

LCQ3: Amateur Chinese opera performances at Tuen Mun Park

Following is a question by the Hon Selina Chow and a reply by the Secretary for Home Affairs, Dr Patrick Ho, in the Legislative Council today (June 14):

Question:

It has been reported that some amateur Chinese opera performers stage their performances at Tuen Mun Park from time to time and attract crowds of on-lookers. However, the noise from their loudspeakers causes nuisance to some nearby residents. Since the middle of last year, the Leisure and Cultural Services Department ("LCSD") has received a number of complaints about the noise from the performers' loudspeakers. On several occasions, when LCSD officers handled the complaints at the scene, conflicts with the performers and the on-lookers occurred. In this connection, will the Government inform this Council:

- (a) of the total number of complaints received by LCSD since the middle of last year about the noise generated by the Chinese opera performers using loudspeakers at Tuen Mun Park; and how such complaints are normally handled;
- (b) whether LCSD has conducted any on-site investigations and assessments at Tuen Mun Park in response to these complaints and look for other venues outside Tuen Mun Park for long-term use by the Chinese opera performers; and
- (c) whether the gathering of Chinese opera performers and enthusiasts at Tuen Mun Park is due to the authorities' failure to provide sufficient and suitable venues in other parts of Tuen Mun that are convenient to these performances?

Reply:

Madam President,

My reply is as follows:

In handling the complaints lodged by the residents near Tuen Mun Park about

noise nuisance arising from the use of loudspeakers by music performers in the Park, the Government first adopts an educational and advisory approach and will take enforcement action when necessary for a warning effect. However, I would like to point out that the Government welcomes the holding of leisure activities, including music playing and singing, by members of the public in parks. At the same time, we also hope that the users can show mutual respect to avoid causing nuisance to other users or people (including the nearby residents) by these activities.

Since August 2003, some music performance enthusiasts have been carrying out activities with simple Chinese musical instruments at the Amphitheatre of Tuen Mun Park every afternoon. There were not many onlookers at that time and no excessive noise was generated from the activities. However, by mid-2004, the numbers of music performers and musical instruments used for their performances were gradually on the rise. Some music performing groups began to carry out their activities at locations outside the Amphitheatre of the Park. The number of onlookers increased from about a dozen to over 100.

As the Amphitheatre is the only designated performing venue of the Park, the LCSD began to require all music performing groups holding activities in the Amphitheatre to make applications and observe the provisions on noise control with effect from December 2004. The staff of the LCSD will measure whether the noise generated by the music performing groups exceeds the sound limit of 70 decibels. If the limit is exceeded, the LCSD will issue warning letters to the performing groups concerned. In case of repeated offences, it will cancel all their bookings for the use of the Amphitheatre previously approved.

Although these measures were effective in the beginning, the number of performers began to rise significantly starting from August and September 2005. Also, they conducted their activities at locations outside the Amphitheatre with loudspeakers to enhance the volume in order to attract more onlookers. As a result, the residents of the housing flats near Tuen Mun Park lodged complaints about the noise nuisance generated by these activities. The number of complaints increased from 89 in 2004 to 205 in 2005.

In view of the fact that most of the music performers and the audience in the Park are the elderly, the LCSD considered that educational and publicity measures should first be enhanced to encourage them to exercise self-discipline. Therefore, the LCSD, after consultation with the Leisure and Culture Committee of the Tuen

Mun District Council and with its support, decided that from November 2005 onwards the use of loudspeakers was prohibited in all areas of the Park except the Amphitheatre which has been designated for performances. Such measures were implemented on a trial basis for three months. The Department launched extensive publicity of the measures in the Park. The LCSD staff, in conjunction with members of Tuen Mun District Council, also distributed leaflets in the Park to advise the performing groups to exercise self-discipline and use alternative venues, such as Tin Hau Square, Squash Courts of Tuen Mun Swimming Pool and community halls for their activities. Furthermore, the LCSD and the law enforcement authorities concerned also made arrangements for the necessary enforcement actions.

Unfortunately, the trial measures were not as effective as expected. For the four months between November 2005 and February 2006, the Department had received 418 complaints on the issue. In light of the aggravated noise problem and ineffectiveness of the educational and advisory measures, the LCSD after consultation with the Leisure and Culture Committee of the Tuen Mun District Council and with its support, carried out a joint operation with the Environment Protection Department and the Police to enforce the Noise Control Ordinance in February 2006. Since then, the Park management staff have continued to monitor closely the music performances in the Park and advised people intended to use loudspeakers in the Park to refrain from doing so in order to avoid causing noise nuisance. After the enforcement action and advice given by our Park management staff in an active manner, most of the performing groups have exercised self-discipline and hence the number of complaints has substantially decreased. Only 17 complaints were received during last month (i.e. May).

At the same time, the LCSD has been working actively in the past few months with the "Working Group on Issue Related to Tuen Mun Park" under the Leisure and Culture Committee of Tuen Mun District Council to study other facilitative measures. Representatives of the performing groups and nearby residents have been invited to attend the meetings of the working group to give their views. After discussions and deliberations among the parties concerned, the following four measures have been decided:

(i) A "Tuen Mun District Cultural and Music Performance Promotion Scheme" will be launched, under which venues will be on hire to interested groups free of charge so as to ease the demands of the performing groups and their supporting audience. These venues include the Squash Courts of Tuen Mun Swimming Pool, Tin Hau Square,

Shan King Community Hall and Tuen Mun Town Centre Community Hall. As for Tuen Mun Park, two self-entertainment zones will be set up for group performances apart from the Amphitheatre. However, the performers are not allowed to use loudspeakers to avoid creating noise disturbances. The "Tuen Mun District Cultural and Music Performance Promotion Scheme" will be implemented on a trial basis for three months from June 16 to September 17 and is subject to review depending on the usage of the scheme. The initial response to the promotion scheme is good as the LCSD has received applications from a total of 15 performing groups for use of these venues in June and July. Allocation of venues was made by open balloting on June 10;

(ii) Through liaison with the Social Welfare Department and the Tuen Mun District Office of the Home Affairs Department, arrangements will be made for the staff of district elderly community centres to hold service publicity activities at Tuen Mun Park to promote the community activities in the district. The performing groups will also be encouraged through match making to stage performances and showcase their talent on a voluntary basis at the community service units in the district;

(iii)The LCSD has also arranged a number of entertainment programmes free of charge at Tuen Mun Park to cater for the need of park users;

(iv)Noise barriers or noise abatement facilities will be installed at the Amphitheatre of Tuen Mun Park to reduce the noise generated from the Amphitheatre and relieve the noise nuisance caused to Kam Wah Garden and the Trend Plaza in the vicinity of the Park.

There are many suitable and convenient performing venues in Tuen Mun district, which include seven community halls/ centers, the dancing room, music room and cultural activities hall in Tuen Mun Town Hall, individual squash courts and the activity rooms in indoor recreation centers, etc. Citizens are welcome to hire such venues for music performance. During last year, local organisations including music performing groups had hired the facilities at Tuen Mun Town Hall, community halls and community centers for over 5,000 sessions. Existing utilisation rate can still cater for more hiring by group users.

We appreciate that individual performing groups and some people are more fond of impromptu singing activities on the street. We believe that through the "Tuen Mun District Cultural and Music Performance Promotion Scheme", we can introduce

to these people alternative performing venues in the district which are not in the proximity of residential buildings so that their needs can be met without causing noise nuisance to the residents nearby.

Finally, I would like to reiterate that singing and dancing for self-entertainment in parks is not a problem at all provided that no nuisance is caused to other people. However, we must respect each other. While we respect people's right of singing, dancing and self-entertainment, it is hoped that they will respect other people's right of having peace. Only with mutual respect, can we have a harmonious society.

Ends/Wednesday, June 14, 2006

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