

Notes of the 15th Meeting of Business Liaison Group (Theme Parks)

Date & time : 10:00 am on 27 June 2013 (Thursday)

Venue : Conference Room 4, G/F., Central Government Offices, Tamar

Chairman : Mr CHAN Wah Chan, Head, Business Facilitation Division,
Economic Analysis and Business Facilitation Unit

Secretary : Ms Christie LAM, Chief Management Services Officer
Economic Analysis and Business Facilitation Unit

Trade attendees:

Hong Kong International Theme Parks Limited

Ms Mabel FUNG Building Surveyor

Ocean Park Corporation

Mr Todd HOUGLAND	Executive Director – Operations & Entertainment
Mr Joseph LEUNG	Executive Director – Revenue
Mr Arthur WONG	Project Development Director
Ms Gillian CHO	Assistant Corporate Services Manager – Administration
Mr C. F. CHEUNG	Senior Facilities Maintenance Manager

Observers:

Future Leisure Aviation Limited

Mr Kevin CHAU	Managing Director
Ms Katty IU	Marketing Manager
Mr Hei HO	Operations Manager

Hong Kong Sky Deck Limited

Mr Anthony CHAN Senior Operation Officer

Ngong Ping 360 Limited

Mr William CHEUNG Head, Services Operations

The Peak Tower Limited

Ms May TSANG	General Manager
Mr Jonathan CHU	Facility Manager

Government representatives:

Buildings Department (BD)

Mr Angus KWOK	Senior Building Surveyor
Ms NG Wing Man	Building Surveyor
Mr Prince WONG	Building Surveyor

Electrical and Mechanical Department (EMSD)

Mr KK CHONG	Senior Engineer
Mr Wallace CHUI	Engineer

Mr Gary WONG
Ms Grace LEUNG

Engineer
Engineer

Food and Environmental Hygiene Department (FEHD)
Mr Eric CHEUNG

Superintendent

Transport Department (TD)
Mr Chapman CHAN

Senior Transport Officer

Economic Analysis and Business Facilitation Unit (EABFU)

Mr Robert CHU

Management Services Officer

Action

1. **The Chairman** welcomed all to the meeting, particularly Mr William CHEUNG from Ngong Ping 360, who attended the meeting for the first time as an observer. The Chairman reiterated that the Terms of Reference of the Business Liaison Groups were -
 - to enhance communication between the trade and the stakeholding Bueaux/Departments (B/Ds) to exchange views on licensing and regulatory matters;
 - to solicit trade's views on the licensing regime so as to identify possible improvement opportunities; and
 - to serve as a platform for the B/Ds to brief the trade about the related regulatory requirements and business compliance facilitation measures, and consult the trade on regulatory proposals.

Agenda 1 – Confirmation of notes of the last meeting

2. The notes of the last meeting as posted at the Business Facilitation Initiatives website ([http://www.gov.hk/en/theme/bf/pdf/TPBLG\(14th\)-MeetingNotes.pdf](http://www.gov.hk/en/theme/bf/pdf/TPBLG(14th)-MeetingNotes.pdf)) were confirmed without amendment.

Agenda 2 – Briefings by Departments

Duties of Responsible Persons under the Lifts and Escalators Ordinance (Cap 618)

3. **EMSD** gave a briefing on the duties of Responsible Persons under the Lifts and

Action

Escalators Ordinance (Cap 618) with the presentation slides at **Annex A**. The Ordinance had come into force and repealed the Lifts and Escalators (Safety) Ordinance (Chapter 327) since 17 December 2012. The department tabled at the meeting a *Guidebook for Responsible Persons for Lifts (Cap 618)* and a *Pamphlet for Lifts and Escalators Ordinance (Cap 618)* for each trade attendee.

4. **EMSD** highlighted that the Ordinance introduced a number of new measures to enhance safety of lifts and escalators including –
 - Extending the coverage of the legislation – The Ordinance is applicable to all lifts and escalators in both public and private sectors. It extends the coverage to any persons who had the management or control of lifts/escalators.
 - Strengthening the registration regime of personnel engaged in lift and escalator works (e.g. introduction of a new registration system for lift/escalator workers).
 - Increasing the penalty levels of offences to achieve the necessary punitive and deterrent effects.
 - Enhancing operation and enforcement of the legislation (e.g. introducing a new use permit containing concise information of the lift/escalator to promote user surveillance, requiring responsible persons of lift/escalator to keep log-books for their lifts/escalators).
5. **EMSD** advised the trade to take note that the periodic examination for a lift or an escalator could be advanced for not more than 2 months, while the use permit to be issued would be given with a full validity period commencing from the expiration of the current use permit.
6. **EMSD** also reminded the trade to properly furnish the applicant's contact details and locations of the lift/escalator (in both Chinese and English) in the application form for a Use Permit for a Lift/Escalator (EMSD Forms LE11 and LE 12) so as to facilitate necessary follow-up with the applicant by the department.

Amendments to Standard Provision of Sanitary Fitments in Places of Public Entertainment

7. **BD** briefed the trade on the proposed amendments to Standard Provision of Sanitary Fitments in Places of Public Entertainment with presentation slides at **Annex B**.
8. **BD** said while the department was pursuing amendments to the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations, the new requirements relating to the minimum provision of sanitary fitments were set

Action

out in the revised PNAP ADV-28 (November 2012 version) for Authorized Persons to adopt.

9. **BD** highlighted the following major revisions of PNAP ADV-28 relevant to the theme park trade—
 - to revise the male to female gender ratio to 1:1.5 in the assessment of population for provision of sanitary fitments in places of public entertainment;
 - to increase the provision of female water closets; and
 - to recommend minimum space requirements for sanitary fitments.
10. In response to the trade's enquiry, **BD** clarified that pending the enactment of the related legislation, the above new requirements were not compulsory at the moment. Authorized persons were however strongly recommended to meet these new requirements voluntarily in new building projects and in major alterations and additions works. **BD** said that according to the past practice, the legislation, if enacted, would not carry a retrospective implication on the existing provision.
11. **Ocean Park** enquired about the feasibility of using mobile toilets as an interim solution to meet the extra demand for sanitary fitments due to increase in visitors. **FEHD** remarked that the hygienic conditions of mobile toilets would be a concern. **Ocean Park** remarked they would study the issue and, if necessary, raise enquiries to departments concerned.

Agenda 3 – Matter arising from previous meetings

Relocation of the temporary kiosk for distributing coach permits accessing Ma Wan prohibited zone

12. **The Chairman** noted that Ma Wan Park had provided TD with further justifications on their relocation proposal.
13. **TD** said that there was no licensing requirement about the location of kiosk for distribution of prohibited zone permits. Hence, the department had no objection in-principle to the proposed relocation of the distribution kiosk to Mongkok Grand Century Place suggested by the Ma Wan Park. However, they would advise Ma Wan Park to consult the stakeholders to ensure a smooth transition of the relocation with a view to alleviating possible adverse impacts on stakeholders. The department would liaise with Ma Wan Park to sort out the timing and format of

Action

consultation with the stakeholders, especially coach companies.

Agenda 4 – New Items***Difficulty encountered in Electronic Submission of Applications for Food Business Licences***

14. **Disneyland** said while the theme park was located on Islands District, some of their facilities were under the purview of FEHD's Tsuen Wan Environmental Hygiene Office. Under the system design of the FEHD's newly launched electronic submission service, all the applications of Disneyland were automatically assigned to the Islands Environmental Hygiene Office for processing. To avoid unnecessary delay, Disneyland had given up using the electronic submission service and resorted to paper submission of their applications in respect of the facilities under the purview of Tsuen Wan Environmental Hygiene Office.
15. **FEHD** responded that Disneyland was situated on Lantau Island and fell within the boundaries of Tsuen Wan District Council and Islands District Council. To address the issue, the department had reminded the Islands District Environmental Hygiene Office to take note of the boundary division of Disneyland and route the submissions of Disneyland to Tsuen Wan District Environmental Hygiene Office as appropriate in a timely manner for action.

Business Licences or Permits Required for "Waterpark"

16. **Ocean Park** said they were developing a "Waterpark" with the following core facilities –
 - Indoor Waterpark, including Wave Pool, Lazy River, Sand Beach, Water Slides, Wave rider, Children's Play Area, F&B facilities, and VIP Zone with semi-private pool and Cabanas and associated sanitary facilities, plant room and underground carpark.
 - Outdoor Waterpark, including Wave Pool, Lazy River, Water Slides, Sea Turtle Attraction, natural stream and pools with comprehensive hard and soft landscape.
 - Retail, Dining and Entertainment Zone with Chinese Restaurant, Food Court, F&B outlet, Retail and Souvenir Shop.
 - External Area, which will consist of Access Road, coach & taxi drop-off point, Flamingo exhibit, and promenade.

Action

17. **Ocean Park** would like to know whether they needed to apply for a new Places of Public Entertainment Licence (PPEL) or extend the coverage of their existing PPEL to cover the operations of “Waterpark”.
18. **FEHD** advised that either option would be feasible and the choice would depend on the operation mode and timetable of the project itself.
19. **FEHD** said in view of the complexity and large scale of the “Waterpark” and also the variety of licences/permits that might be involved, it was advisable for Ocean Park to gather all relevant information such as the proposed layout plans, etc and request a meeting with the FEHD Licensing Office and other departments as appropriate to seek comments on the proposal and the kind of licences/permits required.
20. **Ocean Park** would also like to know, apart from obtaining Swimming Pool Licence from FEHD, whether they needed to obtain Permits to Use and Operate Amusement Ride from EMSD for facilities inside the swimming pool such as water slides and wave rider.
21. **EMSD** said under the Amusement Rides (Safety) Ordinance, owners of amusement rides were required to apply for various permits (e.g. the Permit to Use and Operate) in operating the amusement rides for public use. The department would study the details of the facilities of “Waterpark” once provided by the Ocean Park to ascertain whether they would fall under the ambit of the Ordinance. EMSD was prepared to participate in the meeting if so requested by Ocean Park to provide comments.
22. **BD** suggested that Ocean Park could make use of the pre-submission enquiry service of the department to facilitate early clearance of basic design principle before formal submission of plans in view of the project scale.

Increasing the maximum admission capacity of a place of public entertainment

23. **The Chairman** invited BD to advise the trade about maximum admission capacity under a PPEL.
24. **BD** said when examining a PPEL application, the Licensing Unit of the department would take into account the admission capacity previously approved for a premises.

Action

If the applicant had an intention to increase the approved maximum admission capacity of PPE premises, this might involve submission of alterations & additions proposal for approval from the Building Authority. When there was a genuine difficulty in complying with the Deemed-to-Comply provisions in the Code of Practice for Fire Safety in Buildings 2011 (FS Code), a performance-based approach using fire engineering could be adopted to formulate an Alternative Solution. A Fire Safety Assessment Report should be submitted to illustrate the formulation of Alternative Solution. In general, an applicant would commission a fire engineering consultant to prepare the required report for submission to the department for examination. The trade could refer to *Code of Practice for Fire Safety in Buildings 2011 (Part G)* and *PNAP APP-87* for details of the fire engineering approach.

25. **Peak Tower** remarked that the Madame Tussauds HK was considering pursuing the fire engineering approach with a view to increasing the admission capacity for its expansion area due to the width constraint of the thoroughfare outside the Peak Tower. Peak Tower would like to know whether they needed to prepare another fire engineering report again when additional entertaining operation was added in future. **BD** advised that in general the need for another fire engineering report depended on whether the report that the Madame Tussauds HK was considering to prepare could cater in advance for the anticipated increase in admission capacity of the future additional entertaining operation and would be subject to any change of design principle of the entertaining operation in future. BD added that the trade should seek professional advice on submission of fire engineering report.
26. In response to **Peak Tower's** enquiry on the sharing of maximum admission capacity among several PPEs in a building, **BD** responded that in general the admission capacity of a building had to be shared among the PPEs therein and the allotted capacity of each PPE depended on the characteristics of the facility involved and other factors such as layout and constraints.

Agenda 5 – Any other business

27. There being no other business, the meeting ended at 11:20 am.

Action

Date of next meeting

28. The next meeting will be held in December 2013.

Economic Analysis and Business Facilitation Unit
July 2013