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Panel on Home Affairs

**Updated background brief prepared by the Legislative Council Secretariat
for the meeting on 29 April 2019**

**Use and management of public open space managed by the
Leisure and Cultural Services Department**

Purpose

This paper summarizes the past discussion of the Panel on Home Affairs ("the Panel") on the use and management of public open space managed by the Leisure and Cultural Services Department ("LCSD").

Background

Management of public open space by the Leisure and Cultural Services Department

2. According to the Administration, LCSD develops and manages a wide range of public cultural, recreational and sports facilities for the enjoyment of members of the public. As far as public open space is concerned, LCSD manages over 1 500 parks and playgrounds of varying sizes providing leisure and recreational facilities such as gardens, walking and jogging trails, children's playgrounds, sitting-out areas, football pitches, basketball courts and fitness equipment, for the purposes of promoting a healthy lifestyle and sport for all. LCSD manages the venues in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) and its subsidiary regulation to ensure that activities in the pleasure grounds are conducted in a safe and orderly manner.

Upcoming open space projects

3. As announced in the 2017 Policy Address, the Administration plans to spend \$20 billion in the next five years to launch 26 projects to develop new or improve existing sports and recreation facilities, including 20 open space

projects.¹ In addition, the Administration will conduct technical feasibility studies for another 15 sports and recreation facility projects to prepare for their implementation in the future.

Deliberations of the Panel

4. The Panel discussed the use and management of public open space under LCSD at its meetings on 14 June 2016 and 20 July 2018. The major views and concerns of members are summarized in the ensuing paragraphs.

Management and design of public open space

5. Some members raised concern that too many restrictions were imposed on the use of park facilities (e.g. no stepping on lawns), which should be relaxed so as to enhance visitors' enjoyment. They also considered that the installation of large-scale artworks and creative furniture in public parks might reduce the space available for visitors' leisure enjoyment. There was also a view that some sitting-out areas in urban districts (e.g. Wan Chai) would be better utilized if the Administration fine-tuned the design.

6. The Administration advised that the number of parks and gardens managed by LCSD with large multi-purpose lawn areas had increased from 39 in 2010 to 51 in June 2018. Three new parks and gardens with large lawn areas would be launched in 2018 and 2019. In addition, LCSD had been enhancing the design, vibrancy, ambience and safety of its venues for public enjoyment. The Administration pointed out that LCSD had suitably relaxed restrictions on the use of lawn areas in public parks (such as Tamar Park and Kai Tak Cruise Terminal Park) in response to public views.

7. The Administration further advised that to make public space more vibrant and to provide venues for display of artworks, LCSD had launched the Park Déco pilot scheme² in selected public parks, which would not only help nurture the creativity of young artists but also provide more opportunities for the public to appreciate art. In taking forward the work relating to design and management of public open space, LCSD would take into account members' suggestions and the views of the public.

¹ Please see Annex 1 to the paper on "2017 Policy Address - Policy initiatives of Home Affairs Bureau" provided by the Administration in January 2017 [LC Paper No. CB(2)649/16-17(03)] for details.

² Under the scheme, LCSD partners with local artists and designers in drawing up new design for public parks and park furniture.

8. Some members enquired whether LCSD would deploy additional manpower to impose more stringent control on the use of amplifiers for entertainment/performances in public parks, particularly Tuen Mun Park and Hoi Sham Park, so as to mitigate the noise nuisance caused to residents in the vicinity. The Administration explained that LCSD had implemented noise control measures in public parks such as Tuen Mun Park, Hoi Sham Park and Butterfly Beach Park, and more staff had been deployed for the task. The assistance of the Police would be sought where necessary. LCSD would also educate the performers to use the entertainment zones and explore the need to tighten up the control of the use of amplifiers in public parks/playgrounds.

Provision of facilities for elderly and children

9. Some members took the view that more elderly fitness equipment should be installed in the outdoor leisure venues under the management of LCSD to meet the needs of the ageing population. Moreover, on-site instructors/coaches should be arranged to facilitate elderly users of fitness equipment. Members also requested LCSD to shorten the time needed for the maintenance and repair of such equipment.

10. The Administration advised that the installation of about 150 sets of new elderly fitness equipment in the outdoor leisure venues in the 18 districts would be completed in 2017-2018. Members of the public could participate in a variety of leisure activities in LCSD venues, including group fitness activities in parks. Besides, LCSD would liaise with the technical support teams to shorten the time required for repairing the elderly fitness equipment and keep enough stocks for replacement of parts and accessories when necessary.

11. Some members considered that the play equipment for children in public parks lacked variety and put too much emphasis on the safety concern. They called on LCSD to regularly review the design so as to make the play equipment more appealing to children. Some other members urged the Administration to draw on the experience of LCSD's pilot scheme of the innovative inclusive playground in Tuen Mun Park when renovating existing playgrounds and planning for new ones.

12. The Administration explained that in order to strengthen the appeal to children, themes and popular play facilities such as climbing frames, slides and swings would be included in LCSD playgrounds as far as possible. LCSD would continue to liaise with concern groups and the local district on the design of play equipment. Besides, LCSD, together with relevant works departments, would evaluate the feedbacks on the aforementioned pilot scheme in Tuen Mun Park to see how the experience gained from the innovative inclusive playground

project could be adapted or adopted in planning for new park projects or in modernizing existing venues.

13. Some members considered that the Administration should engage the community in the use and management of more parks and they sought details of the implementation of the "Community Build Playground" ("CBP") project. The Administration advised that CBP was a brand new concept which allowed children to partner with their parents to create their own playground by using simple tools (e.g. recycled materials) and to explore the parks through imagination and cooperation. The CBP project was being rolled out from September 2017 to August 2020 at four major parks on Hong Kong Island, in Kowloon and the New Territories.

Pet access to public open space

14. Some members suggested that that the Administration should provide more pet gardens to meet the needs of the public. These members suggested that pet owners and their pets should be allowed to use LCSD parks together with other users and urged the Administration to consider amending the relevant legislation if necessary. Some other members suggested that the Administration should consider, on a pilot basis, designating a few parks where pet owners and their pets could use together with other users, making reference to the management of Penfold Park.

15. The Administration advised that LCSD had all along adopted a proactive approach to address the demand of dog owners for more pet gardens by designating specific areas in parks as pet gardens after obtaining the support of the respective District Councils and the local community. The number of pet gardens managed by LCSD had increased from 19 in 2010 to 48 in June 2018. Besides, pet accesses were provided in eight parks (including six venues provided with pet gardens). LCSD would continue to identify suitable venues in existing or planned parks for the provision of additional pet gardens. Nevertheless, it would require the consensus among different stakeholders over the issue of allowing pet owners and their pets to use LCSD parks with other users.

Latest development

16. The Administration will brief the Panel on the use and management of public open space managed by LCSD, covering injecting design and inclusive elements to parks and playgrounds, the trial scheme on Inclusive Park for Pets, control of noise nuisance in parks, etc. at the next meeting on 29 April 2019.

Relevant Legislative Council questions

17. At the Council meeting of 11 July 2018, Hon Vincent CHENG raised an oral question on public playgrounds for children. At the Council meeting of 23 January 2019, Hon KWONG Chun-yu raised an oral question on, among other issues, the Inclusive Park for Pets trial scheme of LCSD. The questions and the Administration's replies are in **Appendix I**.

Relevant papers

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

Council Business Division 2
Legislative Council Secretariat
23 April 2019

Press Releases

LCQ2: Public playgrounds for children

Following is a question by Hon Vincent Cheng and a reply by the Secretary for Home Affairs, Mr Lau Kong-wah, in the Legislative Council today (July 11):

It has been reported that 13 "rocking chairs", play equipment for children located in a public housing estate, were in a dilapidated state, but the Government merely replaced them with the same number of new "rocking chairs". Some members of the public have criticised that such play equipment was monotonous and uninteresting, and the spending of \$210,000 on such equipment appeared to be a waste of public money. On the other hand, one of the tasks of the Commission on Children, which was established by the Government in May this year, is to review the designs of children's playgrounds throughout the territory with a view to making playgrounds more interesting. In this connection, will the Government inform this Council:

(1) whether it will comprehensively review and improve the designs and play equipment of the existing and the newly built playgrounds; if so, of the details and the implementation timetable;

(2) whether it will change the current standardised designs for children's playgrounds under the Leisure and Cultural Services Department and the Housing Department by collecting ideas of creative designs through design competitions or public engagement exercises, so as to introduce in various playgrounds more thematic designs and special features, add play equipment which makes use of various natural materials such as water and sand for provision of sensory experience, as well as introduce play equipment which offers more challenges to children while complying with safety standards; and

(3) as the United Nations Convention on the Rights of the Child stipulates that a child has the right to engage in play and recreational activities appropriate to the age of the child, and as the findings of an opinion survey conducted by a local group have shown that parents generally consider that the designs of the existing public playgrounds for children have failed to cater for the intellectual and physical development needs of children of different ages, whether the authorities or the Commission on Children will examine if the existing facilities in children's playgrounds are able to cater for this right of the child, and whether they will revise the guidelines for designing playgrounds; if they will, of the details?

Reply:

President,

(1)&(2) The Leisure and Cultural Services Department (LCSD) manages 640 leisure venues with outdoor children's playgrounds. A "universal play" concept is adopted by LCSD in planning for play equipment with a view to providing inclusive, interesting and innovative play equipment to cater for the needs of children of different ages and abilities and their parents. To strengthen the appeal to children, themes and popular play facilities such as climbing frames, slides and swings, etc. will also be included

LCQ2: Public playgrounds for children

in the playgrounds as far as possible. All the facilities have to meet internationally recognised safety standards. In designing facilities for individual venues, LCSD and the relevant works departments will consider topographic features, site area and circumstances and views of the District Councils concerned, etc.

LCSD has been liaising with concern groups on children's play equipment and consulting them and the District Councils concerned on the design and play equipment in children's playgrounds for continuous improvement. To usher in brand new design concepts, LCSD, in collaboration with the relevant works departments, adopted the winning design of the Inclusive Play Space Design Ideas Competition as a prototype to build an innovative inclusive playground in Tuen Mun Park as part of a pilot scheme with inclusion of two natural elements of water and sand in the design. Through sand, water, light and shadow, play equipment that sways and spins, climbing frames and movable parts for knocking and touching, etc., children can enjoy the fun while acquiring different skills which will enhance their physical and psychological development. The inclusive playground in Tuen Mun is expected to open for public use in the third quarter of 2018.

In addition, as a pilot plan, workshops will be held to bring community involvement into the Kai Tak Avenue Park project in Kowloon City to gauge views from children and residents of the area on the provision of play equipment in the project. Suggestions received from the public will be put into practice as far as possible in accordance with government procurement regulations and procedures.

LCSD and the relevant works departments will summarise and draw reference from experiences gained from the above-mentioned pilot scheme and community involvement. Concern groups and organisations, as well as District Councils will be further consulted with a view to considering adopting the same approach in other suitable locations and projects.

In addition to focusing on the hardware of playgrounds, LCSD also organises themed fun days in playgrounds with various organisations to encourage active participation by families in games and activities, thereby energising public parks. Activities organised last year included "Storm the Park Days" featuring frisbee, painting, water play, model car, etc. and Orienteering@Park in large public parks.

According to information provided by the Transport and Housing Bureau, the Hong Kong Housing Authority (HA) will provide recreational facilities for users of different age groups, including children's playground facilities, in its public rental housing (PRH) estates under the concept of "communal play areas". For example, HA will try to integrate children's playground facilities with other facilities, such as elderly fitness facilities, Tai Chi gardens, pavilions, etc., in the same recreational area to enable adults who need to take care of their accompanying children to use the recreational facilities together in the same area.

HA has all along been adopting a pragmatic approach and fulfilling international safety standards when designing children's playground, and has been selecting materials that are durable and easy to maintain. Whenever feasible, HA will also conduct public engagement activities to collect stakeholders' views on individual proposals of playground facilities. HA will also conduct reviews and opinion surveys one year after flats

intake of new PRH estates.

Furthermore, in order to maintain a comfortable, healthy and safe living environment for the residents of PRH estates, HA and the Estate Management Advisory Committees (EMACs) will, from time to time, gauge the views and needs of the residents and stakeholders in order to continuously improve the children's playgrounds and other estate facilities. Where possible, HA will also replace or upgrade various kinds of playground facilities at appropriate locations.

Through meetings of the EMACs, resident representatives and other stakeholders, including local District Council members, can participate in reviewing the need for replacing the playground facilities in the estates. HA will consider various factors when replacing the playground facilities, including changes in the demographic structure of individual estate, conditions of the existing facilities, environmental limitations, future maintenance and repair issues, etc., in order to install suitable facilities to address the needs of the residents.

(3) As mentioned above, LCSD is committed to providing diversified play equipment at its playgrounds for children of different ages and abilities to help them attain a balanced development of mind and body, enhance their interaction with others and stimulate exploration of the surroundings through acquiring different skills by the play equipment.

Most of the children's playgrounds under LCSD provide play equipment for groups of children aged between two and five as well as five and 12. In addition, play facilities of inclusive design are available at a number of children's playgrounds (e.g. Quarry Bay Park and Sha Tin Park) for the enjoyment of children with or without disabilities. Diverse types of play equipment are installed at the venues, including tactile play panels and movable parts in different shapes suitable for visually-impaired children, movable parts that produce sounds when knocked, as well as transfer platforms or ramps that help children using wheelchairs to use facilities and allow them to join other children in playing with these facilities. These facilities enable children with or without disabilities to play and grow up in a harmonious and happy environment and promote their physical and psychological development.

LCSD will draw reference from overseas examples, bring in more community involvement and work in close collaboration with the relevant works departments with a view to providing more innovative, challenging and inclusive play equipment in planning children's playgrounds in large public park projects and renovating the play equipment at children's playgrounds in major public parks to meet the needs of children.

Ends/Wednesday, July 11, 2018
Issued at HKT 14:55

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Press Releases

LCQ1: Protection of animal rights, interests and welfare

Following is a question by the Hon Kwong Chun-yu and a reply by the Secretary for Food and Health, Professor Sophia Chan, in the Legislative Council today (January 23):

Question:

Regarding the protection of animal rights, interests and welfare, will the Government inform this Council:

(1) as it has been mentioned in the 2017 Policy Agenda that the Government would "study the existing legislation related to animal welfare, and explore introducing a concept of positive duty of care on animal keepers", of the latest progress of that task, the approach for amending the law, and the timetable for public consultation in this respect;

(2) given that while there are now over 540 000 cats and dogs being kept as pets in Hong Kong according to an estimation made in a consultancy report, most means of public transport currently prohibit people carrying animals with them from boarding, whether the authorities have plans to explore with the relevant public transport operators permitting passengers to carry animals with them when travelling in designated train compartments and in franchised buses of certain routes, so as to make it more convenient for pets to travel with their owners; if so, of the details and timetable; if not, the reasons for that; and

(3) given that the Leisure and Cultural Services Department has planned to turn six existing parks into "Inclusive Parks for Pets" and launched a one-year trial scheme this month, but some members of the public have criticised that the relevant facilities are unavailable in such parks, whether the authorities have plans to make improvements and expand the trial scheme to cover every District Council district; if so, of the details; if not, the reasons for that?

Reply:

President,

Having consulted the Transport and Housing Bureau and the Home Affairs Bureau, my reply to various parts of the question is as follows:

(1) To further safeguard animal welfare, we are mapping out the major direction and drawing up preliminary proposals for amending the existing legislation, including reviewing the maximum penalty levels and introducing a concept of positive duty of care on animal keepers, i.e. requiring animal keepers to take all necessary measures to protect the welfare of their animals, such as providing proper care and sufficient space for their animals and preventing them from disease, injury or suffering, etc. In the past few months, the Food and Health Bureau and the Agriculture, Fisheries and Conservation Department (AFCD) met different stakeholders and introduced to them the preliminary legislative amendment proposals. At present, AFCD is considering views received and drafting the consultation document, with a view to consulting the public in the second quarter in 2019.

(2) Public transport services have heavy usage in Hong Kong, which account for around 90 per cent of all passenger journeys and carry over 12 million passenger trips per day on average. At present, the legislation regulating different modes of public transport allows the visually impaired to board with guide dogs. The legislation also allows operators of public light buses, taxis, non-franchised buses and ferries to decide themselves whether passengers are permitted to board with pets. The Transport Department will continue to make use of the established liaison channels to encourage these operators to provide appropriate assistance to those who need to travel with pets.

As regards the railway and franchised buses, the by-laws and regulations concerned prohibit passengers from boarding trains and franchised buses with pets, except for the visually impaired accompanied by guide dogs. As the patronage of MTR and franchised buses is high and the space in their compartments is limited, they can be rather congested most of the time. In considering whether passengers are to be permitted to use public transport services with pets, the Government has to balance the needs of different stakeholders, including the perspective of protecting animal welfare, considering the reaction of pets in a crowded and confined environment as well as the impact on other passengers. The Government will continue to keep in view the public views on this issue so as to consider whether there should be any change to the existing arrangement.

(3) The Leisure and Cultural Services Department (LCSD) is open-minded about, and adopts a positive attitude to, suggestions of opening up its venues as pet gardens. LCSD has been in close liaison with District Councils in identifying suitable venues for designation as pet gardens. They are generally set up at the designated area of the parks. The number of venues with pet garden managed by LCSD has increased from 19 in 2010 to 49 at present.

In recent years, quite a number of members of the public hope that LCSD can open up the parks in entirety for them to visit with pets. In response to requests from the public, the Trial Scheme of "Inclusive Park for Pets" (the Trial Scheme) was launched by LCSD in January 2019, under which six suitable parks (including Victoria Peak Garden in Central and Western District, Tong Yam Street Hillside Sitting-out Area in Sham Shui Po, Kai Tak Runway Park in Kowloon City, Shing Mun River Promenade Garden No. 3 (Area B) in Sha Tin, Wang Yip Street South Rest Garden in Yuen Long and Tai Wo Hau Road Playground in Kwai Tsing) were selected from various districts across the territory for opening up the whole venues for members of the public to enter and use the venues with pets, with a view to enabling the use of park facilities by different users in an inclusive environment. LCSD had consulted the District Councils concerned on the locations and the relevant arrangements of the Trial Scheme and obtained their support. LCSD will review the effectiveness of the Trial Scheme one year after its implementation with a view to considering whether to provide "Inclusive Park for Pets" in more districts.

As a new attempt of LCSD, the Trial Scheme aims at enabling park users and members of the public who bring their pets into LCSD's parks to use park facilities together in an inclusive environment, thereby promoting exchanges and integration in the community. As the "Inclusive Parks for Pets" are not specifically designed for use by pets, there are less pet facilities provided compared with pet gardens. Nonetheless, additional dog excreta

LCQ1: Protection of animal rights, interests and welfare

collection bins have been provided and cleansing efforts have been stepped up by LCSD in the "Inclusive Parks for Pets". At the same time, LCSD is actively examining the feasibility of providing hand-washing facilities in two "Inclusive Parks for Pets" which have not yet been provided with such facilities for the convenience of pet owners. LCSD will continue to listen to views of the public in an effort to enhance the supporting facilities in the "Inclusive Park for Pets".

Ends/Wednesday, January 23, 2019

Issued at HKT 12:15

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**Relevant papers on
Use and management of public open space managed by the
Leisure and Cultural Services Department**

Committee	Date of meeting	Paper
Panel on Home Affairs	14.6.2016 (Item III)	Agenda Minutes
	20.1.2017 (Item IV)	Agenda Minutes
Legislative Council	11.7.2018	Official Record of Proceedings Pages 41 to 52
Panel on Home Affairs	20.7.2018 (Item III)	Agenda Minutes
Legislative Council	23.1.2019	Official Record of Proceedings Pages 10 to 17

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