

## **LEGISLATIVE COUNCIL BRIEF**

### **PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE CHANGES TO PLACES SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS**

#### **INTRODUCTION**

The Director of Leisure and Cultural Services, in his capacity as the Authority (“Authority”) under Section 106(1) and (6) of the Public Health and Municipal Services Ordinance, Cap.132 (“the Ordinance”), may, from time to time, by order set aside places for use as public pleasure grounds, and may by order amend the Fourth Schedule to the Ordinance.

2. We propose to introduce amendments through the Public Health and Municipal Services Ordinance (Public Pleasure Grounds) (Amendment of Fourth Schedule) Order 2020 (“the Amendment Order”) to set aside the fourteen places specified in Schedule 1 to the Amendment Order for use as public pleasure grounds and to rename two public pleasure grounds. The Amendment Order is at Annex to this Brief.

#### **JUSTIFICATIONS**

3. The proposal to set aside fourteen venues as public pleasure grounds will enable the Authority to enforce the Pleasure Grounds Regulation (Cap 132, subsidiary legislation BC) in those venues. We also propose to rename two public pleasure grounds.

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

4. The following fourteen venues will be designated as public pleasure grounds and be included in the Fourth Schedule to the Ordinance-

- (i) Two venues that are developed by Architectural Services Department for public use and handover to the Leisure and Cultural Services Department (LCSD) for management:

- (a) Central and Western District Promenade—Western Wholesale

Food Market Section

(b) Kai Tak Promenade (Hong Kong Children's Hospital Section)

(ii) Three venues that are taken over from the Home Affairs Department for management by LCSD:

(a) Pok Fu Lam No.3 Service Reservoir Sitting-out Area

(b) Sassoon Road Sitting-out Area

(c) Tai Po Tau Road Sitting-out Area

(iii) One venue that is taken over from Development Bureau:

(a) Battery Path Sitting-out Area

(iv) Four venues that are taken over from Civil Engineering and Development Department:

(a) Kai Tak Sky Garden

(b) Tuen Mun Cycling Entry/ Exit Hub

(c) Tin Shui Wai Cycling Entry/ Exit Hub

(d) Yuen Long Town Cycling Entry/ Exit Hub

(v) Four venues that are taken over from Housing Department:

(a) On Sau Road Park

(b) Sham Mong Road Playground

(c) Sham Shui Po Sports Centre

(d) Shek Mun Riverside Garden

## **RENAMING OF PUBLIC PLEASURE GROUNDS**

5. Lok Shan Road Playground is recommended to be renamed as Lok Shan Road Sitting-out Area in order to tie in with the reduction in size from 600 m<sup>2</sup> to 351m<sup>2</sup> with the provision of passive amenity only after the construction of Shatin-Central Link. Hence the nomenclature has been changed from "playground" to "sitting-out area".

6. Silver Mine Bay Viewing Deck (銀礦灣觀景台) is recommended to be renamed as Silver Mine Bay Viewing Deck (銀鑛灣觀景台) by making reference to the names of roads, village, geographical place and significant landmark in vicinity.

#### **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 February 2020
Tabling at the Legislative Council	26 February 2020

#### **PUBLIC CONSULTATION AND PUBLICITY**

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

#### **ENQUIRY**

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

**Leisure and Cultural Services Department**  
**17 February 2020**

**Public Health and Municipal Services Ordinance  
(Public Pleasure Grounds) (Amendment of Fourth  
Schedule) Order 2020**

(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. **Public Health and Municipal Services Ordinance amended**  
The Public Health and Municipal Services Ordinance (Cap. 132) is  
amended as set out in Schedule 2.

**Schedule 1**

[s. 1]

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

**Part 1**

**Hong Kong Island**

Battery Path Sitting-out Area  
Central and Western District Promenade—Western Wholesale Food Market  
Section  
Pok Fu Lam No. 3 Service Reservoir Sitting-out Area  
Sassoon Road Sitting-out Area

**Part 2**

**Kowloon**

Kai Tak Promenade (Hong Kong Children's Hospital Section)  
Kai Tak Sky Garden  
On Sau Road Park  
Sham Mong Road Playground  
Sham Shui Po Sports Centre

### Part 3

#### The New Territories

Shek Mun Riverside Garden  
Tai Po Tau Road Sitting-out Area  
Tin Shui Wai Cycling Entry/Exit Hub  
Tuen Mun Cycling Entry/Exit Hub  
Yuen Long Town Cycling Entry/Exit Hub

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### Schedule 2

[s. 2]

#### 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”—  
**Add in alphabetical order**  
“Battery Path Sitting-out Area  
Central and Western District Promenade—Western Wholesale Food Market Section  
Pok Fu Lam No. 3 Service Reservoir Sitting-out Area  
Sassoon Road Sitting-out Area”.
  - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
    - (a) **Repeal**  
“Lok Shan Road Playground”;
    - (b) **Add in alphabetical order**  
“Lok Shan Road Sitting-out Area”.
  - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—  
**Add in alphabetical order**  
“Kai Tak Promenade (Hong Kong Children’s Hospital Section)

Kai Tak Sky Garden  
On Sau Road Park  
Sham Mong Road Playground  
Sham Shui Po Sports Centre”.

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

**Add in alphabetical order**

“Shek Mun Riverside Garden  
Tai Po Tau Road Sitting-out Area  
Tin Shui Wai Cycling Entry/Exit Hub  
Tuen Mun Cycling Entry/Exit Hub  
Yuen Long Town Cycling Entry/Exit Hub”.

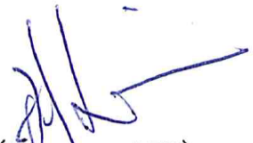
- (5) Fourth Schedule, Chinese text, list of public pleasure grounds (other than bathing beaches), under heading “新界”—

(a) **Repeal**

“銀鑛灣觀景台”;

(b) **Add according to the number of strokes**

“銀鑛灣觀景台”.

  
(Vincent LIU)  
Director of Leisure and Cultural  
Services

14 February 2020

### Explanatory Note

This Order sets aside 14 places 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 14 places mentioned in paragraph 1; and
  - (b) reflect that—
    - (i) “Lok Shan Road Playground” has been renamed as “Lok Shan Road Sitting-out Area”; and
    - (ii) “Silver Mine Bay Viewing Deck” has been renamed, in Chinese only, from “銀礦灣觀景台” to “銀鑛灣觀景台”.