

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 2010 (Order) at Annex A and the Public Health and Municipal Services Ordinance (Amendment of Fourth Schedule) Order 2010 (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 places in the Schedule at Order for use as public pleasure grounds.

JUSTIFICATIONS

3. The proposal to set aside nine 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 repeal three venues from the Fourth Schedule, as they are no longer used as public pleasure grounds.

Place to be set aside for use as public pleasure ground

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

- (i) Eight new venues that are already open or will be open for public use by the Leisure and Cultural Services Department (LCSD):
 - (a) Central and Western District Promenade – Sheung Wan Section
 - (b) Chui Ling Lane Playground
 - (c) Fu Hong Street Sitting-out Area
 - (d) Hoi Lai Temporary Garden
 - (e) Kwun Tong Promenade
 - (f) Sun Yat Sen Memorial Park Community Garden
 - (g) Tung Chung North Park
 - (h) Wai Lok Street Temporary Soccer Pitch
- (ii) Dragon Road Sitting-out Area that has already been taken over from the Eastern District Council for management by LCSD.

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

5. Three venues are to be deleted from the Fourth Schedule. They have been surrendered for the construction of different projects —

- (a) Wan Chai Market Roof-top Playground
The venue has been handed over to the Lands Department for redevelopment under the Urban Renewal Scheme.
- (b) Kwun Tong Recreation Ground (South of Kwun Tong (Tsui Ping Road) Housing Estate)
The venue has been demolished to facilitate the redevelopment of Kwun Tong Swimming Pool Complex.
- (c) On Tung Street Temporary Playground
The venue has been handed over to the Lands Department for the construction of North Lantau Hospital.

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	16 April 2010
Tabling at the Legislative Council for negative vetting	21 April 2010

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
7 April 2010

**PUBLIC HEALTH AND MUNICIPAL SERVICES
(SETTING ASIDE PLACES AND CESSATION OF
SETTING ASIDE PLACES FOR USE AS PUBLIC
PLEASURE GROUNDS) ORDER 2010**

(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

Central and Western District Promenade – Sheung Wan Section

Dragon Road Sitting-out Area

Fu Hong Street Sitting-out Area

Sun Yat Sen Memorial Park Community Garden

PART 2

KOWLOON

Hoi Lai Temporary Garden

Kwun Tong Promenade

Wai Lok Street Temporary Soccer Pitch

PART 3

THE NEW TERRITORIES

Chui Ling Lane Playground

Tung Chung North Park

SCHEDULE 2

[s. 2]

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

PART 1

HONG KONG ISLAND

Wan Chai Market Roof-top Playground

PART 2

KOWLOON

Kwun Tong Recreation Ground (South of Kwun Tong (Tsui Ping Road)
Housing Estate)

PART 3

THE NEW TERRITORIES

On Tung Street Temporary Playground



(Mrs Betty Fung)
Director of Leisure and
Cultural Services

7 April 2010

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) ORDER 2010**

(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 “Central and Western District Promenade – Sheung Wan Section”;
- (b) by adding “Dragon Road Sitting-out Area”;
- (c) by adding “Fu Hong Street Sitting-out Area”;
- (d) by adding “Sun Yat Sen Memorial Park Community Garden”;
- (e) by repealing “Wan Chai Market Roof-top Playground”.

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

- (a) by adding “Hoi Lai Temporary Garden”;
- (b) by adding “Kwun Tong Promenade”;
- (c) by repealing “Kwun Tong Recreation Ground (South of Kwun Tong (Tsui Ping Road) Housing Estate)”;
- (d) by adding “Wai Lok Street Temporary Soccer Pitch”.

(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 “Chui Ling Lane Playground”;
- (b) by repealing “On Tung Street Temporary Playground”;
- (c) by adding “Tung Chung North Park”.



(Mrs Betty Fung)
Director of Leisure and
Cultural Services

7 April 2010

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.