

**CONFIDENTIAL**

**(Downgraded on 28.5.2010)**

**Minutes of 418th Meeting of the  
Metro Planning Committee held on 7.5.2010**

[Mr. David C.M. Lam, District Planning Officer/Hong Kong (DPO/HK), and Mr. Derek W.O. Cheung, Senior Town Planner/Hong Kong (STP/HK), were invited to the meeting at this point.]

**Agenda Item 23**

[Closed Meeting]

Proposed Amendments to the

Approved The Peak Area Outline Zoning Plan No. S/H14/9

(MPC Paper No. 11/10)

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1. The Committee noted that replacement pages for Pages 1-8 and Plans 2-3 of the Paper, Pages 12 and 13 of the Notes for the OZP in Attachment III, Pages 9 and 10 of the Explanatory Statement (ES) for the OZP in Attachment IV, supplementary page in Attachment VI and supplementary Plans 46-51 were tabled at the meeting.
  
2. With the aid of a Powerpoint presentation, Mr. Derek W.O. Cheung, STP/HK, presented the proposed amendments to the approved the Peak Area Outline Zoning Plan as detailed in the Paper and covered the following main points:

**Background of the Proposed Amendments**

- (a) when the first the Peak Area OZP was gazetted in April of 1973, there was no building height control on the OZP. Building height restrictions were subsequently imposed on sub-areas of the “Residential (Group C)” (“R(C)”) zone in 1986. Upon a review undertaken in 2000, building height restrictions were imposed on other development zones on the OZP, except for the “Government, Institution or Community” (“G/IC”) zone and some other “Other Specified Uses” (“OU”) zones. As set out in paragraph 3.2 of

the Paper, the intention for imposing the height restrictions on these zones was to maintain the existing character, to preserve the landscape features and not to overload the road network in the Peak Area;

Guiding Principles for Formulating Building Height Restrictions for “G/IC” and “OU” sites

- (b) in formulating the proposed building height restrictions for “G/IC”, “G/IC(1)” and “OU” sites on the OZP, due regard had been given to the nature of the existing facilities/uses on the sites, the existing building heights, the height restrictions on the land allocation/lease/planning permission (if any), the need to meet the minimum height requirement for the designated GIC facilities, any committed developments on the sites and the broad urban design principles set out in Chapter 11 of the Hong Kong Planning Standards and Guidelines (HKPSG);
  
- (c) the “G/IC” sites in the Peak Area had largely been developed and the proposed building height restrictions in general reflected the existing building heights, unless there were committed proposals for known developments. For low to medium-rise developments, normally with a height of not more than 13 storeys, they would be subject to building height restrictions in terms of number of storeys so as to allow more design flexibility, in particular for GIC facilities with specific functional requirements. In determining the number of storeys for building height purpose, basement floor(s) might be disregarded. For developments taller than 13 storeys, the building height restrictions for such “G/IC” sites were specified in terms of metres above the Principal Datum (mPD) to provide certainty and clarity of the planning intention;

“G/IC” and “OU” Sites on the OZP

- (d) in the Peak Area, there were 21 “G/IC” sites with a total area of about 13.66 ha. Except for a proposed sub-divisional fire station at Coombe Road, all the “G/IC” sites had already been developed to their designated uses, including five for educational uses, two for hospital uses, four for various government uses (including police museum, police station, fire

station and public toilet), nine for utility facilities (including service reservoirs and waterworks related facilities, radio base stations and an electricity substation) and one for commercial purposes (the Peak Café);

- (e) there were four “OU” sites in the Peak Area. The “OU(Commercial Complex cum Public Transport Terminus, Public Open Space, Government and Community Facilities and Public Car Park)” site was already subject to building height restriction of 420mPD;

#### Review of the “Open Space” (“O”) Zones

- (f) a review of the “O” zones in the Peak Area had been undertaken. There were a total of 12 “O” sites. A list of all the “O” sites was shown at Annex A of the Paper for reference. All the sites were under Government ownership and all of them had already been developed into public open spaces. As such, the “O” zoning of all the 12 sites should be retained;

#### Proposed Amendments to Matters Shown on the Plan

- (g) Item A- to incorporate building height restrictions on sites zoned “G/IC”, “G/IC(1)” and “OU” (about 16.25ha) as set out in paragraph 4.1 and Plans 1 to 3 and Attachments V and VI of the Paper);
- (h) Item B – to rezone the area occupied by the Magazine Gap Road No. 3 Fresh Water Service Reservoir from “Green Belt” (“GB”) to “G/IC” (about 2,689m<sup>2</sup>) as set out in paragraph 4.2, Plan 2 and Plans 29-31 of the Paper; and
- (i) Item C – minor boundary adjustment of 99 to 103 Peak Road to rezone part of the site from “GB” to “R(C)2” (about 588m<sup>2</sup>) as set out in paragraph 4.3, and Plans 1, 22 and 45 of the Paper;

#### Proposed Amendments to the Notes of the OZP

- (j) the proposed amendments to the Notes of “G/IC” zone to incorporate the building height restrictions as set out in paragraph 4 of the Paper, were reflected in the revised Notes of the OZP at Attachment III of the Paper.

In line with the general practice, a minor relaxation clause for the building height restrictions was also proposed to be incorporated into the Notes for the zone. This was to provide flexibility through the planning permission system to allow minor relaxation of the restrictions, based on the merits of individual development proposals to be considered by the Board. Some technical revisions to the Notes were also incorporated;

Proposed Amendments to the Explanatory Statement (ES) of the OZP

- (k) the ES of the OZP had been revised to take into account the proposed amendments to the OZP. It had been incorporated in the ES the rationale for incorporation of building height restrictions on OZP which was to preserve the low-density character and the general amenity of the Peak area, a set of criteria for consideration for minor relaxation in building height restrictions, and a statement indicating that there was a general presumption against application for minor relaxation for any existing building with building height already exceeding the building height restrictions. Opportunity had also been taken to update the ES to reflect the latest status and planning circumstances of the OZP;

Departmental Consultation

- (l) no objection to or adverse comments on the proposed amendments were received from Government departments;

Public Consultation

- (m) since the proposed amendments involved imposition of building height restrictions on the “G/IC” and “OU” sites, it was considered desirable to gazette the amendments as soon as possible. Any pre-mature release of the development control information might lead to the rushing in to submit building plans before the control was incorporated into the OZP. This would defeat the purpose of development control; and
- (n) the Central and Western District Council and the Wan Chai District Council would be consulted on the amendments before or during the exhibition period of the draft OZP. In any event, the publication of the

proposed amendments to the OZP would be made under section 5 of the Town Planning Ordinance (the Ordinance) for public inspection, which was a statutory consultation procedure to solicit public views.

3. After deliberation, the Committee decided to:
  - (a) agree to the proposed amendments to the approved The Peak Area OZP No. S/H14/9 and that the draft The Peak Area OZP No. S/H14/9A at Attachment II of the Paper (to be renumbered to S/H14/10 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition under section 5 of the Town Planning Ordinance;
  - (b) adopt the revised ES at Attachment IV of the Paper for the draft The Peak Area OZP No. S/H14/9A as an expression of the planning intentions and objectives of the Board for various land use zonings of the Plan and the revised ES would be published together with the Plan; and
  - (c) agree that the revised ES was suitable for exhibition together with the draft The Peak Area No. S/H14/9A (to be renumbered as S/H14/10 upon exhibition) and would be issued under the name of the Board.

[The Chairperson thanked Mr. David C.M. Lam, DPO/HK, and Mr. Derek W.O. Cheung, STP/HK, for their attendance to answer Members' enquiries. They left the meeting at this point.]