

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 2014 (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 the places specified in Schedule 2 of the Amendment Order 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 17 venues as public pleasure grounds will enable the Authority to enforce the Pleasure Grounds Regulation in those venues. We also propose to delete four venues from the Fourth Schedule as they cease to be used as public pleasure grounds and to rename the Chinese name of one venue.

PLACES TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

4. The following 17 venues will be designated as public pleasure

grounds and be included in the Fourth Schedule —

- (i) Ten newly completed and existing venues that are or will open for public use by the Leisure and Cultural Services Department (LCSD):
 - (a) Chung Yee Street Garden
 - (b) Fuk Man Garden
 - (c) Hang Fai Street Park
 - (d) Hoi Fai Road Promenade
 - (e) Kwun Tong Recreation Ground
 - (f) On Muk Street Garden
 - (g) San Pak She Street Sitting-out Area No. 6, Cheung Chau
 - (h) San Pak She Street Sitting-out Area No. 7, Cheung Chau
 - (i) Tin Yip Road Sitting-out Area
 - (j) Tseung Kwan O Waterfront Park

- (ii) Seven venues that are taken over from the Home Affairs Department (HAD) for management by LCSD :
 - (a) Lam Tei Pet Garden
 - (b) Praya Street Sitting-out Area
 - (c) Quarry Bay Salt Water Service Reservoir Sitting-out Area
 - (d) Tai Ha Street Garden
 - (e) Tai Hing North Sitting-out Area
 - (f) Tai Kwai Wan Garden
 - (g) Tung Koon San Tsuen Sitting-out Area

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

5. Four venues, namely Aberdeen Waterfront Garden, Hong Ning Road Children's Playground, Yan Oi Court Garden and Hip Wo Street/Mut Wah Street Sitting-out Area will be deleted from the Fourth Schedule as they have ceased to be public pleasure grounds. The Aberdeen Waterfront Garden and Aberdeen Promenade have been collectively renamed as Aberdeen Promenade while the Hong Ning Road Children's Playground, Yan Oi Court Garden and Hip Wo Street/Mut

Wah Street Sitting-out Area have been handed over to Lands Department for development of Kwun Tong Town Centre Project by the Urban Renewal Authority.

RENAMING OF PUBLIC PLEASURE GROUND

6. The Chinese name of Aberdeen Promenade (香港仔海濱花園) will be renamed as “香港仔海濱公園” after its refurbishment together with Aberdeen Waterfront Garden. The renaming is supported by the Southern 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	21 November 2014
Tabling at the Legislative Council	26 November 2014

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 Miss Margrit LI, Assistant Director (Leisure Services)1, at 2601 8966 for enquiries on this subject.

Leisure and Cultural Services Department

14 November 2014

**Public Health and Municipal Services Ordinance
(Public Pleasure Grounds) (Amendment of Fourth
Schedule) (No. 2) Order 2014**

(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.

Schedule 1

[s. 1]

Places Set Aside for Use as Public Pleasure Grounds

Part 1

Hong Kong Island

Quarry Bay Salt Water Service Reservoir Sitting-out Area

Part 2

Kowloon

Chung Yee Street Garden
Hoi Fai Road Promenade
Kwun Tong Recreation Ground

Part 3

The New Territories

Fuk Man Garden
Hang Fai Street Park
Lam Tei Pet Garden
On Muk Street Garden
Praya Street Sitting-out Area
San Pak She Street Sitting-out Area No. 6, Cheung Chau

San Pak She Street Sitting-out Area No. 7, Cheung Chau
Tai Ha Street Garden
Tai Hing North Sitting-out Area
Tai Kwai Wan Garden
Tin Yip Road Sitting-out Area
Tseung Kwan O Waterfront Park
Tung Koon San Tsuen Sitting-out Area

Schedule 2

[s. 2]

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

Part 1

Hong Kong Island

Aberdeen Waterfront Garden

Part 2

Kowloon

Hip Wo Street/Mut Wah Street Sitting-out Area
Hong Ning Road Children's Playground
Yan Oi Court Garden

Schedule 3

[s. 3]

Amendments to Public Health and Municipal Services Ordinance

1. Fourth Schedule amended (public pleasure grounds)

- (1) Fourth Schedule, Chinese text, list of public pleasure grounds (other than bathing beaches), under heading “香港島”—

Repeal

“香港仔海濱花園”

Substitute

“香港仔海濱公園”.

- (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—

Repeal

“Aberdeen Waterfront Garden”.

- (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—

Add in alphabetical order

“Quarry Bay Salt Water Service Reservoir Sitting-out Area”.

- (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—

(a) **Repeal**

“Hip Wo Street/Mut Wah Street Sitting-out Area”;

(b) **Repeal**

“Hong Ning Road Children’s Playground”;

(c) **Repeal**

“Yan Oi Court Garden”.

- (5) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—

Add in alphabetical order

“Chung Yee Street Garden

Hoi Fai Road Promenade

Kwun Tong Recreation Ground”.

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

Add in alphabetical order

“Fuk Man Garden

Hang Fai Street Park

Lam Tei Pet Garden

On Muk Street Garden

Praya Street Sitting-out Area

San Pak She Street Sitting-out Area No. 6, Cheung Chau

San Pak She Street Sitting-out Area No. 7, Cheung Chau

Tai Ha Street Garden

Tai Hing North Sitting-out Area

Tai Kwai Wan Garden

Tin Yip Road Sitting-out Area

Tseung Kwan O Waterfront Park

Tung Koon San Tsuen Sitting-out Area”.



(Ms Michelle LI)
Director of Leisure and Cultural
Services

14 November 2014

Explanatory Note

This Order sets aside 17 places for use as public pleasure grounds and provides that 4 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) reflect the changes mentioned in paragraph 1; and
 - (b) rename, in Chinese only, “香港仔海濱花園” as “香港仔海濱公園” for Aberdeen Promenade.