

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H24/30

<u>Applicant</u>	:	The Hong Kong and China Gas Company Limited represented by ARUP Hong Kong Limited
<u>Site</u>	:	Government Land adjoining Site 3 of the New Central Harbourfront
<u>Site Area</u>	:	About 9m ²
<u>Land Status</u>	:	Government Land
<u>Plan</u>	:	Approved Central District (Extension) Outline Zoning Plan (OZP) No. S/H24/9
<u>Zoning</u>	:	“Other Specified Uses” annotated “Elevated Walkway” (“OU(Elevated Walkway)”)
<u>Application</u>	:	Proposed Public Utility Installation (Aboveground Gas Governor Kiosk)

1. The Proposal

- 1.1 The applicant seeks planning permission for reprovisioning an aboveground gas governor kiosk (the proposed kiosk) at the application site (the Site) being Government land adjoining Site 3 of the New Central Harbourfront, which falls within an area zoned “OU(Elevated Walkway)” on the approved Central District (Extension) OZP No. S/H24/9 (**Plan A-1**). According to the Notes of the OZP for “OU(Elevated Walkway)” zone, the proposed gas governor kiosk, being a ‘Public Utility Installation’, requires planning permission from the Town Planning Board (the Board).
- 1.2 According to the applicant, there was an aboveground gas governor kiosk to the immediate north of Site 3 (the original kiosk). To avoid potential damage to the gas facility during the construction works of Site 3, the original gas kiosk has been demolished¹ and is proposed to be reprovisioned 3m towards the seashore side near the junction of Man Yiu Street and Man Kwong Street. The proposed gas kiosk is an associated work of the proposed comprehensive commercial development at

¹ As an interim arrangement to regulate the gas supply pressure in Central Area, a single stream type temporary underground gas governor kiosk (**Drawing A-2**) is provided at the immediate north of the proposed kiosk. Details in paragraph 2(b) below.

Site 3 of the New Central Harbourfront which is the subject of a separate planning application (No. A/H24/31) scheduled to be considered at the Metro Planning Committee meeting on 17.2.2023.

- 1.3 The proposed kiosk, as a major district governor, is to regulate the gas pressure from Medium Pressure to both Low Pressure A and Low Pressure B for gas supply serving end-users within individual buildings and surrounding commercial and residential developments in the Central area (**Drawing A-4**). The proposed kiosk is of dimensions of about 3.3m (length) x 2.7m (width) x 2.6m (height) and a total site area of about 9m² which is of the same size as the original kiosk. Excavation of land of about 72m² in area and 1.5m in depth would be required for the construction of the proposed kiosk as well as installation and connection works of the inlet/outlet pipes beneath it (**Drawing A-3**). The detailed design drawings of the proposed kiosk provided by the applicant are at **Drawings A-1 to A-4**.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form with supplementary figures received on 18.11.2022 (**Appendix I**)
 - (b) Further Information (FI) received on 20.12.2022 and 22.12.2022 providing responses to departmental comments, clarifications on the original kiosk being demolished and the function and service area of the original/proposed kiosk with updated plans and a gas network plan # (**Appendix Ia**)
 - (c) FI received on 10.1.2023 providing responses to departmental comment# (**Appendix Ib**)

accepted and exempted from the publication and recounting requirement

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are provided in **Appendices I, Ia and Ib** and are summarised as follows:

- (a) The proposed kiosk is to regulate the gas pressure for gas supply to the Central area within the Towngas Supply Network (**Drawing A-4**) whilst allowing sufficient space for construction works at Site 3 and minimising the impact of the said construction works on gas supply in the Central area. The proposed kiosk will maintain the same size and function as the original kiosk.
- (b) As an interim arrangement to regulate the gas supply pressure in the Central Area, a single stream type temporary gas governor kiosk (**Drawing A-2**) is provided at the immediate north of the proposed kiosk, which only regulates Low Pressure A supply but not Low Pressure B supply due to time and technical constraints. The

current Low Pressure B supply in the Central area is therefore subject to network failure in case of any damage on gas pipes. As such, the proposed kiosk is required to maintain a safe and reliable gas supply system in the Central area in the long run.

- (c) The Site is considered the most suitable location for the proposed kiosk after taken into account various factors, including sufficient safety distance from nearby buildings and structures, impacts on existing gas supply, future operation and maintenance of the proposed kiosk, minimal diversion of underground gas pipes required to reduce construction phase nuisance and sufficient setback distance from Man Yiu Street to avoid obstruction to pedestrian and traffic flow.
- (d) The proposed kiosk will attain a minimum fire resistance rating of 2 hours by the adoption of appropriate materials, e.g. durasteel with a minimum fire resistance rating of 2 up to 4 hours, to comply with the relevant standard. In addition, the applicant will seek the power company for advice for any additional measures in order to safeguard the electricity supply safety and operation before construction.
- (e) Beautification works for a more coherent design with Site 3 will be further explored in collaboration with the landowner of Site 3 in the detailed design stage.

3. Compliance with the “Owner’s Consent/Notification” Requirements

As the Site involves government land only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable to the application.

4. Previous Application

There is no previous application at the Site.

5. Similar Applications

While there is no similar application within the area zoned as “OU(Elevated Walkway)” on the subject OZP, there are two similar applications (No. A/H15/274 and A/H10/92) for the same gas governor kiosk use of similar scale at a public pavement of Tin Wan Hill Road and a site abutting the public pavement of Victoria Road, both of which fall within an area shown as ‘Road’ on the Aberdeen & Ap Lei Chau OZP and the Pok Fu Lam OZP respectively. The applications were approved by the Metro Planning Committee (the Committee) of the Board on 22.9.2017 and 10.11.2017 respectively mainly for reasons that the proposed kiosks were essential utilities in support of the surrounding developments, they were small in scale and they would not have significant impacts on the surrounding environment.

6. The Site and Its Surrounding Areas

- 6.1 The Site is located at the inner part of the pavement at the junction of Man Yiu Street and Man Kwong Street underneath the Central Elevated Walkway (**Plan A-2**).
- 6.2 The surrounding areas have the following characteristics (**Plans A-1 to A-3**):
- (a) to the immediate south of the Site is an area zoned “Comprehensive Development Area” (“CDA”) for the proposed comprehensive commercial development at Site 3 of the New Central Harbourfront;
 - (b) to the immediate southwest of the Site is the existing Man Yiu Street Public Toilet;
 - (c) to the east of the Site is an existing ESS;
 - (d) to the northeast of the Site across the existing public transport terminal (PTT) at Man Kwong Street is the Central Terminal Building; and
 - (e) to the northwest of the Site is the roundabout at the junction of Man Kwong Street and Man Yiu Street.

7. Planning Intention

The planning intention of the “OU(Elevated Walkway)” zone is intended for the development of elevated walkway.

8. Comments from Relevant Government Departments

- 8.1 The following Government departments have been consulted and their views on the application are summarised as follows:

Harbour Planning Aspect

- 8.1.1 Comments of the Commissioner for Harbourfront, Development Bureau:

The gist of the subject application has been circulated to members of the Harbourfront Commission’s Task Force on Harbourfront Developments on Hong Kong Island for perusal and comments in personal capacity to the Board by the deadline of the public comment. No comments were received from Members so far.

Land Administration

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

- (a) The Site falls within the Yellow Area A under the Conditions of Sale No. 20388 governing Inland Lot No. 9088 (“the Conditions”). There is no provision under the Conditions to cater for the proposed relocation of the existing gas governor kiosk within the Yellow Area A.
- (b) Since the possession of the Yellow Area A has not been given to the applicant yet (not earlier than 31 December 2023) and the area under application is still a public pavement, comments from Transport Department (TD) and Highways Department (HyD) should be sought direct.
- (c) TD and HyD should be approached for consent of the proposed relocation works if the planning permission is given.

Traffic

8.1.3 Comments of the Commissioner for Transport (C for T):

- (a) No objection to the application.
- (b) Nothing shall interfere with the sight lines of motorists and pedestrians or obscure any traffic sign and traffic light signals.
- (c) The proposed kiosk shall not cause undesirable disruption to the pedestrian and traffic flow in the area.
- (d) The proposed kiosk shall not pose safety hazards to road users.
- (e) A temporary traffic management scheme should be submitted to the Commissioner of Police and his office for consideration should there be any works on or affecting public road. Safety measures and temporary traffic arrangement should be provided as necessary in accordance with the “Code of Practice for the Lighting, Signing & Guarding of Road Works (Fifth Issue 2017)” issued by HyD.

Drainage

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

- (a) No objection to the application.

- (b) No construction debris, silt and sediments, or cementitious materials should be discharged to or deposited inside the public drains or sewers from the Site.
- (c) Any person willfully, except with the permission in writing of the Authority, or negligently damages, alters, disconnects or otherwise interferes with any public sewer or drain or any connection therewith, shall be guilty of an offence under Section 6 of Public Health and Municipal Services Ordinance (Cap. 132).

Gas and Electricity Safety

8.1.5 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) No comment on the application from regulatory services perspective.
- (b) According to HKPSG (Chapter 7), requirements on the separation from other building and structure are extracted from Clause 2.2 as follows:
 - (i) Extra High Voltage Substations & Bulk Infeed Substations (Switching Stations): The separation from other buildings/structures should be at least 6m.
 - (ii) Consumer Substations (Distribution Substations): Adjacent buildings or structures should have a minimum fire resistance rating of 2 hours failing which a physical separation of at least 3m should be allowed for.
- (c) The applicant should seek the power company for advice to see if the proposed kiosk would affect their safety operation for electricity supply and if there are any additional measures required to safeguard the electricity supply safety and operation.

Visual Aspect

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

- (a) As the proposed kiosk is a small-scale building with a height of 2.6m and a total area of about 9m², it may not be incompatible with the surroundings.
- (b) As the proposed kiosk is located at a prominent location, it is suggested that architectural treatment to beautify the kiosk façade which enhances the surrounding developments should be considered.

- (c) The proposed location and works should not affect the existing pedestrian walkway.

8.2 The following Government departments have no objection to or no adverse comment on the application:

- (a) Chief Building Surveyor/Hong Kong West, Buildings Department (CBS/HKW, BD)
- (b) Chief Highway Engineer/Hong Kong (CHE/HK), HyD;
- (c) Chief Engineer/Railway Development 2-1, Railway Development Office, HyD;
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD);
- (f) Director of Environmental Protection (DEP);
- (g) Director of Fire Services (D of FS);
- (h) Director of Food and Environmental Hygiene;
- (i) Director of Leisure and Cultural Services;
- (j) Project Manager (South), Civil Engineering and Development Department (CEDD);
- (k) Head of Geotechnical Engineering Office, CEDD;
- (l) Commissioner of Police; and
- (m) District Officer (Central & Western), Home Affairs Department.

9. Public Comment Received During Statutory Publication Period

On 25.11.2022, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 16.12.2022, no public comment was received.

10. Planning Considerations and Assessments

- 10.1 The application is to seek planning permission for a proposed aboveground gas governor kiosk, which is for regulating the gas pressure from medium pressure to low pressure in the existing Towngas Supply Network in the Central area to maintain a safe and reliable gas supply system in the long run. The Site falls within an area zoned “OU(Elevated Walkway)” on the OZP (**Plan A-1**) which is intended for the development of elevated walkway. The proposed kiosk will only occupy a small area of about 9m² (3.3m (length) x 2.7m (width)) at the inner part of the pavement at the junction of Man Yiu Street and Man Kwong Street in which the proposed kiosk would not affect the pedestrian circulation. Both C for T and CHE/HK of HyD have no adverse comment in this regard.
- 10.2 The proposed kiosk is an essential utility to support the nearby residential and commercial developments in the Central area (**Drawing A-4**). The proposed kiosk

is intended to re-provision the gas supply services of the original kiosk which has already been demolished to facilitate the construction works for a comprehensive commercial development at Site 3 of the New Central Harbourfront. The applicant has considered a number of factors in site selection, including sufficient safety distance from nearby buildings and structures, impacts on existing gas supply, future operation and maintenance of the proposed kiosk, minimal diversion of underground gas pipes required to reduce construction phase nuisance and sufficient setback distance from Man Yiu Street to avoid obstruction to pedestrian and traffic flow. To safeguard the safety of the surrounding areas, the applicant proposes to adopt materials with minimum fire resistance rating of 2 hours for the proposed kiosk to comply with the relevant HKPSG standard and undertakes to seek advice from the operator of the adjacent ESS on any additional measures required before construction. In view of the small scale and nature of the proposed kiosk, no significant environmental, gas/electricity and fire safety, urban design and visual impacts on the surrounding area are envisaged. Relevant government departments consulted, including DEP, DEMS, D of FS, CA/CMD2 of ArchSD and CTP/UD&L of PlanD, have no objection to or no adverse comment on the application.

- 10.3 There was no public comment on the application received during the statutory public inspection period.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 13.1.2027, 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 advisory clauses suggested for Members' reference are attached at **Appendix II**.
- 11.3 There is no strong reason to recommend rejection of the application.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, 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.
- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13. Attachments

Appendix I	Application form with supplementary figures received on 18.11.2022
Appendix Ia	FI received on 20.12.2022 and 22.12.2022
Appendix Ib	FI received on 10.1.2023
Appendix II	Recommended Advisory Clauses
Drawings A-1	Excavation Extent Plan
Drawing A-2	Simulation photo of the proposed gas kiosk
Drawings A-3	Detailed design drawing of the proposed gas kiosk
Drawing A-4	Low pressure gas supply network in the Central Area
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Site Photos

**PLANNING DEPARTMENT
JANUARY 2023**