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來函檔號 YOUR REF:

Legislative Council,
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong
Public Accounts Committee
(Attn: Miss Mary SO)

24 May 2013

Dear Miss SO,

Public Accounts Committee
Consideration of Chapter 4 of the Director of Audit's Report No. 60
Development and management of parks and gardens

I refer to your letter of 3 May 2013 requesting Leisure and Cultural Services Department to provide responses in writing to the questions as raised in the letter.

To facilitate the Public Accounts Committee's consideration of the captioned Chapter of the Director of Audit's Report No. 60, I provide herewith my responses at Annex for your information.



(Miss Margrit LI)

for Director of Leisure and Cultural Services

c.c. Secretary for Financial Services and the Treasury (fax no. 2147 5239)
Director of Audit (fax no. 2583 9063)
Secretary for Home Affairs (Attn : PAS(Recreation and Sports))

Director of Audit's Report No. 60
Chapter 4 - Development and Management of Parks and Gardens
Responses to Questions from Public Accounts Committee

Questions	Response from LCSD
<u>Planning and provision of park and garden facilities</u>	
<p>(a) Whether the Leisure and Cultural Services Department (“LCSD”) has laid down standards for the provision of recreation open space or similar facilities, such as in each of the 18 districts in the territory and the walking distance which such open space or similar facilities should be located from the majority of residents to be served;</p>	<p>In planning the provision of public open space and recreation facilities, LCSD first makes reference to the standards stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG) which seek to provide, among others, “an equitable basis for the reservation of land for the open space provision, and to guide the planning and distribution of these facilities”. According to the HKPSG, a minimum of 20 hectares (ha) of open space should be provided for every 100,000 persons, apportioned as 10 ha of local open space (LOS) and 10 ha of district open space (DOS) for every 100,000 persons. LOS mainly provides passive recreation facilities for the local community, and should be located within short walking distance from the residents/communities it intends to serve. DOS (e.g. parks and recreation grounds), intends to serve a wider district population and may incorporate passive and active recreation facilities such as football and mini-soccer pitches, basketball or tennis courts.</p> <p>As mentioned above, the HKPSG set out only the “minimum” standard for the provision of public facilities. In planning open space provision, apart from the population threshold set out in HKPSG, LCSD takes into account</p>

Questions	Response from LCSD
	<p>other essential factors including geographical location and accessibility of the district/area concerned, functions of the open spaces to be provided, site constraints, characteristics of the neighbourhood, views of the District Councils (DCs), public demand for different types of recreation facilities, utilisation of existing facilities and availability of resources.</p>
<p>(b) Whether the LCSD agrees that, in the absence of the most updated information on the provision of open space in non-LCSD venues mentioned in paragraph 2.5 of the Audit Report, there is a chance that the provision of recreation open space or similar facilities in a district or local level is duplicated; and whether there is such duplication(s);</p>	<p>In planning the provision of public open space (POS) in a certain district, LCSD makes reference to the most updated open space information provided by Planning Department (PlanD), which covers not only LCSD's open space but also those provided by Housing Department and statutory bodies as well as POS in private developments. LCSD will also consult respective DC and thoroughly examine the need for new open space in each and every project.</p> <p>It should be noted that different types of open space serve different purposes and functions. For example, some of the major parks (e.g. Victoria Park and Kowloon Park) and promenades (e.g. Avenue of Stars) serve the entire population as well as tourists (the so-called regional open space); while other parks/open spaces provide active sports facilities (e.g. football pitches and basketball courts) to meet the recreational and training needs of users. Moreover, other than the open space provided by LCSD which is opened to people from all walks of life, the open space within public or private residential developments, though counted towards the total open space provision, serve primarily the respective residents. Hence, the provision of</p>

Questions	Response from LCSD
	<p>the same or different types of open space in LCSD and non-LCSD venues in parallel may not result in duplications as they seek to meet different needs or serve different target users.</p> <p>LCSD agrees that it will be beneficial to the planning of open space if the most updated information on the provision of open space in both LCSD and non-LCSD venues is available. In this connection, we understand that PlanD will update the information on the provision of open space periodically. That said, as mentioned above, LCSD takes into account a host of factors in planning the provision of open space in a particular district. The total provision of open space in LCSD and non-LCSD venues is only one of the factors, albeit an important one, to be taken into account in considering whether new open space should be provided for a particular district/locality.</p>
<p>(c) when was the last time the LCSD obtained information on open space provided in non-LCSD venues;</p>	<p>As explained above, when planning new open space projects, LCSD will take into account all relevant factors and information available to us including the existing provision of open space in LCSD venues as well as non-LCSD venues in the local area which are known to us. During the planning process, we will make the best efforts to collect updated data from the parties concerned such as Housing Department so as to facilitate planning work for new open space projects.</p>

Questions	Response from LCSD
<u>Inspection and monitoring of parks and gardens</u>	
<p>(d) Whether, and if so, what measures have been taken by the LCSD to ensure that parks and gardens without “static staff” to station in are safe, clean and serviceable for use by the public. According to paragraph 3.9(a) of the Audit Report, the LCSD only provides “static staff” to station in major parks and gardens and those provided with fee charging facilities;</p>	<p>There are over 1,500 venues of varying scales and sizes under the management of LCSD. Given the resource constraints and the need to observe cost-effectiveness, LCSD can only provide “static staff” for its major venues and those with fee-charging facilities. For venues without “static staff” (e.g. sitting out areas), we will deploy contractor staff (including cleansing workers and security guards) to carry out regular cleansing and inspection to these venues according to the usage pattern and conditions of the venues. Under the contract, the contractor and its staff are required to report to the LCSD venue management any irregularities found when carrying out the duties in the venues concerned.</p> <p>Besides, the district management arranges departmental staff to conduct regular / routine inspections to those venues without “static staff” in order to ensure that the parks and gardens are safe, clean and serviceable for use by the public.</p>
<p>(e) What is the reason(s) for the variations in practices adopted by the District Offices of the LCSD for inspecting parks and gardens mentioned in 3.12 of the Audit Report, and whether consideration</p>	<p>According to prevailing departmental guidelines, the responsible District Leisure Manager (DLM), the head of the District Leisure Services Office (DLSO), can adjust or increase the frequency of inspection to the venues according to operational needs, conditions and specific requirements of the venues. As the types, numbers, distribution, usage pattern of the venues in each of the 18 districts vary to a large extent, the DLSO may have to adopt</p>

Questions	Response from LCSD
would be given to standardizing such practices;	different practices for inspecting their venues to cater for the requirements of individual venues. The LCSD will review the departmental guidelines, taking into account the Audit recommendations and the operational needs, with a view to enhancing the effectiveness and consistency of the practices adopted for inspection of parks and gardens.
(f) Whether the LCSD requires staff employed by the contractors to report cases of irregularities/damaged facilities to the relevant staff for follow up;	Staff employed by LCSD's contractors are required to report cases of irregularities/damaged facilities to the district management for follow-up actions. The contractor staff will also be given briefings on the work requirements as and when necessary.
(g) Whether the LCSD considers an establishment of six technical staff in the Technical Unit could ensure the safety of the playground equipment in parks and gardens; and if not, why no expansion has been made to the establishment of technical staff in the Technical Unit;	LCSD has been reviewing the workload of the Technical Unit (TU) and taking necessary measures including but not limited to strengthening the manpower provision of the TU. On the provision of technical staff, two Clerk of Works (COW) posts under review had been made permanent in late 2011, representing a 50% increase in the COW strength in the TU (from 4 to 6). To cope with the continued increase in workload arising from the maintenance responsibilities for new venues as well as the provision of more elderly fitness / playground equipment at parks and playgrounds under the District Minor Works (DMW) projects, LCSD will keep the need for additional manpower resources for the TU under constant review.

Questions	Response from LCSD
	<p>In addition, LCSD will seek resources to strengthen the administrative and clerical support for the TU so as to relieve the technical staff from non-technical duties (e.g. arranging quotations for repair/replacement works, preparing repair orders, settling of payments, etc).</p>
<p>(h) Whether staff of the Technical Unit are required to file a detail report after inspection; and if so, to whom would the report be submitted and who would follow up the report;</p>	<p>Upon completion of the annual inspection to playground equipment, the subject COW in the TU is required to prepare a report for endorsement by the Department's Structural Engineer (SE) and to coordinate with the venue staff to arrange for the necessary repairs. If defects are identified by the venue staff during their routine inspections, they will prepare a Defect Report and request the TU to arrange repairs to rectify the defects.</p> <p>In addition to the annual inspection, the COW has to cross-check the works inspected by another COW on a bi-monthly basis. A report of cross-checking prepared by the COW would be submitted to the SE for endorsement and then audited by Chief Leisure Manager (a Segment D officer) before these reports are properly filed.</p>

Questions	Response from LCS D		
<p>(i) What are the criteria for determining high-risk equipment, medium-risk equipment and low-risk equipment referred to in paragraph 3.22(b) of the Audit Report</p>	<p>We propose to adopt the following criteria for determining the risk level of the park and playground equipment:</p>		
	<p>Risk Level</p>	<p>Criteria</p>	<p>Example of play equipment</p>
	<p>High</p>	<p>1. Cantilever structure; 2. High usage; 3. Has an incident record / history</p>	<p>Basketball stand frame</p>
	<p>Medium</p>	<p>1. Play equipment with movable components (i.e. pull down machine, saddle mate, swing, etc); 2. Relatively high usage; 3. Public concern and complaint / ICC cases received</p>	<p>Elderly fitness equipment, children playground equipment</p>
	<p>Low</p>	<p>1. Play equipment without movable components; 2. Medium usage; 3. Infrequent repair</p>	<p>Other type of fitness & play equipment</p>
<p><u>Repair and maintenance of facilities</u></p>			
<p>(j) Whether the contractor referred to in Appendix F of the Audit Report</p>	<p>The matting works contractor mentioned in Appendix F of the Audit Report is a sub-contractor of the main contractor engaged by Architectural Services</p>		

had been blacklisted or fined for taking some 10 months to complete the repair and maintenance works for the damaged matting in Ngau Chi Wan Park's playground; and if not, why not; and what is the average target time for such repair and maintenance works to be completed;

Department (ArchSD) for the construction of the Ngau Chi Wan Park (the Park).

In the case in question, the TU had repeatedly urged the sub-contractor to rectify the defective matting at the Park and served a total of 3 warning letters on him with copies to ArchSD from October 2011 to March 2012. As there was no contractual relation between LCSD and the main and sub-contractors of the Park, LCSD has requested ArchSD to press the sub-contractor to fulfill its contractual obligations by rectifying the defects in accordance with the terms and conditions set out in the contract between the main contractor and ArchSD. After the incident, LCSD has not engaged this sub-contractor to carry out works in view of its very poor performance. Furthermore, LCSD has written to Housing Department (HD) and Home Affairs Department (HAD), drawing their attention to the very poor performance of this sub-contractor.

It would normally take the TU about 3 months to effect replacement of safety matting at playgrounds similar to the Ngau Chi Wan Park (several play areas with over 500 sq.m. matting area in total). Time is required to carry out various tasks including procurement (invitation of quotations), placing orders, production of safety matting outside HK, transportation, delivery of materials to site and installation works. To shorten the time required for procuring playground matting, LCSD has taken measures to stock up safety mattings, thereby reducing the time required for production and transportation of the mattings from overseas. LCSD

	would review the effectiveness of the arrangement and explore other feasible means to improve the process.
(k) Will the LCSD consider procuring the spare parts of the same brands as far as practicable so as to minimize procurement difficulty and costs. According to paragraph 4.9 of the Audit Report, a major cause of the delay for completing repair and maintenance of playground facilities in gardens and parks is the lack of spare parts for the repair and maintenance works;	To speed up the repair works, LCSD has taken measures to stock up the most frequently used spare parts for the elderly fitness and playground equipment. Given the large number of equipment and component/spare parts involved, the spare parts to be stocked up might still not be able to meet every replacement need. However, LCSD would keep the list of spare parts under review and procure more items to expedite repairs.
(l) Will the LCSD consider drawing up a demerit or blacklist system to deter unsatisfactory performance from contractors /suppliers. According to paragraph 4.11(a) of the Audit Report, one of the reasons why repair and maintenance of play / sports equipment could not be completed within the target time	In engaging contractors for the repair and replacement of playground equipment, their past performance would be one of the major considerations to be taken into account by LCSD. Apart from site supervision performed by our technical staff, TU would also collect appraisal reports from the 18 DLSOs of LCSD on a quarterly basis to facilitate evaluation of the performance of contractors engaged for replacement and repair of equipment. For contractors who are assessed to have performed poorly, TU would refrain from engaging them for further works or services.

<p>frames is mainly due to the less than satisfactory performance of contractor / supplier; and</p>	
<p>(m) Had the LCSD in the past re-engaged those contractors/suppliers who had performed unsatisfactorily; and if so, why.</p>	<p>It is the established practice that LCSD would stop engaging those contractors/suppliers who have performed unsatisfactorily.</p>