

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) Order 2016 (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 ground 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 12 venues as public pleasure grounds will enable the Authority to enforce the Pleasure Grounds Regulation in those venues. We also propose to delete five venues from the Fourth Schedule as they cease to be used as public pleasure grounds and to rename one venue.

PLACES TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

4. The following 12 venues will be designated as public pleasure grounds and be included in the Fourth Schedule —

- (i) Five newly completed venues that are or will be opened for public use by the Leisure and Cultural Services Department (LCSD):
 - (a) Ngau Tau Kok Park
 - (b) Wang Kwong Road Sitting-out Area
 - (c) University Station Cycling Entry/Exit Hub
 - (d) Yuen Chau Kok Sports Centre
 - (e) Hung Tak Road Sitting-out Area No. 2

- (ii) Seven venues that are taken over from the Home Affairs Department and former Territory Development Department for management by LCSD :
 - (a) Tong Yam Street Hillside Sitting-out Area
 - (b) Cheung Chau North Lookout Pavilion
 - (c) Don Bosco Road Garden
 - (d) Hang Mei Sitting-out Area
 - (e) Lantau Island Shui Hau Sitting-out Area
 - (f) Po Chue Tam Barbecue Area
 - (g) Tong Fuk Barbecue Area

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

5. The following five venues will be deleted from the Fourth Schedule as they have ceased to be public pleasure grounds:

- (i) & (ii) Ngau Tau Kok Road Flyover Rest Garden and Kwun Tong Road/Ngau Tau Kok Road Amenity Plot have been handed over to Architectural Services Department for construction of the East Kowloon Cultural Centre.

- (iii) Hoi Lai Temporary Garden has been handed over to Lands Department(LandsD) for development by Education Bureau.

- (iv) Don Bosco Road Leisure Shelter, Cheung Chau has been included as part of the Don Bosco Road Garden.

- (v) Wo Keng Shan Road Garden has been handed over to Civil Engineering and Development Department permanently for the Liantang / Heung Yuen Wai Boundary Control Point and associated works project.

RENAMING OF PUBLIC PLEASURE GROUND

6. Ting Yu Square Temporary Sitting-out Area is recommended to be renamed as Ting Yue Square Sitting-out Area in order to tie in with the change of land status from short term tenancy to permanent land allocation. The renaming is supported by the Kwun Tong District Council.

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	10 June 2016
Tabling at the Legislative Council	15 June 2016

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

6 June 2016

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) Order 2016**

(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

Part 1

Kowloon

Ngau Tau Kok Park
Tong Yam Street Hillside Sitting-out Area
Wang Kwong Road Sitting-out Area

Part 2

The New Territories

Cheung Chau North Lookout Pavilion
Don Bosco Road Garden
Hang Mei Sitting-out Area
Hung Tak Road Sitting-out Area No. 2
Lantau Island Shui Hau Sitting-out Area
Po Chue Tam Barbecue Area
Tong Fuk Barbecue Area
University Station Cycling Entry/Exit Hub

Yuen Chau Kok Sports Centre

Schedule 2

[s. 2]

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

Part 1

Kowloon

Hoi Lai Temporary Garden

Kwun Tong Road/Ngau Tau Kok Road Amenity Plot

Ngau Tau Kok Road Flyover Rest Garden

Part 2

The New Territories

Don Bosco Road Leisure Shelter, Cheung Chau

Wo Keng Shan Road Garden

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 “Kowloon”—
Repeal
“Ting Yu Square Temporary Sitting-out Area”
Substitute
“Ting Yue Square Sitting-out Area”.
 - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
 - (a) **Repeal**
“Hoi Lai Temporary Garden”;
 - (b) **Repeal**
“Kwun Tong Road/Ngau Tau Kok Road Amenity Plot”;
 - (c) **Repeal**
“Ngau Tau Kok Road Flyover Rest Garden”.
 - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
Add in alphabetical order
“Ngau Tau Kok Park

- Tong Yam Street Hillside Sitting-out Area
Wang Kwong Road Sitting-out Area”.
- (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—
 - (a) **Repeal**
“Don Bosco Road Leisure Shelter, Cheung Chau”;
 - (b) **Repeal**
“Wo Keng Shan Road Garden”.
 - (5) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “The New Territories”—
Add in alphabetical order
“Cheung Chau North Lookout Pavilion
Don Bosco Road Garden
Hang Mei Sitting-out Area
Hung Tak Road Sitting-out Area No. 2
Lantau Island Shui Hau Sitting-out Area
Po Chue Tam Barbecue Area
Tong Fuk Barbecue Area
University Station Cycling Entry/Exit Hub
Yuen Chau Kok Sports Centre”.



(Ms Michelle LI)
Director of Leisure and Cultural
Services

31 May 2016

Explanatory Note

This Order sets aside 12 places for use as public pleasure grounds and provides that 5 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 12 places and remove the 5 places mentioned in paragraph 1; and
 - (b) reflect that “Ting Yu Square Temporary Sitting-out Area” has been renamed as “Ting Yue Square Sitting-out Area”.