open panels that maintain the continuous overall shell profile whilst providing pleasant micro-climatic environments beneath the Canopy. This shell profile should oversail the whole Development within the West Kowloon Cultural District, but at the same time be capable of being independent of the Development, allowing clear space beneath it necessary for the Development Works put forward in the Proposal.

Submission Requirements

2. Pursuant to Section 4.4.2(a), the Proponent is required to carry out a preliminary engineering study, scheme and indicative detail design for the Canopy, and provide sufficient materials to demonstrate the feasibility and merits of its Proposal. The Proposal should include plans, elevations, sections, models, perspectives, computer images, etc. as appropriate for the proposed Canopy profile, and indicative detail design (such as material selection, corrosion protection system, drainage system, in-fill panel types, lighting system, and lightning protection system), reports on computerized modeling (such as heat and smoke dissipation in case of fire, wind tunnel test, micro-climatic environment), proposals on structural design approach, testing methodology, and construction methodology, maintenance plan, and other materials considered necessary in the opinion of the Proponent.

Design Aspects

- 3. The Proponent is required to provide sufficient indicative detail design to demonstrate its design intents, such as material selection, finishes, colour scheme, corrosion protection system, drainage system, in-fill panel types, lighting system, and lightning protection system. Due consideration should be given to the appearance of the drainage pipes and integration of the drainage system in the design, such as the use of siphonic drainage pipes to reduce the size of down pipes.
- 4. The indicative detail design should also include preliminary proposal on the types and locations for the in-fill panels of the shell to achieve the objectives of the Government's Baseline, such as: -
- (a) To suit the proposed activities beneath, there should be provision of sun-shading, rain protection, and induction of clean air current, and the gaseous emissions from the Western Harbour Crossing (WHC) tunnel portal/toll plaza and the two ventilation buildings of WHC and the MTRCL should be avoided from flowing under the Canopy. Rain-proof cover should be provided over the spectator stands for the Water Amphitheatre;

- (b) To allow sufficient sun light penetration and air movement necessary for the healthy growth of plantings underneath;
- (c) Where natural lighting is called for in the exhibition areas for the museums, to allow full transmission of visible natural daylight;
- (d) To minimize/avoid glare to the adjacent developments;
- (e) To satisfy other functional requirements as appropriate, and
- (f) To use the Canopy as noise barrier as far as practicable, and to avoid the direct line of sight from the open venues to the existing and planned residential blocks in the vicinity.
- 5. A preliminary proposal on lighting systems, both general and character lighting, for the Canopy must be submitted as part of the lighting strategy for the whole Development as stipulated in Section 4.2.3 (b)(iv).
- 6. The Canopy should be equipped with a reliable lightning protection system for itself and the building structures and spaces underneath against damage from lightning. The lightning protection system should conform to the requirements and recommendations set out in relevant and recognized international standards with protection level compatible with the intended uses of the space underneath the Canopy.
- 7. The Canopy must comply with all relevant statutory requirements including but not be limited to the Buildings Ordinance (Cap. 123). The Buildings Ordinance sets out the requirements and provisions of site coverage, plot ratio, lighting and ventilation and other health standards to private buildings. The Proponent should ensure, in preparation of the Preliminary Masterplan, that these standards will be observed. The Proponent may make reference to Practice Note for Authorized Persons and Registered Structural Engineers 272 on the Re-engineering of the Building Approval Process regarding the use of new structural theory, materials or system, sophisticated designs and unconventional construction methods prior to preparation of detail design. The Successful Proponent will be required to submit a report showing that the buildings under the Canopy are in compliance with the health, safety and other statutory requirements.
- 8. The Canopy should also be designed in such a way that, in case of fire on the buildings or materials underneath, it must not hinder the speedy dissipation of heat and smoke. A computerized modeling for heat and smoke dissipation should be included in the Proposal to demonstrate that heat and smoke under the Canopy can be dissipated effectively.
- 9. The structure for the Canopy must comply with the relevant provisions of the Buildings Ordinance, and should be designed in such a manner and with appropriate built-in redundancy to prevent progressive collapse of the entire or a large portion of the structure in case of damage to a part of the structure due to exceptional hazards. The Proponent should also provide sufficient indicative information on structural design approach, such as foundation system, strategic locations for vertical supports, structural ties to building structures, frame supporting the shell, elegancy and optimization of structural design and testing methodology. Vertical structural support for the Canopy may be integrated with the building structures underneath. However, due consideration should be given to the possibility of re-development of the buildings without demolition of the Canopy. A wind engineering study, e.g. computational fluid dynamics (CFD) Analyses, should be carried out to justify the wind load to be adopted in the structural design of the Canopy. The Successful Proponent will be required to verify the structural stability under extreme conditions by wind tunnel tests after completion of the structural design.

Sustainability and Micro-climatic Aspects

10. The Canopy should be designed to achieve the environmental objectives of the Government's Baseline in sustainable ways, and thereby provide a pleasant

micro-climatic environment for the proposed functions beneath. The Proponent should set out the detailed environmental objectives and parameters for a pleasant micro-climatic environment in the Proposal. A computerized modeling should be carried out to demonstrate that the parameters can be met. A report for the computerized modeling certified by a qualified specialist should be included in the Proposal.

- 11. The Proponent should explore the possibility of integration of green features on the Canopy, such as:-
- (a) Solar Panel.
- (b) Collection of rain water for grey water recycling.

Environmental Protection Aspects

12. Environmental impact due to the Canopy on the West Kowloon Cultural District and the surrounding areas should be assessed as part of the preliminary environmental study as stipulated in Section 4.4.3 (b) to ensure that the air quality under the Canopy meet the relevant Air Quality Objectives in the Hong Kong Planning Standards and Guidelines.

Construction Aspects

The structure should be capable of being built as self-stable entities in discrete phases over a period of time to tie-in with the programme for the whole Development. A construction methodology on fabrication of components, off-site module fabrication, delivery to site, on-site erection process, quality control, etc. should be included in the Proposal. The Proposal should also contain measures on protecting the construction site staff from being affected by the gaseous emissions from the continuous operation of the two ventilation buildings and WHC tunnel portal/toll plaza.

Submission Check-list

Items

- Plans, elevations, sections, perspectives, computer images, etc. as necessary. Design intents for the Canopy should also be demonstrated in the physical model required in Section 4.2.3(b)(viii).
- 3,4,5 &6 Drawings, preliminary specifications and other appropriate materials showing the indicative detail design.
- 8 Report for computerized modeling of heat and smoke dissipation.
- Drawings, preliminary specifications and other appropriate materials on structural design approach, testing methodology, and wind engineering study report.
- Proposal on detailed objectives and parameters for desirable micro-climatic environment.
 - Report for computerized modeling of micro-climatic environment certified by a qualified environmental consultant/expert.
- 11 Proposal on integration of green features on the Canopy.
- 12 Report on preliminary environmental study as required in Section 4.4.3(b).
- Construction methodology.

ASSESSMENT CRITERIA

The Assessment Criteria consist of four Parts which are set out as follows:

PART A: Compliance with MANDATORY REQUIREMENTS (Pass/Fail)

Item Aspects for assessment (pass or fail)		
1.	Paragraph 1.2 of the IMPORTANT NOTE	Yes/No
2.	Proponent's capability	Yes/No
3.	Project-related requirements	Yes/No
4.	Conditions of submission	Yes/No

PART B: Technical Proposal (100 marks)

Item	Broad aspects for assessment (to be marked)	Marks
5.	Preliminary Masterplan	30
6.	Conceptual Design for arts and cultural facilities and open space	35
7.	Conceptual Design for other facilities	5
8.	Broad Technical Assessment and Solution for the Canopy	10
9.	Other Broad Technical Assessments and Solutions	15
10.	Project/Programme Management	5

PART C: Financial Proposal (100 marks)

Item	Broad aspects for assessment (to be marked)	Marks
11.	Proponent's financial capability and commitment	25
12.	Proponent's financial proposals for the Project	75

PART D: Operation, Maintenance and Management Proposal (100 marks)

Item	Broad aspects for assessment (to be marked)	Marks
13.	Operation, maintenance and management of arts and cultural facilities	60
14.	Operation, maintenance and management of commercial (including retail and entertainment), office, hotel and residential developments and open space	20
15.	Operation, maintenance and management of other facilities	15
16.	Overall traffic and crowd control management	5

PART A: Compliance with MANDATORY REQUIREMENTS (Pass/Fail)

Item	Aspects for Assessment	
1.	Paragraph 1.2 of the IMPORTANT NOTE	
	Paragraph 1.2 of the IMPORTANT NOTE: Observance of the IMPORTANT NOTE	Yes/No
2.	Proponent's Capability	
	Property development, management and marketing capability: The Proponent, or the person with a Participation or Interest in the Proponent, or, in the case of a Proponent which is a consortium or joint venture company, any one or more participants of the consortium or shareholders in the joint venture company who has/have a Participation or Interest in the consortium or joint venture company, must have and be shown to have relevant direct experience within 15 years before the date of issue of the Invitation within or outside Hong Kong, in-	
	 (i) developing at least one mixed-use property development with a total construction cost of not less than HK\$3 billion adjusted to current prices, with the basis of adjustment shown; and 	Yes/No
	(ii) managing office and/or retail developments with a total GFA of not less than 250,000 square metres at any one time, with at least one such development exceeding a GFA of 100,000 square metres; and	Yes/No
	(iii) marketing and leasing of property developments with a total GFA of not less than 250,000 square metres at any one time, with at least one such development exceeding a GFA of 100,000 square metres.	Yes/No
3.	Project-related Requirements	
(a)	The provision of the Core Arts and Cultural Facilities as follows: (i) Theatre Complex comprising three theatres with seating capacities of at least 2,000, 800 and 400 seats, respectively; (ii) Performance Venue with a seating capacity of at least 10,000 seats; (iii) Museum Cluster comprising four museums of differing themes with total Net Operating Floor Area of at least 75,000 square metres; (iv) Art Exhibition Centre with Net Operating Floor Area of at least 10,000 square metres; (v) Water Amphitheatre; and (vi) At least four Piazza Areas.	Yes/No Yes/No Yes/No Yes/No Yes/No
(b)	The provision of the Canopy covering at least 55% of the Development Area.	Yes/No
(c)	The demolition and re-provisioning of the Tsim Sha Tsui Fire Station Complex.	Yes/No

4.	Conditions of Submission	
	Compliance with:	
(a)	Restriction on Multiple Proposals	Yes/No
(b)	Submission Deadline	Yes/No

PART B – Technical Proposal (100 marks)

Item	Broad Aspects for Assessment
5.	Preliminary Masterplan (30 marks)
(a)	Design concept: Adequacy in meeting requirements for — (i) adherence to the key features of Government's Baseline, to the extent required; and (ii) incorporation of additional or alternative ideas to enhance Government's Baseline without affecting its integrity (may include, for example, additional arts, cultural or entertainment features from other prize-winning entries to the concept plan competition or additional green initiatives).
(b)	Layout and overall built form: Adequacy in meeting requirements for— (i) compatibility, integration and balance of land uses and adequacy of provision for facilities required; (ii) planning efficiency of circulation systems (including the APM), adequacy of linkages and integration achieved within and outside the Development Area; (iii) provision of quality open space, landscaping and supporting facilities; and (iv) cohesiveness and harmony, taking into account the disposition and height of buildings and their overall profile and structures.
6.	Conceptual Design for Arts and Cultural Facilities and Open Space (35 marks)
(a)	Core Arts and Cultural Facilities: Achievement in - (i) creation of a prominent landmark in Victoria Harbour; (ii) provision of state-of-the-art facilities to create a critical mass for cultural development in Hong Kong; (iii) architectural design; and (iv) quality of the conceptual design in – • internal circulation and functional relationship • statement on design philosophy for planning of each of the Core Arts and Cultural Facilities, seating layout, etc. and design parameters for acoustic, stage engineering and lightings, and building services works etc.
(b)	Other Arts and Cultural Facilities: Achievement in — (i) provision of a balanced mix of facilities complementary to the Core Arts and Cultural Facilities; and (ii) efficient internal circulation and functional relationship.
(c)	Open space: Achievement in — (i) quality of layout in relation to the buildings and facilities within the Development, site context in the vicinity and the harbour; (ii) quality of planting layout, choice of species, size and density of planting materials; and (iii) considerations for crowd safety factors.

7.	Conceptual Design for Other Facilities (5 marks)
(a)	Commercial, retail, office, hotel, residential and entertainment facilities:
	Achievement in –
V-A-CACAGA AND AND AND AND AND AND AND AND AND AN	(i) compatibility with the Core Arts and Cultural Facilities to create a signature landmark in Victoria Harbour;
	(ii) compatibility with the horizontality and undulating form as defined by the Canopy;
	(iii) provision of a balanced development mix to create a self-sufficient development, in response to the market demand; and
ray	(iv) efficient internal circulation and functional relationship.
(b)	GIC and Utility Facilities: Achievement in —
	(i) compatibility with other facilities in the Development; and
	(ii) fulfillment of the requirements of the Schedules of Accommodation and
	Technical Schedules.
8.	Broad Technical Assessment and Solution for the Canopy
	(10 marks)
(a)	Design characteristics:
	Achievement in –
	(i) adhering to the design intents of Foster Scheme;
	(ii) quality of indicative detail design;
	(iii)efficiency in speedy dissipation of smoke and heat in case of fire on buildings underneath the Canopy; and
	(iv) sustainability, green features and desirable micro-climatic conditions.
(b)	Structural design :
	Achievement in –
	 (i) elegance of structural design, including integration with building structures underneath;
	(ii) adequacy of structural design approach and wind engineering study;
	(iii) optimization and efficiency of structural design; and
	(iv) practicality of construction methodology.
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9.	Other Broad Technical Assessments and Solutions (15 marks)
(a)	Engineering studies: Adequacy in meeting engineering requirements, including identification of key issues and provision of cost-effective, safe and technically feasible solutions, for — (i) realignment of the sea-wall; (ii) decking-over of the tunnel portal of Western Harbour Crossing; (iii) building over/around the two ventilation buildings; (iv) providing the Pier with berthing facilities suitable for harbour cruises, pleasure craft, possible ferry services and public use; and (v) addressing development constraints and interfacing issues.
(b)	Traffic and transport studies: (i) Appropriateness of assessment of the traffic impact of the Proposal; (ii) Adequacy in meeting requirements to provide effective, feasible and practical improvement measures to mitigate the adverse impact of the Proposal; (iii) Appropriateness of forecast of demand for public transport services and vehicular and pedestrian access; and (iv) Adequacy in meeting requirements for design of appropriate, efficient, convenient, environmentally friendly and safe — • vehicular access, circulation, loading/unloading/drop-off and parking • pedestrian access, circulation and linkage.
(c)	Automated People Mover System study: (i) Appropriateness of APM to meet forecast of demand for APM service; and (ii) Adequacy in meeting requirements for design of an automated transport system that will — • provide a modern, cost effective, efficient, safe, reliable and environmentally-friendly service that is easy to construct, operate and maintain and matches surrounding features • through its alignment, location of stations and interchange facilities, integrate well with the other key components of the masterplan and nearby transport nodes whilst minimizing its impact on adjacent areas.
(d)	Environmental studies: (i) Adequacy in — identifying main environmental impacts generated by the Proposal providing feasible and effective mitigation of the environmental impacts within the established standards; and (ii) Any insurmountable environmental problems which might be generated by the Proposal.
(e)	Other assessments: (i) Adequacy of assessments of impact on marine traffic and navigation; and (ii) Extent to which the Proposal has regard to concepts of sustainable development.

10.	Project/Programme Management
	(5 marks)
(a)	Project management: Acceptability of proposals for — (i) efficient and effective project management; (ii) quality of design team(s); (iii) independent checking of quality of design and construction work; and (vi) quality assurance and management.
(b)	Programme management: Acceptability of programme for implementation of the Project, including — (i) critical planning, design and construction activities and other activities related to the timely commencement of operation of the Core Arts and Cultural Facilities; and (ii) timing of provision of individual components and services to tie in with overall development programme.

PART C – Financial Proposal (100 marks)

Item	Broad Aspects for Assessment
11.	Proponent's Financial Capability and Commitment (25 marks)
(a)	Ability to finance and adequacy of financial commitment to the Project in terms of— (i) level of investment throughout the term of the Land Grant; (ii) evidence of support from financial institutions and other financiers; (iii) reasonableness of capital and organizational structure; and (iv) undertakings, guarantees, indemnities and/or performance bonds provided.
12.	Proponent's Financial Proposals for the Project (75 marks)
(a)	Proponent's financial appraisal of the Project: Reasonableness in terms of — (i) justification for and reasonableness of the assumptions used.
(b)	Proponent's financial package: Acceptability in terms of — (i) robustness of the financial model; and (ii) robustness of the risk management strategy.
(c)	Financial implications and risk for Government: Acceptability in terms of— (i) amount of revenue, such as land premium or royalties, offered; (ii) requirement for Government support, if any; and (iii) other residual risks to be borne by Government under the Proposal and mode of operation of various facilities.
(d)	Long term viability: Likelihood of the Project being financially viable, taking into account factors such as ability to— (i) raise the required capital and service any debt; (ii) maintain full operation throughout; (iii) withstand shortfalls in revenue; and (iv) withstand programme delay and/or increase in costs including development costs and recurrent costs.

PART D - Operation, Maintenance and Management Proposal (100 marks)

Item	Broad Aspects for Assessment
13.	Operation, Maintenance and Management of Arts and Cultural Facilities (60 marks)
(a)	Mission statement: Acceptability in terms of stated commitment to — (i) enhancing the overall development of the arts and cultural scene in Hong Kong and the preservation and promotion of local cultural heritage; (ii) creating an environment conducive to attracting major performers and capacity audiences; (iii) enabling development of creative industries in Hong Kong; (iv) working co-operatively with local cultural and tourism authorities, particularly in promoting Hong Kong as a major centre of arts and culture; and (v) a style of governance that is open to community involvement.
(b)	Themes and programme content: (i) Acceptability of proposed themes for museums and galleries; and (ii) Adequacy of exhibition and cultural programme content.
(c)	Business strategy and operation plan for Core Arts and Cultural Facilities: Acceptability in terms of encouraging sustained patronage and support from — (i) the local community; (ii) the tourism industry and tourists; and (iii) non-governmental organizations and the private sector as potential funding sources, contributors, sponsors and partners.
(d)	Mode of governance for Core Arts and Cultural Facilities: Acceptability in terms of — (i) organizational and legal structure; (ii) expert and community participation; (iii) transparency of operation and public accountability; and (iv) compatibility with the business plan.
(e)	Human resources strategy and staff structure for Core Arts and Cultural Facilities: Acceptability in terms of — (i) the level of expertise of specialists/consultants/operators to be engaged; (ii) the strength and potential effectiveness of the management structure and staffing levels proposed; and (iii) the maximization and development of local talents.
(f)	Other Arts and Cultural Facilities: Acceptability of the preliminary operation and management plan in terms of— (i) themes and content; (ii) management strategy; (iii) programme policy; (iv) complementary with Core Arts and Cultural Facilities; and (v) business strategy.
(g)	Maintenance: Adequacy of the preliminary maintenance plans.

14.	Operation, Maintenance and Management of Commercial (including Retail and Entertainment), Office, Hotel and Residential Developments and Open Space (20 marks)
(a)	Commercial, office, hotel and residential facilities :
	Acceptability of –
	(i) preliminary operation and management plan;
	(ii) preliminary maintenance plan; and(iii) preliminary plan for marketing, promotion, sale and leasing of properties.
	(iii) preminitary plan for marketing, promotion, sale and leasing of properties.
(b)	Open space :
	Acceptability of –
	(i) preliminary operation and management plan; and
	(ii) preliminary maintenance plan
15.	Operation, Maintenance and Management of Other Facilities
	(15 marks)
(a)	The Canopy:
	Adequacy of preliminary operation, maintenance and management plan for –
	(i) operation, management, maintenance and cleaning team; and
	(ii) cleaning, operation, and maintenance strategy.
(b)	Automated People Mover System:
	Acceptability in terms of –
	(i) soundness of management structure;
	(ii) provision of adequate system maintenance facilities; and
	(iii) ability to provide a safe, reliable and affordable service.
(c)	Pier :
	Adequacy in providing effective operational management and maintenance.
16.	Overall Traffic and Crowd Control Management
	(5 marks)
(a)	Adequacy of preliminary traffic, security and crowd control plans for -
	(i) security systems and services;
	(ii) traffic and parking control;
	(iii) crowd control; and
	(iv) emergency evacuation.