

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) (No. 2) Order 2020 (“the Amendment Order”) to set aside fifty seven places specified in Schedule 1 to the Amendment Order for use as public pleasure grounds and to rename five public pleasure grounds. The Amendment Order is at Annex to this Brief.

JUSTIFICATIONS

3. The Ombudsman (OMB) announced in August 2019 to conduct a direct investigation to examine the arrangements of the LCSD for depositing layout plans of public pleasure grounds in the Land Registry (LR). We conducted a thorough review in response to the OMB’s recommendations. During the checking process of public pleasure grounds without deposit plans deposited in the LR, it was identified that fifty two existing venues were not yet set aside for use as public pleasure grounds under the Fourth Schedule to the Ordinance.

4. The proposal to set aside fifty seven venues (of which five are new 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 five public pleasure grounds.

PLACE TO BE SET ASIDE FOR USE AS PUBLIC PLEASURE GROUNDS

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

- (1) Centre Street Market Sitting-out Area
- (2) Hill Road Sitting-out Area
- (3) Kennedy Town Bus Terminus Sitting-out Area
- (4) Macau Ferry Bus Terminal Sitting-out Area
- (5) Pier 2 Garden
- (6) Po Shan Road Sitting-out Area
- (7) Smithfield Sitting-out Area
- (8) Cape Collinson Road Garden
- (9) Island East Sports Centre Sitting-out Area
- (10) Tai Hau Wan Village Sitting-out Area
- (11) Victoria Road / Sandy Bay Road Sitting-out Area
- (12) Victoria Road Sitting-out Area
- (13) Queen's Road East / Swatow Street Sitting-out Area
- (14) Tai Hang Road / Perkins Road Sitting-out Area
- (15) Wan Chai Gap Road Sitting-out Area
- (16) Wong Nai Chung Gap Children's Playground
- (17) Lion Rock Road Pedestrian Subway Sitting-out Area
- (18) Cheung Shek Road Gateball Court#
- (19) Chung Hing Praya Street Sitting-out Area
- (20) Hau Wong Temple Children's Playground, Tung Chung
- (21) Kam Fa Temple Garden, Peng Chau
- (22) Lo Tik Wan Barbecue Area
- (23) Mui Wo River Silver Garden
- (24) Peng Lei Road Sitting-out Area
- (25) San Tau Garden, Tai O
- (26) Sha Lo Wan Soccer Pitch
- (27) Shap Long Sitting-out Area
- (28) Shek Mun Kap Sitting-out Area, Tung Chung
- (29) Sok Kwu Wan Tin Hau Temple Sitting-out Area

- (30)Tin Fuk Ting Garden
- (31)Tung Chung Community Garden
- (32)Tung Chung Sitting-out Area
- (33)Kwai Fuk Road Community Garden
- (34)Kwai Shing Service Reservoir Sitting-out Area
- (35)Hang Tau Road Sitting-out Area#
- (36)Ki Lun Tsuen Playground#
- (37)Wo Keng Shan Road Garden#
- (38)Mau Wu Tsai Soccer Pitch
- (39)Shui Bin Tsuen Sitting-out Area
- (40)7 1/2 Mile Stone Tai Po Road Rest Garden
- (41)Tai Wai New Village Sitting-out Area
- (42)Yi Shing Square Rest Garden
- (43)Tai Po Lung Mei Beach#
- (44)Tai Po Waterfront Angling Corner
- (45)Choi Yuen Garden
- (46)Ting Kau Sitting-out Area
- (47)Yuk Sau Garden
- (48)Cafeteria Old Beach Sitting-out Area
- (49)Hung Lau Sitting-out Area
- (50)Nai Wai Children's Playground
- (51)Nai Wai Garden
- (52)Shek Pai Tau Sitting-out Area
- (53)Tseng Choi Sitting-out Area
- (54)Tsing Yeung Sitting-out Area
- (55)Tuen Mun Heung Sze Wui Road Sitting-out Area
- (56)Tuen Tsz Wai Children's Playground
- (57)Shui Tau Road Sitting-out Area

New venue

RENAMING OF PUBLIC PLEASURE GROUNDS

6. The following five venues are recommended to be renamed either to tie in with the change of land status from temporary land allocation to permanent land allocation or to make reference to the official names of the roads where the venues are located.

Existing names of Public Pleasure Grounds	Proposed names under renaming	Reason for renaming
High West Picnic Area (temporary) 高西郊遊區(臨時)	High West Picnic Area 高西郊遊區	to tie in with the change of land status from temporary land allocation to permanent land allocation
Lok Hing Lane Temporary Sitting-out Area 樂慶里臨時休憩處	Lok Hing Lane Sitting-out Area 樂慶里休憩處	
Smithfield Road Children's Playground 士美非路兒童遊樂場	Smithfield Children's Playground 士美菲路兒童遊樂場	to make reference to the official name of the road where the venue is located
Mody Road Garden 摩地道花園	Mody Road Garden 麼地道花園	
Waterloo Road/Wylie Road Sitting-out Area 窩打老道／衛理道休憩處	Waterloo Road/Wylie Road Sitting-out Area 窩打老道／衛理道休憩處	

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 5 and 6 above.

LEGISLATIVE TIMETABLE

8. The legislative timetable is as follows –

Publication in the Gazette
Tabling at the Legislative Council

15 May 2020
20 May 2020

PUBLICITY

9. 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)1, at 2601 8966 for enquiries on this subject.

Leisure and Cultural Services Department

14 May 2020

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

Cape Collinson Road Garden
Centre Street Market Sitting-out Area
Hill Road Sitting-out Area
Island East Sports Centre Sitting-out Area
Kennedy Town Bus Terminus Sitting-out Area
Macau Ferry Bus Terminal Sitting-out Area
Pier 2 Garden
Po Shan Road Sitting-out Area
Queen's Road East/Swatow Street Sitting-out Area
Smithfield Sitting-out Area
Tai Hang Road/Perkins Road Sitting-out Area
Tai Hau Wan Village Sitting-out Area
Victoria Road/Sandy Bay Road Sitting-out Area
Victoria Road Sitting-out Area
Wan Chai Gap Road Sitting-out Area
Wong Nai Chung Gap Children's Playground

Part 2

Kowloon

Lion Rock Road Pedestrian Subway Sitting-out Area

Part 3

The New Territories

Cafeteria Old Beach Sitting-out Area

Cheung Shek Road Gateball Court

Choi Yuen Garden

Chung Hing Praya Street Sitting-out Area

Hang Tau Road Sitting-out Area

Hau Wong Temple Children's Playground, Tung Chung

Hung Lau Sitting-out Area

Kam Fa Temple Garden, Peng Chau

Ki Lun Tsuen Playground

Kwai Fuk Road Community Garden

Kwai Shing Service Reservoir Sitting-out Area

Lo Tik Wan Barbecue Area

Mau Wu Tsai Soccer Pitch

Mui Wo River Silver Garden

Nai Wai Children's Playground

Nai Wai Garden

Peng Lei Road Sitting-out Area

San Tau Garden, Tai O

Sha Lo Wan Soccer Pitch

Shap Long Sitting-out Area

Shek Mun Kap Sitting-out Area, Tung Chung

Shek Pai Tau Sitting-out Area

Shui Bin Tsuen Sitting-out Area

Shui Tau Road Sitting-out Area

Sok Kwu Wan Tin Hau Temple Sitting-out Area

Tai Po Lung Mei Beach

Tai Po Waterfront Angling Corner

Tai Wai New Village Sitting-out Area

Tin Fuk Ting Garden

Ting Kau Sitting-out Area

Tseng Choi Sitting-out Area

Tsing Yeung Sitting-out Area

Tuen Mun Heung Sze Wui Road Sitting-out Area

Tuen Tsz Wai Children's Playground

Tung Chung Community Garden

Tung Chung Sitting-out Area

Wo Keng Shan Road Garden

Yi Shing Square Rest Garden

Yuk Sau Garden

7 1/2 Mile Stone Tai Po Road Rest Garden

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”—
 - (a) **Repeal**
“High West Picnic Area (temporary)”;
 - (b) **Add in alphabetical order**
“High West Picnic Area”.
 - (2) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—
 - (a) **Repeal**
“Lok Hing Lane Temporary Sitting-out Area”;
 - (b) **Add in alphabetical order**
“Lok Hing Lane Sitting-out Area”.
 - (3) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—
 - (a) **Repeal**
“Smithfield Road Children’s Playground”;
 - (b) **Add in alphabetical order**
“Smithfield Children’s Playground”.

- (4) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Hong Kong Island”—
Add in alphabetical order
“Cape Collinson Road Garden
Centre Street Market Sitting-out Area
Hill Road Sitting-out Area
Island East Sports Centre Sitting-out Area
Kennedy Town Bus Terminus Sitting-out Area
Macau Ferry Bus Terminal Sitting-out Area
Pier 2 Garden
Po Shan Road Sitting-out Area
Queen’s Road East/Swatow Street Sitting-out Area
Smithfield Sitting-out Area
Tai Hang Road/Perkins Road Sitting-out Area
Tai Hau Wan Village Sitting-out Area
Victoria Road/Sandy Bay Road Sitting-out Area
Victoria Road Sitting-out Area
Wan Chai Gap Road Sitting-out Area
Wong Nai Chung Gap Children’s Playground”.
- (5) Fourth Schedule, list of public pleasure grounds (other than bathing beaches), under heading “Kowloon”—
Add in alphabetical order
“Lion Rock Road Pedestrian Subway Sitting-out Area”.
- (6) Fourth Schedule, Chinese text, list of public pleasure grounds (other than bathing beaches), under heading “九龍”—
 - (a) **Repeal**

“窩打老道／衛理道休憩處”;

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

“窩打老道／衛理道休憩處”.

(7) Fourth Schedule, Chinese text, list of public pleasure grounds (other than bathing beaches), under heading “九龍”—

(a) **Repeal**

“摩地道花園”;

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

“麼地道花園”.

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

Add in alphabetical order

“Cafeteria Old Beach Sitting-out Area

Cheung Shek Road Gateball Court

Choi Yuen Garden

Chung Hing Praya Street Sitting-out Area

Hang Tau Road Sitting-out Area

Hau Wong Temple Children’s Playground, Tung Chung

Hung Lau Sitting-out Area

Kam Fa Temple Garden, Peng Chau

Ki Lun Tsuen Playground

Kwai Fuk Road Community Garden

Kwai Shing Service Reservoir Sitting-out Area

Lo Tik Wan Barbecue Area

Mau Wu Tsai Soccer Pitch

Mui Wo River Silver Garden

Nai Wai Children’s Playground

Nai Wai Garden

Peng Lei Road Sitting-out Area

San Tau Garden, Tai O

Sha Lo Wan Soccer Pitch

Shap Long Sitting-out Area

Shek Mun Kap Sitting-out Area, Tung Chung

Shek Pai Tau Sitting-out Area

Shui Bin Tsuen Sitting-out Area

Shui Tau Road Sitting-out Area

Sok Kwu Wan Tin Hau Temple Sitting-out Area

Tai Po Waterfront Angling Corner

Tai Wai New Village Sitting-out Area

Tin Fuk Ting Garden

Ting Kau Sitting-out Area

Tseng Choi Sitting-out Area

Tsing Yeung Sitting-out Area

Tuen Mun Heung Sze Wui Road Sitting-out Area

Tuen Tsz Wai Children’s Playground

Tung Chung Community Garden

Tung Chung Sitting-out Area

Wo Keng Shan Road Garden

Yi Shing Square Rest Garden

Yuk Sau Garden

7 1/2 Mile Stone Tai Po Road Rest Garden”.

- (9) Fourth Schedule, list of bathing beaches, under heading “The New Territories”—

Add in alphabetical order

“Tai Po Lung Mei Beach”.


(Vincent LIU)
Director of Leisure and Cultural
Services

11 May 2020

Explanatory Note

This Order sets aside 57 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 57 places mentioned in paragraph 1; and
 - (b) reflect that—
 - (i) “High West Picnic Area (temporary)” has been renamed as “High West Picnic Area”;
 - (ii) “Lok Hing Lane Temporary Sitting-out Area” has been renamed as “Lok Hing Lane Sitting-out Area”;
 - (iii) “Smithfield Road Children’s Playground” has been renamed as “Smithfield Children’s Playground”;
 - (iv) “Waterloo Road/Wylie Road Sitting-out Area” has been renamed, in Chinese only, from “窩打老道／衛理道休憩處” to “窩打老道／衛理道休憩處”;
 - and
 - (v) “Mody Road Garden” has been renamed, in Chinese only, from “摩地道花園” to “麼地道花園”.