LEGISLATIVE COUNCIL BRIEF

PUBLIC HEALTH AND MUNICIPAL SERVICES SETTING ASIDE PLACES FOR USE AS PUBLIC PLEASURE GROUNDS

INTRODUCTION

The Director of Leisure and Cultural Services, in his 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 for Use as Public Pleasure Grounds) (No. 2) Order 2009 (Order No. 2) at <u>Annex A</u> and the Public Health and Municipal Services Ordinance (Amendment of Fourth Schedule) (No. 2) Order 2009 (Amendment Order) at <u>Annex B</u> to this Brief to -
 - (a) set aside the places specified in the Schedule at Order No. 2 for use as public pleasure grounds; and
 - (b) rename the public pleasure ground specified in the Amendment Order.

JUSTIFICATIONS

3. The proposal to set aside 11 new venues as public pleasure grounds will enable the Authority to enforce the regulations relating to these public pleasure grounds for proper management. Another one venue should be renamed to better reflect the permanent nature of the venue.

Places to be set aside for use as public pleasure grounds

- 4. The following 11 new venues are required to be designated as public pleasure grounds and are to be included in the Fourth Schedule
 - (i) 10 new venues that are already open or will be open for public use by the Leisure and Cultural Services Department (LCSD):
 - (a) Ap Lei Chau Wind Tower Park
 - (b) Central Pier Waterfront
 - (c) Choi Wan Road Sitting-out Area
 - (d) Chui Yu Road Rest Garden
 - (e) Lingnan Playground
 - (f) Ngau Chi Wan Park
 - (g) North Point Salt Water Service Reservoir Sitting-out Area
 - (h) Po Kong Village Road Park
 - (i) San Wan Road Sitting-out Area
 - (j) Shek Yam Lei Muk Road Park
 - (ii) One venue that is taken over from the Yuen Long District Council for management by LCSD:

Ha Chuk Yuen Sitting-out Area

Renaming of public pleasure ground

5. To better reflect the nature of the venue, we recommend renaming Pok Fu Lam Village Temporary Sitting-out Area to Pok Fu Lam Village Sitting-out Area No. 1 in the Fourth Schedule as the venue is no longer temporary in nature. The renaming is supported by the Southern District Council.

AMENDMENT OF FOURTH SCHEDULE

6. The Amendment Order at <u>Annex B</u> amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) to update the list of public pleasure grounds and to rename one public pleasure ground.

LEGISLATIVE TIMETABLE

7. The legislative timetable is as follows –

Publication in the Gazette 12 June 2009
Tabling at the Legislative Council 17 June 2009
for negative vetting

PUBLIC CONSULTATION AND PUBLICITY

8. We have consulted the respective District Councils which support the proposals. The addition and renaming 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 3 June 2009

PUBLIC HEALTH AND MUNICIPAL SERVICES (SETTING ASIDE PLACES FOR USE AS PUBLIC PLEASURE GROUNDS) (NO. 2) 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.

SCHEDULE

[s. 1]

PLACES SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

PART 1

HONG KONG ISLAND

Ap Lei Chau Wind Tower Park
Central Pier Waterfront
North Point Salt Water Service Reservoir Sitting-out Area

PART 2

KOWLOON

Choi Wan Road Sitting-out Area
Chui Yu Road Rest Garden
Ngau Chi Wan Park
Po Kong Village Road Park

PART 3

THE NEW TERRITORIES

Ha Chuk Yuen Sitting-out Area Lingnan Playground San Wan Road Sitting-out Area Shek Yam Lei Muk Road Park

(Thomas Chow)
Director of Leisure and Cultural
Services

29 May 2009

Explanatory Note

This Order sets aside certain places for use as public pleasure grounds.

PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE (AMENDMENT OF FOURTH SCHEDULE) (NO. 2) 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 "Ap Lei Chau Wind Tower Park":
 - (b) by adding "Central Pier Waterfront":
 - (c) by adding "North Point Salt Water Service Reservoir Sitting-out Area";
 - (d) by adding "Pok Fu Lam Village Sitting-out Area No. 1":
 - (e) by repealing "Pok Fu Lam Village Temporary 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 Wan Road Sitting-out Area":
 - (b) by adding "Chui Yu Road Rest Garden":
 - (c) by adding "Ngau Chi Wan Park":
 - (d) by adding "Po Kong Village Road Park".
- (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 "Ha Chuk Yuen Sitting-out Area";
 - (b) by adding "Lingnan Playground":
 - (c) by adding "San Wan Road Sitting-out Area";
 - (d) by adding "Shek Yam Lei Muk Road Park".

(Thomas Chow)
Director of Leisure and Cultural
Services

29 May 2009

Explanatory Note

This Order amends the Fourth Schedule to the Public Health and Municipal Services Ordinance (Cap. 132) in order to –

- (a) update the list of public pleasure grounds; and
- (b) rename "Pok Fu Lam Village Temporary Sitting-out Area" as "Pok Fu Lam Village Sitting-out Area No. 1".