

## **LEGISLATIVE COUNCIL BRIEF**

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

#### **INTRODUCTION**

The Director of Leisure and Cultural Services, in her 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 and Cessation of Setting Aside Place for Use as Public Pleasure Grounds) Order 2009 (Order) at Annex A and the Public Health and Municipal Services Ordinance (Amendment of Fourth Schedule) (No. 3) Order 2009 (Amendment Order) at Annex B to this Brief to -

- (a) set aside the places specified in the Schedule at Order for use as public pleasure grounds; and
- (b) cease to set aside the place at Order for use as public pleasure ground.

#### **JUSTIFICATIONS**

3. The proposal to set aside 15 new venues as public pleasure grounds will enable the Authority to enforce the regulations relating to these public pleasure grounds for proper management. We also propose to remove the Victoria Park Squash Court from the Fourth Schedule, as it is no longer used as public pleasure ground.

### **Place to be set aside for use as public pleasure ground**

4. The following 15 new venues are required to be designated as public pleasure grounds and are to be included in the Fourth Schedule —

(i) Seven new venues that are already open or will be open for public use by the Leisure and Cultural Services Department (LCSD):

- (a) Choi Hei Road Park
- (b) Choi Wing Road Park
- (c) Jordan Valley Park
- (d) Ma On Shan Sai Sha Road Pet Garden
- (e) Tsing Yi Northeast Park
- (f) Tung Chung Man Tung Road Sports Centre
- (g) Wah Chui Street Sitting-out Area

(ii) Eight venues that are already taken over or will be taken over from the respective District Councils for management by LCSD:

- (a) Bisney Road Children's Playground
- (b) Kwun Hoi Path Sitting-out Area
- (c) Luen Wan Street Sitting-out Area
- (d) Miu Kong Street Garden
- (e) Sycamore Street Sitting-out Area
- (f) Tong Ming Street Sitting-out Area
- (g) Tsing Hung Road Playground
- (h) Wong Tai Sin Square

### **Place ceases to be set aside for use as public pleasure ground**

5. The Victoria Park Squash Court building has been handed over to the Architectural Services Department for demolition to facilitate the re-development of Victoria Park Swimming Pool. The venue needs to be deleted from the Fourth Schedule.

### **AMENDMENT OF FOURTH SCHEDULE**

6. 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.

## **LEGISLATIVE TIMETABLE**

7. The legislative timetable is as follows –

Publication in the Gazette	9 October 2009
Tabling at the Legislative Council for negative vetting	14 October 2009

## **PUBLIC CONSULTATION AND PUBLICITY**

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

## **ENQUIRY**

9. 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**  
**29 September 2009**

**PUBLIC HEALTH AND MUNICIPAL SERVICES  
(SETTING ASIDE PLACES AND CESSATION OF  
SETTING ASIDE PLACE FOR USE AS PUBLIC  
PLEASURE GROUNDS) ORDER 2009**

(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 the Schedule are set aside for use as public pleasure grounds.

**2. Place ceasing to be set aside for use as public pleasure ground**

The Victoria Park Squash Court ceases to be set aside for use as a public pleasure ground.

SCHEDULE

[s. 1]

PLACES SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

PART 1

HONG KONG ISLAND

Bisney Road Children's Playground

Kwun Hoi Path Sitting-out Area

Wah Chui Street Sitting-out Area

PART 2

KOWLOON

Choi Hei Road Park

Choi Wing Road Park

Jordan Valley Park

Luen Wan Street Sitting-out Area

Sycamore Street Sitting-out Area

Wong Tai Sin Square

### PART 3

#### THE NEW TERRITORIES

Ma On Shan Sai Sha Road Pet Garden

Miu Kong Street Garden

Tong Ming Street Sitting-out Area

Tsing Hung Road Playground

Tsing Yi Northeast Park

Tung Chung Man Tung Road Sports Centre



(Mrs Betty Fung)  
Director of Leisure and  
Cultural Services

24 September 2009

#### **Explanatory Note**

This Order sets aside certain places for use as public pleasure grounds (section 1) and provides that the Victoria Park Squash Court ceases to be set aside for use as a public pleasure ground (section 2).

**PUBLIC HEALTH AND MUNICIPAL SERVICES  
ORDINANCE (AMENDMENT OF FOURTH  
SCHEDULE) (NO. 3) ORDER 2009**

(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” –

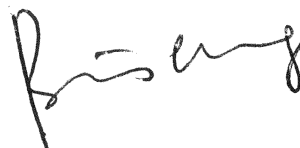
- (a) by adding “Bisney Road Children’s Playground”;
- (b) by adding “Kwun Hoi Path Sitting-out Area”;
- (c) by repealing “Victoria Park Squash Court”;
- (d) by adding “Wah Chui Street Sitting-out Area”.

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

- (a) by adding “Choi Hei Road Park”;
- (b) by adding “Choi Wing Road Park”;
- (c) by adding “Jordan Valley Park”;
- (d) by adding “Luen Wan Street Sitting-out Area”;
- (e) by adding “Sycamore Street Sitting-out Area”;
- (f) by adding “Wong Tai Sin Square”.

(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 “Ma On Shan Sai Sha Road Pet Garden”;
- (b) by adding “Miu Kong Street Garden”;
- (c) by adding “Tong Ming Street Sitting-out Area”;
- (d) by adding “Tsing Hung Road Playground”;
- (e) by adding “Tsing Yi Northeast Park”;
- (f) by adding “Tung Chung Man Tung Road Sports Centre”.



(Mrs Betty Fung)  
Director of Leisure and  
Cultural Services

24 September 2009

### **Explanatory Note**

This Order amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) in order to update the list of public pleasure grounds.