

LEGISLATIVE COUNCIL BRIEF

PUBLIC HEALTH AND MUNICIPAL SERVICES SETTING ASIDE PLACES FOR USE AS PUBLIC PLEASURE GROUNDS AND CESSATION OF SETTING ASIDE PLACES FOR USE AS PUBLIC PLEASURE GROUNDS

INTRODUCTION

The Director of Leisure and Cultural Services, in his capacity as the Authority (“Authority”) under the Public Health and Municipal Services Ordinance Cap.132 (“the Ordinance”), manages the public pleasure grounds listed in the Fourth Schedule to the Ordinance. Under Section 106 of the Ordinance, the Authority may, from time to time, by order set aside places for use as public pleasure grounds, and may by order amend, or add to, or delete from the Fourth Schedule.

2. We propose to introduce the amendments through the Public Health and Municipal Services (Setting Aside Places for Use as Public Pleasure Grounds and Cessation of Setting Aside Places for Use as Public Pleasure Grounds) (No. 2) Order 2008 (Order No. 2) at Annex A and the Public Health and Municipal Services Ordinance (Amendment of Fourth Schedule) (No. 3) Order 2008 (Order No. 3) at Annex B to this Brief to -

- (a) set aside the places specified in Schedule 1 at Order No. 2 for use as public pleasure grounds;
- (b) cease to set aside the places specified in Schedule 2 at Order No. 2 for use as public pleasure grounds; and
- (c) rename the public pleasure grounds specified in Order No. 3.

JUSTIFICATIONS

3. The proposal to set aside 35 new venues as public pleasure grounds will enable the Authority to enforce the regulations relating to these public pleasure grounds for proper management. Two venues no longer

used as public pleasure grounds should be removed from the Fourth Schedule. Another two venues should be renamed to better reflect their locations and functions.

Places to be set aside for use as public pleasure grounds

4. The following 35 new venues are required to be designated as public pleasure grounds and are to be included in the Fourth Schedule —

- (i) 12 new venues that are already open or will be open for public use by the Leisure and Cultural Services Department (LCSD):
 - (a) Chung Yat Street Soccer Pitch
 - (b) Fung On Street Children's Playground
 - (c) Hang Kwai Street Playground
 - (d) Hoi Chu Road Playground
 - (e) Ivy Street Rest Garden
 - (f) Pak Shek Kok Promenade
 - (g) Po Wing Road Playground
 - (h) Po Wing Road Sitting-out Area
 - (i) Sham Tsz Street Playground
 - (j) Tung Chung Road Soccer Pitch
 - (k) Yau Tong Road Playground
 - (l) Yau Tsim Mong Pet Garden
- (ii) 23 venues taken over from the respective District Councils for management by LCSD:
 - (a) Centre Street Sitting-out Area
 - (b) Cheung Sha Wan Path Sitting-out Area
 - (c) Cochrane Street Sitting-out Area
 - (d) Fan Tin Tsuen Sitting-out Area
 - (e) Fung Mat Road Sitting-out Area
 - (f) Ginza Square
 - (g) King Lam Street Sitting-out Area
 - (h) Lynwood Sitting-out Area
 - (i) Mount Davis Playground
 - (j) Mount Davis Sitting-out Area No. 1
 - (k) Mount Davis Sitting-out Area No. 2
 - (l) Mount Davis Sitting-out Area No. 3
 - (m) Ngoi Man Street Sitting-out Area
 - (n) Pier Road Sitting-out Area

- (o) Pok Fu Lam Road Sitting-out Area
- (p) Robinson Road Sitting-out Area
- (q) Rock Hill Street Sitting-out Area
- (r) Sai Yuen Lane Sitting-out Area
- (s) Sha Chau Lei Sitting-out Area
- (t) Shek Po Tsuen Playground
- (u) Sheung Fung Lane Sitting-out Area
- (v) Southern District San Wai Village Sitting-out Area
- (w) Tai Wong Street East Sitting-out Area

Places cease to be set aside for use as public pleasure grounds

5. Two venues are to be deleted from the Fourth Schedule. They were used temporarily as public pleasure grounds before and were surrendered for the construction of Tseung Kwan O Complex in October 2008 —

- (a) Pui Shing Road Temporary Garden
- (b) Pui Shing Road Community Garden

Renaming of public pleasure grounds

6. To better reflect the location and function of the venues, we recommend renaming the following two venues in the Fourth Schedule:

- (a) Stanley Promenade

The venue, formerly named as Stanley Waterfront Playground, was redeveloped under the Stanley Waterfront Improvement Project initiated by the Tourism Commission. It has been reopened for public use since March 2008.

- (b) Kwai Chung San Kui Park

The Kwai Chung Estate Residents Right Concern Group has proposed to rename the venue, formerly named Tai Wo Hau Road Park as Kwai Chung San Kui Park. The renaming is supported by the Kwai Tsing District Council.

AMENDMENT OF FOURTH SCHEDULE

7. The Amendment Order at Annex B amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to update

the list of public pleasure grounds and to rename the two public pleasure grounds.

LEGISLATIVE TIMETABLE

8. The legislative timetable is as follows –

Publication in the Gazette	12 December 2008
Tabling at the Legislative Council for negative vetting	17 December 2008

PUBLIC CONSULTATION AND PUBLICITY

9. We have consulted the respective District Councils which support the proposals. The addition, deletion and renaming of the public pleasure grounds to the Fourth Schedule of the Ordinance will be published in the Gazette.

ENQUIRY

10. Please contact Mr Paul K K CHEUNG, Assistant Director (Leisure Services)¹, at 2601 8966 for enquiries on this subject.

Leisure and Cultural Services Department
11 December 2008

**PUBLIC HEALTH AND MUNICIPAL SERVICES
(SETTING ASIDE PLACES FOR USE AS PUBLIC
PLEASURE GROUNDS AND CESSATION OF
SETTING ASIDE PLACES FOR USE AS
PUBLIC PLEASURE GROUNDS)
(NO. 2) ORDER 2008**

(Made by the Director of Leisure and Cultural Services under section 106(1) of the Public Health and Municipal Services Ordinance (Cap. 132))

1. Places set aside for use as public pleasure grounds

The places specified in Schedule 1 are set aside for use as public pleasure grounds.

2. Places ceasing to be set aside for use as public pleasure grounds

The places specified in Schedule 2 cease to be set aside for use as public pleasure grounds.

SCHEDULE 1

[s. 1]

PLACES SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

PART 1

HONG KONG ISLAND

Centre Street Sitting-out Area

Cochrane Street Sitting-out Area

Fung Mat Road Sitting-out Area

Mount Davis Playground

Mount Davis Sitting-out Area No. 1

Mount Davis Sitting-out Area No. 2

Mount Davis Sitting-out Area No. 3

Ngoi Man Street Sitting-out Area
Pier Road Sitting-out Area
Pok Fu Lam Road Sitting-out Area
Robinson Road Sitting-out Area
Rock Hill Street Sitting-out Area
Sai Yuen Lane Sitting-out Area
Sheung Fung Lane Sitting-out Area
Southern District San Wai Village Sitting-out Area
Tai Wong Street East Sitting-out Area

PART 2

KOWLOON

Cheung Sha Wan Path Sitting-out Area
Ivy Street Rest Garden
King Lam Street Sitting-out Area
Yau Tong Road Playground
Yau Tsim Mong Pet Garden

PART 3

THE NEW TERRITORIES

Chung Yat Street Soccer Pitch
Fan Tin Tsuen Sitting-out Area
Fung On Street Children's Playground
Ginza Square
Hang Kwai Street Playground
Hoi Chu Road Playground
Lynwood Sitting-out Area
Pak Shek Kok Promenade

Po Wing Road Playground
Po Wing Road Sitting-out Area
Sha Chau Lei Sitting-out Area
Sham Tsz Street Playground
Shek Po Tsuen Playground
Tung Chung Road Soccer Pitch

SCHEDULE 2

[s. 2]

PLACES CEASING TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

THE NEW TERRITORIES

Pui Shing Road Community Garden
Pui Shing Road Temporary Garden



(Thomas Chow)
Director of Leisure and Cultural
Services

2 December 2008

Explanatory Note

This Order sets aside certain places for use as public pleasure grounds (section 1) and provides that certain places cease to be set aside for use as public pleasure grounds (section 2).

**PUBLIC HEALTH AND MUNICIPAL SERVICES
ORDINANCE (AMENDMENT OF FOURTH
SCHEDULE) (NO. 3) ORDER 2008**

(Made by the Director of Leisure and Cultural Services under section 106(6) of the Public Health and Municipal Services Ordinance (Cap. 132))

1. Public pleasure grounds

(1) The Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) is amended, in the list of public pleasure grounds (other than bathing beaches) under the heading “Hong Kong Island” –

- (a) by adding “Centre Street Sitting-out Area”;
- (b) by adding “Cochrane Street Sitting-out Area”;
- (c) by adding “Fung Mat Road Sitting-out Area”;
- (d) by adding “Mount Davis Playground”;
- (e) by adding “Mount Davis Sitting-out Area No. 1”;
- (f) by adding “Mount Davis Sitting-out Area No. 2”;
- (g) by adding “Mount Davis Sitting-out Area No. 3”;
- (h) by adding “Ngoi Man Street Sitting-out Area”;
- (i) by adding “Pier Road Sitting-out Area”;
- (j) by adding “Pok Fu Lam Road Sitting-out Area”;
- (k) by adding “Robinson Road Sitting-out Area”;
- (l) by adding “Rock Hill Street Sitting-out Area”;
- (m) by adding “Sai Yuen Lane Sitting-out Area”;
- (n) by adding “Sheung Fung Lane Sitting-out Area”;
- (o) by adding “Southern District San Wai Village Sitting-out Area”;
- (p) by adding “Stanley Promenade”;
- (q) by repealing “Stanley Waterfront Playground”;
- (r) by adding “Tai Wong Street East Sitting-out Area”.

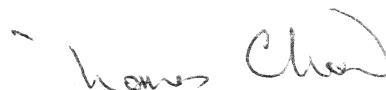
(2) The Fourth Schedule is amended, in the list of public pleasure grounds (other than bathing beaches) under the heading “Kowloon” –

- (a) by adding “Cheung Sha Wan Path Sitting-out Area”;
- (b) by adding “Ivy Street Rest Garden”;
- (c) by adding “King Lam Street Sitting-out Area”;
- (d) by adding “Yau Tong Road Playground”;
- (e) by adding “Yau Tsim Mong Pet Garden”.

(3) The Fourth Schedule is amended, in the list of public pleasure grounds (other than bathing beaches) under the heading “The New Territories” –

- (a) by adding “Chung Yat Street Soccer Pitch”;
- (b) by adding “Fan Tin Tsuen Sitting-out Area”;
- (c) by adding “Fung On Street Children’s Playground”;
- (d) by adding “Ginza Square”;
- (e) by adding “Hang Kwai Street Playground”;
- (f) by adding “Hoi Chu Road Playground”;
- (g) by adding “Kwai Chung San Kui Park”;
- (h) by adding “Lynwood Sitting-out Area”;
- (i) by adding “Pak Shek Kok Promenade”;
- (j) by adding “Po Wing Road Playground”;
- (k) by adding “Po Wing Road Sitting-out Area”;
- (l) by repealing “Pui Shing Road Community Garden”;
- (m) by repealing “Pui Shing Road Temporary Garden”;
- (n) by adding “Sha Chau Lei Sitting-out Area”;
- (o) by adding “Sham Tsz Street Playground”;
- (p) by adding “Shek Po Tsuen Playground”;
- (q) by repealing “Tai Wo Hau Road Park”;

(r) by adding “Tung Chung Road Soccer Pitch”.



(Thomas Chow)
Director of Leisure and Cultural
Services

2 December 2008

Explanatory Note

This Order amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) in order to –

- (a) update the list of public pleasure grounds; and
- (b) rename –
 - (i) “Stanley Waterfront Playground” as “Stanley Promenade”; and
 - (ii) “Tai Wo Hau Road Park” as “Kwai Chung San Kui Park”.