

## **LEGISLATIVE COUNCIL BRIEF**

### **PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE SETTING ASIDE PLACES 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 the Fourth Schedule.

2. We propose to introduce amendments through the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) (No. 2) Order 2015 (the Amendment Order) to set aside the places specified in Schedule 1 of the Amendment Order for use as public pleasure grounds, to cease to set aside places specified in Schedule 2 for use as public pleasure grounds and to rename the public pleasure grounds specified in the Schedule 3 of the Amendment Order. The Amendment Order is at Annex to this Brief.

#### **JUSTIFICATIONS**

3. The proposal to set aside 16 venues as public pleasure grounds will enable the Authority to enforce the Pleasure Grounds Regulation in those venues. We also propose to delete two venues from the Fourth Schedule as they cease to be used as public pleasure grounds and to rename five venues.

#### **PLACES TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS**

4. The following 16 venues will be designated as public pleasure

grounds and be included in the Fourth Schedule —

- (i) Nine newly completed venues that are or will open for public use by the Leisure and Cultural Services Department (LCSD):
  - (a) Ha Tam Shui Hang Sitting-out Area No. 2
  - (b) Ha Tsuen Soccer Pitch
  - (c) Lo Tsz Tin Tsuen Children's Playground
  - (d) Sheung Shui Hang Tau Village Sitting-out Area No. 2
  - (e) Shuen Wan Joint Village Basketball Court
  - (f) Shui Wo Tsuen Sitting-out Area
  - (g) Tat Wan Road Sitting-out Area
  - (h) Tong Kung Leng Basketball Court
  - (i) Yuen Long Sports Centre
  
- (ii) Seven venues that are taken over from the Home Affairs Department and former Territory Development Department for management by LCSD :
  - (a) Cheung Sha Ha Tsuen Basketball Court
  - (b) Ham Tin Garden
  - (c) Ngan Kwong Wan Road Amenity Plots
  - (d) Sham Hong Road Playground
  - (e) Silver Mine Bay Waterfall Garden
  - (f) Tai Tei Tong Sitting-out Area
  - (g) Yung Shue Wan Tin Hau Temple Sitting-out Area

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

5. Two venues, namely North Point Promenade and Ta Kwu Ling Chuk Yuen Playground, will be deleted from the Fourth Schedule as they have ceased to be public pleasure grounds. The North Point Promenade has been handed over to Lands Department (LandsD) for comprehensive development of the Ex-North Point Estate while the Ta Kwu Ling Chuk Yuen Playground has been handed over to Civil Engineering Development Department permanently to facilitate the establishment of the new boundary control points in eastern part of Hong Kong-Shenzhen boundary.

## **RENAMING OF PUBLIC PLEASURE GROUND**

6. We recommend renaming the following five venues in the Fourth Schedule:

- (a) **Tung Hei Road Children's Playground**  
Tung Hei Road Children's Playground is recommended to be renamed as Tung Hei Road Sitting-out Area after its conversion from the existing children's playground into a sitting-out area.
- (b) **Shun Lee Tsuen Road Lookout**  
Shun Lee Tsuen Road Lookout is recommended to be renamed as Shun Lee Tsuen Road Sitting-out Area as the venue is no longer serving as a scenic point due to the change of surrounding.
- (c) **Kowloon Park Drive Children's Playground**  
Kowloon Park Drive Children's Playground is recommended to be renamed as Haiphong Road Children's Playground in order to make it clear to the public that the venue is not a part of Kowloon Park.
- (d) **Lower Cheung Sha Village Children's Playground**  
The English name of Lower Cheung Sha Village Children's Playground is recommended to be renamed as Cheung Sha Ha Tsuen Children's Playground suggested by LandsD for the consistency of adjacent venue, Cheung Sha Ha Tsuen Basketball Court.
- (e) **Yim Tin Pok Temporary Playground**  
Yim Tin Pok Temporary Playground is recommended to be renamed as Yim Tin Playground to tie in with the change of land status from short term tenancy to permanent land allocation as well as to reflect the geographical places in the vicinity as suggested by LandsD.

The renaming is supported by the respective district councils.

## **AMENDMENT OF FOURTH SCHEDULE**

7. The Amendment Order at Annex amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to give effect to the changes set out in paragraphs 4, 5 and 6 above.

## **LEGISLATIVE TIMETABLE**

8. The legislative timetable is as follows –

Publication in the Gazette	4 December 2015
Tabling at the Legislative Council	9 December 2015

## **PUBLIC CONSULTATION AND PUBLICITY**

9. We have consulted the respective District Councils which supported the proposals. The amendments to the Fourth Schedule of the Ordinance will be published in the Gazette.

## **ENQUIRY**

10. Please contact Mrs Doris FOK, Assistant Director (Leisure Services)1, at 2601 8966 for enquiries on this subject.

**Leisure and Cultural Services Department**

**25 November 2015**

**Public Health and Municipal Services Ordinance  
(Public Pleasure Grounds) (Amendment of Fourth  
Schedule) (No. 2) Order 2015**

(Made by the Director of Leisure and Cultural Services under section 106  
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.
  3. **Public Health and Municipal Services Ordinance amended**  
The Public Health and Municipal Services Ordinance (Cap. 132) is  
amended as set out in Schedule 3.
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**Schedule 1**

[s. 1]

**Places Set Aside for Use as Public Pleasure Grounds**

**The New Territories**

Cheung Sha Ha Tsuen Basketball Court  
Ha Tam Shui Hang Sitting-out Area No. 2  
Ha Tsuen Soccer Pitch  
Ham Tin Garden  
Lo Tsz Tin Tsuen Children's Playground  
Ngan Kwong Wan Road Amenity Plots  
Sham Hong Road Playground  
Sheung Shui Hang Tau Village Sitting-out Area No. 2  
Shuen Wan Joint Village Basketball Court  
Shui Wo Tsuen Sitting-out Area  
Silver Mine Bay Waterfall Garden  
Tai Tei Tong Sitting-out Area  
Tat Wan Road Sitting-out Area  
Tong Kung Leng Basketball Court  
Yuen Long Sports Centre  
Yung Shue Wan Tin Hau Temple Sitting-out Area

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## Schedule 2

[s. 2]

### Places Ceasing to be Set Aside for Use as Public Pleasure Grounds

#### Part 1

#### Hong Kong Island

North Point Promenade

#### Part 2

#### The New Territories

Ta Kwu Ling Chuk Yuen Playground

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## Schedule 3

[s. 3]

### Amendments to Public Health and Municipal Services Ordinance

1. **Fourth Schedule amended (public pleasure grounds)**
  - (1) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—  
**Repeal**  
“Tung Hei Road Children’s Playground”  
**Substitute**  
“Tung Hei Road Sitting-out Area”.
  - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—  
**Repeal**  
“North Point Promenade”.
  - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
    - (a) **Repeal**  
“Kowloon Park Drive Children’s Playground”;
    - (b) **Add in alphabetical order**  
“Haiphong Road Children’s Playground”.
  - (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—

**Repeal**

“Shun Lee Tsuen Road Lookout”

**Substitute**

“Shun Lee Tsuen Road Sitting-out Area”.

- (5) Fourth Schedule, English text, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—

(a) **Repeal**

“Lower Cheung Sha Village Children’s Playground”;

(b) **Add in alphabetical order**

“Cheung Sha Ha Tsuen Children’s Playground”.

- (6) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—

**Repeal**

“Yim Tin Pok Temporary Playground”

**Substitute**

“Yim Tin Playground”.

- (7) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—

**Repeal**

“Ta Kwu Ling Chuk Yuen Playground”.

- (8) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—

**Add in alphabetical order**

“Cheung Sha Ha Tsuen Basketball Court

Ha Tam Shui Hang Sitting-out Area No. 2

Ha Tsuen Soccer Pitch

Ham Tin Garden

Lo Tsz Tin Tsuen Children’s Playground

Ngan Kwong Wan Road Amenity Plots

Sham Hong Road Playground

Sheung Shui Hang Tau Village Sitting-out Area No. 2

Shuen Wan Joint Village Basketball Court

Shui Wo Tsuen Sitting-out Area

Silver Mine Bay Waterfall Garden

Tai Tei Tong Sitting-out Area

Tat Wan Road Sitting-out Area

Tong Kung Leng Basketball Court

Yuen Long Sports Centre

Yung Shue Wan Tin Hau Temple Sitting-out Area”.



(Ms Michelle LI)

Director of Leisure and Cultural  
Services

19 November 2015

### Explanatory Note

This Order sets aside 16 places for use as public pleasure grounds and provides that 2 places cease to be set aside for use as public pleasure grounds.

2. The Order also amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to—
  - (a) add the 16 places and remove the 2 places mentioned in paragraph 1; and
  - (b) reflect that—
    - (i) “Tung Hei Road Children’s Playground” has been renamed as “Tung Hei Road Sitting-out Area”;
    - (ii) “Kowloon Park Drive Children’s Playground” has been renamed as “Haiphong Road Children’s Playground”;
    - (iii) “Shun Lee Tsuen Road Lookout” has been renamed as “Shun Lee Tsuen Road Sitting-out Area”;
    - (iv) “Lower Cheung Sha Village Children’s Playground” has been renamed, in English only, as “Cheung Sha Ha Tsuen Children’s Playground” for 長沙下村兒童遊樂場; and
    - (v) “Yim Tin Pok Temporary Playground” has been renamed as “Yim Tin Playground”.