

Legislative Council Panel on Home Affairs
Measures to Regulate Safety Standards at Golf Driving Ranges

Introduction

This paper briefly outlines the current measures which the Government takes to regulate the safety of golf driving ranges and describes the additional measures which we will take to enhance safety standards at these facilities.

Background

2. As a result of the increasing popularity of golf in Hong Kong in recent years, there has been a sharp increase in the development of golf practice facilities throughout the SAR. There are currently 11 privately-run driving ranges in Hong Kong, as shown on the list at the Annex. The standard of the safety measures at these facilities has become a cause for concern, following reports that golf balls have flown beyond the boundaries of the facilities, causing potential danger to nearby residents and passers-by.

Present Regulatory Measures

3. At present, golf driving ranges operating on government leased land under Short Term Tenancies (STT) are subject to the terms and limitations imposed by the Lands Department (LD) which govern the use of the land. In brief, the standard clauses for STT include conditions that require tenants –

- not to erect any building or structure without the consent of the respective District Lands Officer (DLO)
- to comply with the Buildings Ordinance when erecting any building or structures

- to obtain the DLO's approval for the design, height and location of any building or structure to be erected
- to indemnify Government against all actions and claims due to the occupation and use of the site

4. For golf practice facilities operating on government leased land or on private land where waivers have been given by the LD, the above similar standard clause requiring the lease holders or waiver holders to indemnify Government against all actions and claims due to the occupation and use of the land has also been included.

5. For proposals to develop golf practice facilities with an operating life of more than five years, and within areas covered by Urban and New Town Outline Zoning Plans, the operators have to obtain planning permission from the Town Planning Board (TPB). Proposals to develop golf practice facilities with an operating life of not more than three years and located within areas covered by rural Outline Zoning Plans would also require permission from the Town Planning Board. The Planning Department (PD) will consult the relevant government departments and collate their views on the proposals for the TPB's consideration. The Board will take account of relevant land-use planning considerations when assessing applications for golf driving ranges. These considerations include -

- compatibility of the proposals with the planning intention for the subject sites
- compatibility with surrounding land-uses
- planning gains to the community
- environmental, landscape, visual, traffic and infrastructure implications of the proposals
- views of local residents

- in granting the planning permission, TPB can also impose appropriate approval conditions to ensure that the approved uses would not have an adverse impact on the surrounding area

Additional Measures to Enhance Safety Standards

6. In order to upgrade the safety standards at golf driving ranges, LD plans to incorporate more stringent terms and conditions governing the design of such facilities in future land grants. These will include the requirements that the tenant must –

- erect and maintain fences and safety nets to a standard acceptable to the insurer of the tenant
- maintain a valid insurance policy to cover idemnity against any action resulting from damage or injury caused by golf balls
- obtain requisite licences and approvals from relevant government departments regarding the use and occupation of the site

7. Also, prior to approving any land grant for golf facilities, the DLO concerned will circulate the relevant application to appropriate government departments, including the Leisure and Cultural Services Department (LCSD) and the Home Affairs Bureau for comment. LCSD will advise on safe management practices based on its own experience in managing golf driving ranges.

Conclusion

8. We will implement the measures described in paragraphs 6 and 7 above with immediate effect, and we will monitor their effectiveness in ensuring that the safety standards of golf driving ranges are maintained at the highest practicable level.

9. For practice facilities already in operation, we will periodically inspect the sites to ensure that the land grant conditions are duly observed, failing which the land may be re-entered by Government.

The leases will also be updated to ensure that the new conditions mentioned above will be included to regulate the safety standards of golf activities on site.

Home Affairs Bureau
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Annex

**The locations
of the existing private golf driving ranges in Hong Kong**

Areas/Districts	Existing Golf Driving Ranges
Hong Kong Island	South China Athletic Association
Kowloon	Jordan Road Former Kai Tak Airport
Tsuen Wan	Hilltop Country Club, Lo Wai
North West NT	Lok Ma Chau Lau Fau Shan Mai Po
Sha Tin	Whitehead, Ma On Shan
Sai Kung/Tai Po	Ho Chung Tai Po Tsai Tseng Tau, Shap Sz Heung