

根據《西九文化區管理局條例》(第601章)第37條
提出的擬議決議案小組委員會

Subcommittee on Proposed Resolution under Section 37 of the
West Kowloon Cultural District Authority Ordinance (Cap. 601)

《西九文化區(公眾休憩用地)附例》
**WEST KOWLOON CULTURAL
DISTRICT
(PUBLIC OPEN SPACES) BYLAW**

二零一六年三月十四日

14 March 2016

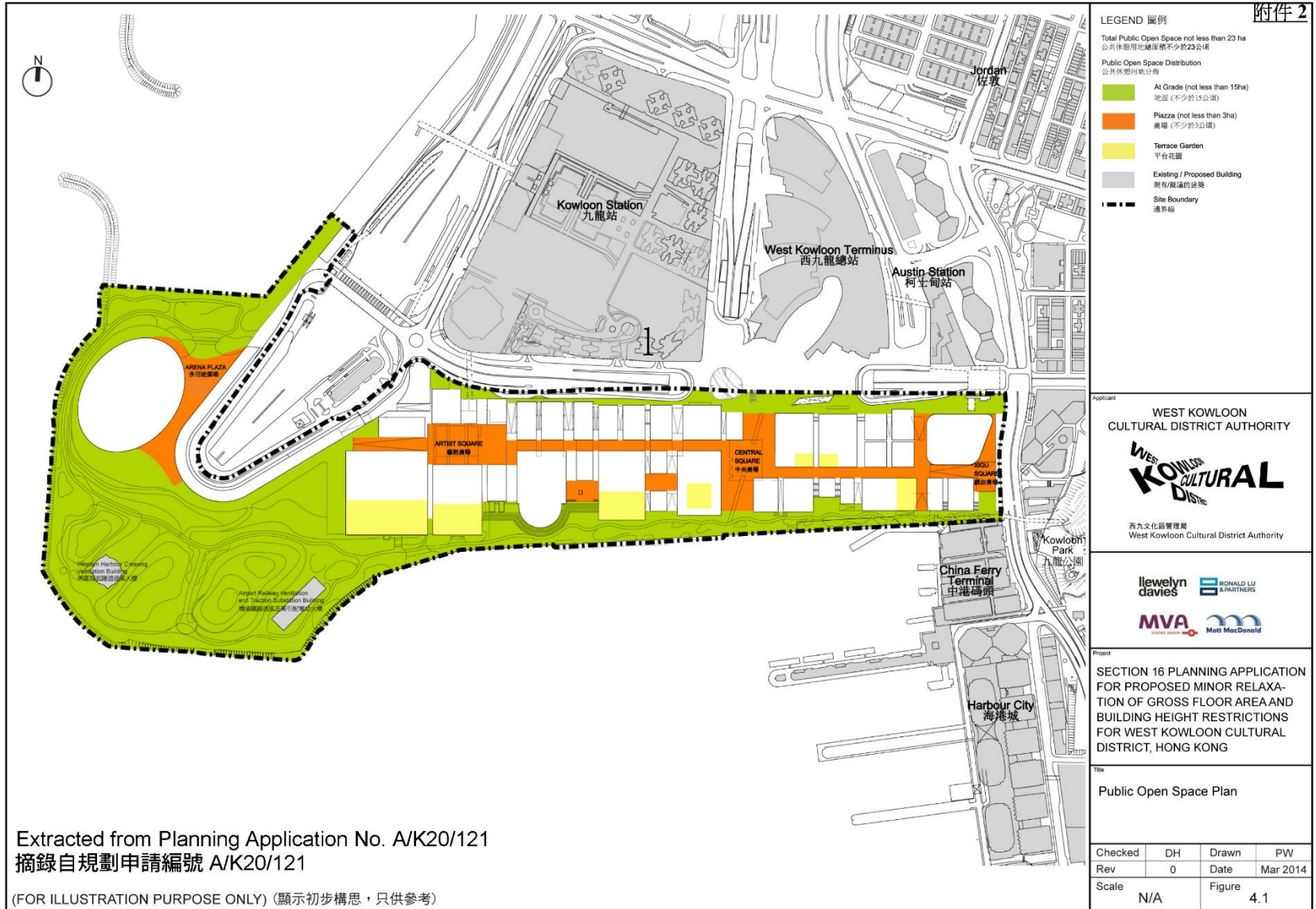
- 《西九文化區管理局條例》第37(1)條賦予管理局權力訂立附例
Section 37(1) of the WKCDA Ordinance empowers WKCDA to make bylaws.
- 《西九文化區管理局條例》第37(2)(c)條規定，管理局訂立的所有附例須經立法會批准
Section 37(2)(c) of the WKCDA Ordinance provides that all bylaws made by the Authority are subject to the approval of LegCo.
- 為回應《2012年公眾衛生及市政條例(公眾遊樂場地)(修訂附表4)(第2號)令》小組委員會的關注，西九管理局訂立擬議附例以便利管理西九文化區公眾休憩用地
In response to the concern of the Subcommittee on Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No.2) Order 2012, WKCDA has made the proposed Bylaw to facilitate the management of WKCD Public Open Spaces.

公眾休憩用地的大概位置

Indicative plan of Public Open Spaces

Annex 2

附件 2



LEGEND 圖例

Total Public Open Space not less than 23 ha
公共休憩用地總面積不少於23公頃

Public Open Space Distribution
公共休憩用地類別

- All Grade (not less than 15ha)
地層 (不少於15公頃)
- Plaza (not less than 3ha)
廣場 (不少於3公頃)
- Terrace Garden
平台花園
- Existing / Proposed Building
現有/擬議的建築
- Site Boundary
邊界線

Applicant

WEST KOWLOON
CULTURAL DISTRICT AUTHORITY

WEST KOWLOON CULTURAL DISTRICT

西九文化區管理局
West Kowloon Cultural District Authority

llwelyn daves RONALD LU & PARTNERS

MVA Mett MacDonald

Project

SECTION 16 PLANNING APPLICATION
FOR PROPOSED MINOR RELAXATION
OF GROSS FLOOR AREA AND
BUILDING HEIGHT RESTRICTIONS
FOR WEST KOWLOON CULTURAL
DISTRICT, HONG KONG

Title

Public Open Space Plan

| | | | |
|---------|-----|--------|----------|
| Checked | DH | Drawn | PW |
| Rev | 0 | Date | Mar 2014 |
| Scale | N/A | Figure | 4.1 |

Extracted from Planning Application No. A/K20/121
 摘錄自規劃申請編號 A/K20/121

(FOR ILLUSTRATION PURPOSE ONLY) (顯示初步構思, 只供參考)

基本原則

Guiding Principle

- 公眾休憩用地的使用應盡量開放和通達
Use of the Public Open Spaces should be open and accessible wherever possible
- 公眾休憩用地可啟發、推動和鼓勵大眾參與文化活動的使命
The mission for the Public Open Spaces is to inspire, promote and encourage cultural pursuits for all
- 用最低程度的權力管理公眾休憩用地
Minimum powers for managing the Public Open Spaces itself



參考本地及外國法例

References to local and overseas legislations

曾參考超過15條本地及外國相關法例；包括

Made reference to over 15 local and overseas' relevant laws and regulations, including

- 《海洋公園附例》（第388B章）
Ocean Park Bylaw (Cap.388B)
- 《機場管理局附例》（第483A章）
Airport Authority Bylaw (Cap.483A)
- 《嘉道理農場暨植物園附例》
Kadoorie Farm and Botanic Garden Bylaw
- 南岸附例2004（澳洲昆士蘭）
South Bank Corporation Bylaw 2004 (Queensland, Australia)
- 百年紀念公園和摩爾公園信託條例2009（澳洲新南威爾斯）
Centennial Park and Moore Park Trust Regulation 2009 (New South Wales, Australia)
- 澳洲雪梨海港海濱管理局條例2006
Sydney Harbour Foreshore Authority Regulation 2006
- 芝加哥公園地區守則
Code of the Chicago Park District
- 紐約市中央公園 - 中央公園及康樂部門的條例及法規
Central Park - Rules and Regulations of the City of New York - Department of Parks and Recreation
- 皇家公園 - 倫敦（包括海德公園，攝政公園）及其它休憩用地的條例1997
The Royal Parks, London (including Hyde Park, Regents Park etc) and other Open Spaces Regulations 1997

擬議《附例》的主要內容

Key elements of the proposed Bylaw

- 確保公共安全、秩序、健康；
保護環境；文化活動可順利在
公眾休憩用地進行。
Ensure public safety, order and health,
protect the environment, and allow the
smooth conduct of cultural activities on
the Public Open Spaces.



歡迎家居動物

Domestic animals welcomed

- 歡迎家居動物和援助動物(例如視障人士的導盲犬)進入西九公眾休憩用地。管理局會通過附例，作出適當控制及管理在公眾休憩用地的家居動物。 Domestic animals and assistance animals, such as guide dogs for the visually impaired, are welcomed into the Public Open Spaces of WKCD. The Authority will, through the Bylaw, suitably control and manage domestic animals in the Public Open Spaces.



- 對大部分公眾行為只設最低程度的限制
Minimum restrictions on most public conduct
- 包括對他人造成妨擾或煩擾的行為、可能破壞公眾休憩用地及環境的行為、可能危害他人安全的行為等。
Including acts that cause nuisance or annoyance to others, acts that may damage the Public Open Spaces and environment, acts that may endanger the safety of others, etc.



其他擬議《附例》的主要內容

Other key elements of the proposed Bylaw

- 劃定限制區域與封閉區域和舉行活動
Delineation of restricted and closed areas and the conduct of events
- 執法權力和罰則
Enforcement powers and penalties
 - 擬議《附例》會賦權管理局和獲授權人士執行附例，亦會訂明有關違反某些條文的相應罰則。
The proposed Bylaw will provide the Authority and authorized persons with the power to enforce those provisions which prohibit types of conduct. It also sets out the corresponding penalty for contravening certain provisions.

公眾諮詢

Public consultation

- 人人共享－「『如何管理將來的西九公園』公眾意見調查」-由西九文化區管理局諮詢會轄下的一個專責小組領導，在2014年5月至6月期間進行。
- “A Park We Share - Public Survey on the Operation of the Future West Kowloon Cultural District Park” led by a special taskforce under the Consultation Panel of WKCDA between May and June 2014.

公眾諮詢

Public consultation

- 管理局曾諮詢立法會監察西九文化區計劃推行情況聯合小組委員會(二零一五年三月)
LegCo Joint Subcommittee to Monitor the Implementation of the WKCD Project
(March 2015)
- 油尖旺區議會(二零一五年二月)
Yau Tsim Mong District Council (February 2015)
- 海濱事務委員會轄下九龍、荃灣及葵青海濱發展專責小組的會議(二零一五年五月)
Harbourfront Commission Task Force on Harbourfront Developments in Kowloon,
Tsuen Wan and Kwai Tsing (May 2015)
- 為十八區區議員舉行簡介會(二零一五年三月)
Town hall meeting with members of 18 District Councils (March 2015)
- 本地文化團體、街頭表演者、當區居民、青年團體、專業機構和組織，以及愛護動物協會的代表
Representatives of arts groups, street performers, nearby residents, youth groups,
professional institutions and associations as well as the Society for the Prevention
of Cruelty to Animals

- 就附例的主要建議:

Key recommendation regarding the Bylaw :

- 附例應盡可能簡單，以容許多元公園活動，並賦予管理局彈性，靈活處理不同情況。

The Bylaws should be minimal to allow more freedom for diverse park activities, with discretion for WKCDA to execute with flexibility.

謝 謝
Thank You