

REVIEW OF APPLICATION NO. A/H19/79
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

**Proposed Holiday Camp (Open Deck Extension and Boat Storage Area) at
a Strip of Government Land to the North of
The Hong Kong Federation of Youth Groups Stanley Holiday Camp,
Stanley Bay, Hong Kong**

1. Background

1.1 On 15.3.2019, the applicant, the Hong Kong Federation of Youth Groups (HKFYG) sought planning permission under s.16 of the Town Planning Ordinance (the Ordinance) to develop a proposed open deck extension with boat storage at the application site (the Site). The Site falls within an area zoned “Government, Institution or Community” (“G/IC”) on the approved Stanley Outline Zoning Plan (OZP) No. S/H19/12 (**Plan R-1**). According to the Notes of the OZP, ‘Holiday Camp’ is a Column 2 use within the “G/IC” zone which requires planning permission from the Town Planning Board (the Board).

1.2 On 16.8.2019, the Metro Planning Committee (MPC) of the Board decided to reject the application for the following reason:

the proposed development is not in keeping with the natural character of the Site and the surrounding area. No strong planning justification has been given in the submission in support of the proposed development.

1.3 For Members’ reference, the following documents are attached:

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| (a) MPC Paper No. A/H19/79A | (Annex A) |
| (b) Extract of minutes of the MPC meeting held on 16.8.2019 | (Annex B) |
| (c) Secretary of the Board’s letter dated 6.9.2019 | (Annex C) |

2. Application for Review

2.1 On 19.9.2019, the applicant applied, under section 17(1) of the Ordinance, for a review of the MPC’s decision to reject the application (**Annex D**). In support of the review, the applicant has submitted the following documents:

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|--|-------------------|
| (a) Written Submission dated 20.2.2020 (<i>superseded the written submission dated 29.11.2019, accepted and exempted from publication and recounting requirements</i>) | (Annex E1) |
| (b) Further Information dated 25.2.2020 (<i>accepted and exempted from publication and recounting requirements</i>) | (Annex E2) |

2.2 In the s.17 review application, the applicant proposes to reduce the scale of the proposed development and refine the design of the proposed open deck extension and boat storage area (**Drawings R-1 and R-2**). The applicant also proposes design measures such as adopting a curvilinear deck structure, natural-coloured façade design and additional greening to further mitigate the visual impacts. A comparison of the major development parameters of the proposed open deck extension and boat storage area between the original scheme under s.16 application and the current scheme under the review application is appended below:

	Original Scheme under s.16 Application (a)	Current Scheme under s.17 Review Application (b)	Difference (b) – (a) (%)
Site Area	about 147.2m ²	about 147.2m ²	0
Open Deck Area	135.1m ²	127.1m ²	- 8m ² (- 5.92%)
Boat Storage Area	123.5m ²	114.5m ²	- 9m ² (- 7.28%)
Site Coverage (SC)	91.8%	86.5%	-5.3% (- 5.77%)
No. of Storey	1	1	0
Building Height (BH)	3.15m	2.95m	- 0.2m (- 6.35%)
No. of Kayaks Stored	20 with associated equipment	20 with associated equipment and a rescue boat	+ 1 no. of rescue boat

2.3 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meetings originally scheduled for 28.2.2020 *and* 27.3.2020 for consideration of the review application ~~has~~ have been rescheduled, and the Board has agreed to adjourn consideration of the application. The review application is now scheduled for consideration by the Board at this meeting.

3. Justifications from the Applicant

The justifications put forth by the applicant in support of the review application are detailed in the applicant's submissions at **Annexes E1 and E2**. They can be summarized as follows:

Meeting the operational requirements of the Holiday Camp

(a) the proposed boat storage is located adjacent and ancillary to the proposed Holiday Camp under a separate planning application (No. A/H19/71) with a site area and gross floor area (GFA) of 455m² and 1,150m² respectively. There is a small kayak storage area on the G/F of the holiday camp with an area of 33.5m² which can only accommodate 20 kayaks and associated equipment (**Drawing R-5**). It is not enough to fulfil the needs of 88 overnight and 40 day campers. The proposed boat storage under the review application can accommodate an extra number of 20 kayaks and associated equipment in a proximate location to the seafront. The proposed boat

storage could also accommodate a rescue speedboat for speedy rescue services (**Drawing R-2**). Whilst two sessions at the morning and afternoon will be arranged taking into account safety reason and manageable group size, it is desirable to allow a maximum of four classes, with 9 participants and 1 coach in each class for each session. Hence, a total of 40 kayaks is required;

- (b) the design of proposed Holiday Camp has maximized the site area. The site is bounded by areas under Government Short Term Tenancy No. SHX988 which belongs to Hong Kong Sea Cadet Corps Jubilee Centre and, hence, the HKFYG is not allowed to use the open space to its south to construct boat storage shelter. Maintaining a 1.5m to 2m wide open spaces within the site around the Holiday Camp building is also necessary for circulation, Barrier Free Access and Means of Escape route (**Drawing R-1**). With additional 3.8m (w) x 30m (l) extended open deck, together with the circulation space, a total additional safe and flat space of 5.8m (w) (2m+3.8m) x 30m (l) at seaside can be provided. Such safe and flat space are necessary for group activity, coaching and safety briefing. Moreover, the open deck also allows higher utilization of the coastline area, which would be located near the kayak storage than the roof of the Holiday Camp for better demonstration of the kayaking skills during the coaching;

Refined design scheme

- (c) in order to minimise the visual impacts, enhance better natural character and ensure the proposed development could blend in with the surrounding natural environment, the following design refinement and measures have been introduced (**Drawing R-11**):
- (i) efforts are put to slightly reduce and minimize the development scale. The visual impact vertically would be similar in existing condition and further extension;
 - (ii) the proposed earth tone of fair-faced concrete surface and curved shape of the vertical can visually minimise the bulkiness of the structure along the coastline and acts as a wave absorption seawall. The use of concrete structure instead of semi-opened steel structure for the boat storage area is necessary to resist strong waves during typhoon. The staircase in the original scheme under s.16 submission is deleted to visually minimize the elongated structure along the coastline. The entrance door is shifted to the eastern side and located near to the existing slipway, thus it would not affect the continuity of the pebbles and stones;
 - (iii) the edge of extended deck and boat storage area are set back from high water mark approximate 200mm to 700mm, such that shrubs or small trees could be planted in seaside along the coastline. The proposed deck extension would have minimal visual impact on the scenic value of the area; and
- (d) the extension and total area of pebbles and stones along the coastline were inaccurately indicated at the Photomontages in the previous submission (Drawings A-7 to A-8 of **Annex A**). According to the aerial photos, it is noted that the reduction of the area of the shingle beach as a result of the proposed boat storage is relatively small.

4. The Section 16 Application

The Site and its Surrounding Areas (Plans R-1 to R-7)

- 4.1 The situation of the Site and its surrounding areas at the time of the consideration of the s.16 application by MPC was described in paragraphs 6.1 and 6.2 of **Annex A**. There has been no material change of the situation since then.

Planning Intention

- 4.2 The “G/IC” zone is intended primarily for the provision of GIC facilities to serve the needs of local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

Previous Application

- 4.3 There is no previous application covering the Site.

Similar Application

- 4.4 The applicant has submitted a similar application (No. A/H19/71) for ‘Holiday Camp’ use to redevelop the HKFYG Stanley Holiday Camp adjacent to the Site, which comprises a 4-storey building with 12 dormitory rooms and will provide water and land sports as well as day/overnight camp facilities to serve the youth and the community. The application was approved with conditions by the MPC on 17.4.2015. Details of the application is at Appendix II of **Annex A** and shown on **Plan R-1**.

5. Comments from Relevant Government Bureaux/Departments

- 5.1 Comments on the s.16 application made by relevant government bureaux/departments are stated in paragraph 8 of **Annex A**.
- 5.2 For the review application, the relevant government bureau/departments have been further consulted and their views on the review application are summarised as follows:

Policy Aspect

5.2.1 Comments of the Secretary for Home Affairs (SHA):

- (a) it is noted that the applicant has been providing campsite service with water sports activities on the site for years. With the proposed redevelopment, the applicant hoped to convert the site into a campsite providing mainly water sports and adventurous activities. According to the revised proposal of the applicant, it could provide a total of 40 kayaks and associated equipment to cater for a maximum of 128 campers (88 overnight and 40 day campers) on the site. Having considered the size of the original campsite, the capacity of

campers and the major activities to be provided in the campsite, it is considered that the applicant's latest claim is not unreasonable; and

- (b) he maintains his previous views on the s.16 application which are recapitulated below:

given the open deck extension and boat storage area proposed by HKFYG is in line with the policy objective, notably the provision of sports and recreational facilities in the territory, the Home Affairs Bureau (HAB) has given policy support for the proposed extension of the HKFYG Stanley Holiday Camp.

Visual Aspect

5.2.2 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) the Site is situated on the visually sensitive coastline of Stanley Bay, which together with its green backdrop, has high landscape and scenic values of the area. Apart from the Stanley old town, the existing seaside buildings immediately abutting the coastline of Stanley Bay are of low-rise nature ranging from 1 to 2 storeys. The proposed structure is of low-rise nature which is generally in keeping with the coastline setting; and
- (b) as compared with the previous scheme in the s.16 application stage, the applicant indicates that the scale of the proposed extension is currently reduced with GFA from 135.1m² to 127.1m² (-5.92%), SC from 91.8% to 86.5% (-5.77%) and BH from 3.15m to 2.95m (-6.35%). To refine the design, a number of measures are proposed, including curved shape of the vertical wall, natural colour with earth-tone of the fair-faced concrete surface, deletion of the staircase, relocation of the entrance of boat storage, and introduction of planters and greening. Such measures may, to a certain extent, help to soften the perceived bulk of the proposed extension.

5.2.3 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

- (a) no comment from architectural and visual impact point of view; and
- (b) based on the information and photomontages provided, the proposed open deck extension and boat storage area is considered compatible with surrounding areas.

Landscape Aspect

5.2.4 Comments of CTP/UD&L, PlanD:

- (a) no objection to the application from the landscape planning perspective in view that there is no significant change between the edge planting

provision of the proposed development and the proposed landscape treatment in the s.16 application;

- (b) she maintains her previous views on the s.16 application which are recapitulated below:
 - (i) according to the submitted information and site photo records, the Site is currently occupied by a temporary structure and covered by rocks near the coastline. With reference to the aerial photo, one no. of existing tree is observed within the site boundary. Nevertheless, the applicant reported this existing tree, i.e. *Ficus mircocarpa*, which had been proposed to be retained in the approved application No. A/H19/71, was recently collapsed due to Super Typhoon Mangkhut. Furthermore, this incident had been informed to the Lands Department (LandsD). As such, adverse landscape impact due to the proposed development is not anticipated. Similar low-rise activity centres are scattered along the beach and the proposed development is considered not incompatible with the existing landscape character;
 - (ii) should the Board approve the application, landscape condition is not recommended as there is inadequate space for quality landscaping within the Site; and
 - (iii) other detailed comments on the submission:
 - (1) the applicant is reminded to provide adequate soil volume and irrigation provision for the planting areas; and
 - (2) the applicant should review if the proposed plant species are suitable for the coastal environment.

Leisure and Recreational Aspects

5.2.5 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) no comment on the application as no Leisure and Cultural Services Department's facility would be affected; and
- (b) the Site is outside the boundary of St. Stephen's Beach Water Sports Centre and has a certain distance from St. Stephen Beach.

Drainage

5.2.6 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

- (a) no comment on the application from the drainage point of view; and
- (b) DSD has no programme nor site reserved for flood protection measures at the Site.

District Officer's View

5.2.7 Comments of the District Officer (Southern), Home Affairs Department (DO(S), HAD):

- (a) no comment on the application; and
- (b) he did not receive any comment from the public during the publication period.

5.3 The following government departments have no further comments on the review application and maintain their previous views on the s.16 application in paragraph 8 of **Annex A**, which are recapitulated as follows:

Land Administration

5.3.1 Comments of the District Lands Officer/Hong Kong West & South (DLO/HKW&S), LandsD:

- (a) major part of the Site lies on unleased and unallocated government land, i.e. beach and slipway area;
- (b) remaining part of the Site slightly encroaches onto the western part of the non-exclusive right of way (being used as an access to the sea) of Short Term Tenancy No. SHX-988 for the purposes of sailing training centre; and
- (c) the applicant is reminded that a detailed proposal should be submitted to LandsD for consideration and obtain the necessary approval before implementation of the proposal. Upon receipt of detailed application with policy support being given by HAB, LandsD will consider the application in accordance with applicable policy and practice and there is no guarantee that the application will be approved. The said application if approved would be subject to such terms and conditions, to be imposed by LandsD in the landlord capacity at its sole discretion.

Environment

5.3.2 Comments of the Director of Environmental Protection (DEP):

- (a) based on the information provided, he considers that there would be no adverse environmental impact as a result of the proposed development since the proposed development is small in scale (only 135m²) and the proposed use is not polluting in nature (boat storage). As such, he has no objection to the application and no approval condition is required by Environmental Protection Department; and
- (b) notwithstanding the above, since the proposed development is located at the coastline of Stanley Bay, the applicant is advised to observe and properly implement the relevant measures in "ProPECC PN 1/94 – Construction Site Drainage" to minimize the potential water quality

impact at the construction stage, and properly install gully grates at the proposed open deck to prevent rubbish from entering storm drains or nearby water bodies at the operation stage.

Building Aspect

5.3.3 Comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (CBS/HKE&H, BD):

- (a) no objection to the application;
- (b) as the Site does not abut any specified street not less than 4.5m wide, the development intensity including the height of a building, the maximum SC and maximum plot ratio (PR) permitted shall be determined by the Building Authority (BA) under the Regulation 19(3) of the Building (Planning) Regulations (B(P)R). In making a determination under B(P)R 19(3), BA will take into considerable factors relating to safety, traffic, servicing access, drainage discharge capacity and comments from relevant government departments. In this connection, he reserves further comments on the PR and SC until formal submission stage;
- (c) provision of access and facilities for persons with a disability should be complied with the requirements under B(P)R 72; and
- (d) detailed comments on compliance with the Buildings Ordinance would be given upon formal building plans submission.

Fire Safety Aspect

5.3.4 Comments of the Director of Fire Services (D of FS):

- (a) no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of the Fire Services Department (FSD). Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) as no detail of the emergency vehicular access (EVA) has been provided, comments could not be offered by FSD at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the *Code of Practice for Fire Safety in Building 2011* which is administrated by BD.

Licensing

5.3.5 Comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority(CO(LA)), HAD:

- (a) no objection to the application;

- (b) the applicant should submit a copy of the occupation permit for the proposed holiday camp together with the open deck extension with boat storage area when making an application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO); and
- (c) the licensing requirements will be formulated after inspections by his Building Safety Unit and Fire Safety Team upon receipt of an application under HAGAO.

5.4 The following government departments have no objection to or no comment on the review application:

- (a) Commissioner for Transport;
- (b) Chief Highway Engineer/Hong Kong, Highways Department;
- (c) Director of Agriculture, Fisheries and Conservation;
- (d) Director of Marine;
- (e) Antiquities and Monuments Office, Development Bureau;
- (f) Director of Electrical and Mechanical Services;
- (g) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- (h) Chief Engineer/Construction, Water Supplies Department; and
- (i) Commissioner of Police.

6. Public Comments Received During Statutory Publication Period

6.1 On 11.10.2019 and 13.12.2019, the review application and written submission were published for public inspection respectively. During the first three weeks of the statutory public inspection periods, a total of three opposing public comments from two individuals were received. The views of the commenters are i) supporting the MPC's decision of rejecting the s.16 application; ii) there is no justification to encroach the Site which is a 'public beach area' for private use; iii) the approval of the application will set an undesirable precedent; and iv) the Site should be reserved for flood protection measures. A full set of the public comments are at **Annex F** for Members' reference.

6.2 At the s.16 application stage, there is one supporting and one objecting comments received which are set out in paragraph 9 of **Annex A** and the full set is at Appendix III of **Annex A**.

7. Planning Considerations and Assessments

7.1 The application is to review the MPC's decision of rejecting a planning application for a proposed open deck extension with boat storage at a strip of government land in front of the proposed HKFYG Holiday Camp which was the subject of another planning application (No. A/H19/71) approved with conditions by MPC on 17.4.2015. At the s.16 application stage, PlanD has no objection to the application on the grounds that the proposal is in line with the planning intention of the "G/IC" zone; it is considered not incompatible with the surrounding area; policy support is given by SHA; and significant traffic, environmental, visual and landscape impacts are not

envisaged (paragraph 9 of **Annex A** refers). However, in considering the s.16 planning application, some Members had queries on the necessity and appropriateness of providing an open deck cum storage space at the Site. After deliberation, the MPC decided to reject the application on the ground that the proposed development is not in keeping with the natural character of the Site and the surrounding area, and there was no strong planning justification in the submission to support the proposed development.

Operational Need of the Holiday Camp

- 7.2 In the review application, the applicant has explained that the kayak storage area in the HKFYG Holiday Camp under approved application No. A/H19/71 could only accommodate 20 kayaks; and the provision is insufficient to meet the need of 88 overnight and 40 day campers for 4 classes to be held concurrently, with each class having 1 coach and 9 participants. The proposed open deck extension with boat storage which will provide outdoor activities spaces and storage for an additional 20 kayaks can cater for the operational need of the HKFYG Holiday Camp.

Scale and Location

- 7.3 The area adjoining the HKFYG Holiday Camp to the east, south and west falls within the boundary of the Hong Kong Sea Cadet Corps Jubilee Centre and is not available for the proposed boat storage use. Besides, the Holiday Camp would have to maintain 1.5m to 2m open space around the building for circulation, barrier free access and means of escape in an emergency (**Drawing R-1**) and the basement of the proposed Holiday Camp is occupied by other utility installations. Hence there are not enough room within the Holiday Camp site to store the additional 20 kayaks and rescue speed boat/associated equipment. According to the applicant, the proposed open deck cum boat storage structure measuring 3.8m (w) x 30m (l), together with the circulation space fronting the Holiday Camp, could extend the outdoor activities spaces for better demonstration of the kayaking skills during the coaching, which would be better located near the seafront than at the roof-top of the proposed Holiday Camp.
- 7.4 Both CBS/HKE&H, BD and D of FS have no objection to the proposed development. SHA also gives its policy support for the proposed development, as the applicant's latest claim is not unreasonable given the size of the original campsite, the capacity of campers and the major activities to be provided at the campsite.

Visual Compatibility

- 7.5 In addressing Members' previous concern on the design of the proposed boat storage area, the applicant proposes to reduce the scale of the proposed development and adopt a number of design elements, including a curvilinear deck structure, natural-coloured facade, relocation of the entrance of boat storage and additional greenery, to minimise the visual impact and to further blend in the proposed structure with the surrounding environment (**Drawings R-9 to R-11**). CTP/UD&L of PlanD considers that the proposed structures are generally in keeping with the surrounding coastline setting and those proposed design measures may help soften the perceived bulk of the proposed extension to a certain extent. CA/CMD2 of ArchSD also considers that the proposed development is compatible with the surrounding areas. In this regard, the

proposed development with the incorporation of the above design elements is considered acceptable from visual impact perspective.

- 7.6 In view of the above, planning assessments in paragraph 9 of **Annex A** remain valid.
- 7.7 Regarding the public concerns on affecting the beach area by the proposed development, it is noted that the Site is currently a rocky bay filled with pebbles (**Plan R-4**). DLCS confirms that the Site does not fall within area of any gazetted beach / public recreational facility under his purview and public recreational activities in the area would not be affected. The proposed development would not reduce public enjoyment of nearby St. Stephen's Beach and St. Stephen's Beach Water Sports Center. As for the public comment requesting the Site to be reserved for flooding mitigation measures, CE/HK&I, DSD advises that the Site is not reserved for any flood protection measures.

8. Planning Department's Views

- 8.1 Based on the assessments made in paragraph 7 above and having taken into account the public comments mentioned in paragraph 6, PlanD maintains its previous view of having no objection to the application.
- 8.2 Should the Board decide to approve the application on review, it is suggested that the permission shall be valid until ~~27.3.22.5.2024~~, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following advisory clauses are also suggested for Members' reference:

Advisory Clauses

The recommended advisory clauses are attached at **Annex G**.

- 8.3 Alternatively, should the Board decide to reject the application on review, the following reason for rejection is suggested for Member's reference:

the proposed development is not in keeping with the natural character of the Site and the surrounding area. There is no strong planning justification for the proposed development.

9. Decision Sought

- 9.1 The Board is invited to consider the application for a review of the MPC's decision and decide whether to accede to the application.
- 9.2 Should the Board decide to approve the application on review, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

- 9.3 Alternatively, should the Board decide to reject the application on review, Members are invited to advise what reason(s) for rejection should be given to the applicant.

10. Attachments

Drawings R-1 to R-2	Layout plans submitted by the applicant
Drawings R-3 to R-4	Section plans submitted by the applicant
Drawings R-5 to R-8	Comparison diagram between the s.16 proposal and the current proposal submitted by the applicant
Drawings R-9 to R-11	Photomontages submitted by the applicant
Plan R-1	Location plan
Plan R-2	Site plan
Plan R-3	Aerial photo
Plans R-4 to R-6	Site photos
Annex A	MPC Paper No. A/H19/79A
Annex B	Extract of minutes of the MPC meeting held on 16.8.2019
Annex C	Secretary of the Town Planning Board's letters dated 6.9.2019
Annex D	Letter received by the Town Planning Board on 19.9.2019 from the applicant applying for a review of the MPC's decision
Annex E1	Written submission dated 20.2.2020
Annex E2	Further Information dated 25.2.2020
Annex F	Public comments
Annex G	Recommended advisory clauses

PLANNING DEPARTMENT
MARCH/MAY 2020