

MPC Paper No. A/K9/279  
For Consideration by  
the Metro Planning Committee  
on 29.7.2022

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/K9/279**

- Applicant** : The Hong Kong and China Gas Company Limited
- Site** : Government Land at Hung Ling Street to the northwest of Caritas Hung Hom Hostel, Hung Hom, Kowloon
- Site Area** : About 5.67m<sup>2</sup>
- Land Status** : Government Land
- Plan** : Approved Hung Hom Outline Zoning Plan (OZP) No. S/K9/28 (currently in force)
- Draft Hung Hom OZP No. S/K9/27 (in force at the time of submission. The zoning and development restrictions for the Premises remain unchanged on the current OZP)
- Zoning** : ‘Road’
- Application** : Proposed Public Utility Installation (Aboveground Gas Governor Kiosk)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for installing a proposed aboveground gas governor kiosk (the proposed kiosk) at the application site (the Site) at Hung Ling Street to the northwest of Caritas Hung Hom Hostel, Hung Hom, which falls within an area shown as ‘Road’ on the approved Hung Hom OZP No. S/K9/28 (**Plan A-1**). According to the Notes of the OZP, the proposed kiosk being a ‘Public Utility Installation’ in area shown as ‘Road’ requires planning permission from the Town Planning Board (the Board).
- 1.2 According to the applicant, the function of the proposed kiosk is for reinforcing the existing gas supply network and making provision of gas supply to the potential gas demand under the urban renewal plan for Hung Hom district. The proposed kiosk is of dimensions of 2.7m (length) x 2.1m (width) x 1.7m (height) and a total site area of 5.67m<sup>2</sup>. Excavation of land of 2m in depth would be required for the construction of concrete plinth of the proposed kiosk and installation and

connection of the inlet/outlet pipes (**Drawing A-3**). The detailed design drawings of the proposed kiosk provided by the applicant are at **Drawings A-1 to A-3**.

- 1.3 In support of the application, the applicant has submitted the following documents:
- (a) Application form with supported drawings and illustration received on 1.6.2022 (**Appendix I**)
  - (b) Further information (FI) 1 vide email received on 13.7.2022 enclosing responses to departmental and public comments <sup>#</sup> (**Appendix Ia**)
  - (c) FI 2 vide email received on 15.7.2022 enclosing further clarifications <sup>#</sup> (**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 to Ib are summarized as follows:

- (a) The proposed kiosk is to regulate the gas pressure from medium pressure to low pressure in order to reinforce the existing gas supply network and make provision of gas supply to the potential gas demand under the urban renewal plan for Hung Hom district.
- (b) The service area of the proposed kiosk will cover the sites bounded by Bulkeley Street to the north, Fuk Chi Street to the east, Hung Hom South Road to the south and Gillies South Avenue South to the west (**Drawing A-4**). The proposed kiosk must be located in the vicinity of this area but 3m away from residential developments. Furthermore, it is impractical to construct the kiosk within this area as the new developments are currently under construction (**Plan A-2**).
- (c) The Site is identified as the most suitable location for the proposed kiosk after taken into account various factors, including the avoidance of obstruction to pedestrian and traffic flow, compatibility with other uses, impacts on existing structures and underground utilities installations, sufficient buffer from the CLP Electric Substation and future operation and maintenance of the proposed kiosk.
- (d) Moreover, the proposed kiosk is made of stainless steel with a fire resistance period of two hours (**Drawing A-1**) and a fire extinguisher will be installed in the kiosk. An automated system will also be installed to switch off the gas governor in case of a gas leak. The existing railing near the Site can protect the proposed kiosk from car crash.

**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 Premises.

**5. Similar Applications**

While there is no similar application within the area shown as ‘Road’ of the subject OZP, there are two similar applications (Nos. A/K22/19 and A/K22/21) for the same gas governor kiosk use of similar scale at a site near Tak Long Estate and a site near Kai Ching Estate in the Kai Tak area, which are zoned “Other Specified Uses” annotated “Amenity Area” (“OU(Amenity Area)”) and area shown as ‘Road’ on the Kai Tak OZP. The applications were approved by the Metro Planning Committee (the Committee) of the Board on 23.6.2017 and 7.9.2018 mainly for reasons that the proposed kiosks were essential utilities in support of the surrounding developments, their scale were small and they would not have significant impacts on the surrounding environment.

**6. The Site and Its Surrounding Areas**

- 6.1 The Site is located on the pedestrian street within an area shown as ‘Road’ to the northwest of Caritas Hung Hom Hostel (**Plan A-2**).
- 6.2 The surrounding areas have the following characteristics (**Plans A-1 to A-3**):
  - (a) to the immediate east and south of the Site are the Caritas Hung Hom Hostel and the residential development of Royal Peninsula. Other existing residential developments of Hung Hom Bay Centre and new residential developments along Whampoa Street and Baker Street, which are currently under construction, are at about 80m to 120m to the northwest and north of the Site;
  - (b) to the southwest of the Site is the CLP Hung Hom Bay Substation; and
  - (c) to the north and northeast of the Site area the Hung Ling Street Sitting-out Area and the Hum Hom South Road Rest Garden. To the immediate east of the Site is a pedestrian footbridge along Hung Ling Road connecting Hung Hom MTR Station to the Royal Peninsula and across Hung Hom South Road.

**7. Planning Intention**

Area shown as 'Road' on the OZP is intended for the development of roads and related facility/infrastructure.

**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:

**Land Administration**

- 8.1.1 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) The Site falls on public pavement which is under the management and maintenance of Transport Department (TD) and Highways Department (HyD) respectively. The proposed gas governor kiosk having an area of less than 12m<sup>2</sup> is covered by the Block Licence dated 11.8.1995 granted to the applicant. The applicant is required to comply with the conditions of the Block Licence, including the distribution of gas is at a pressure less than 400 Kpa.
- (b) If the planning application is approved by the Board, the applicant is required to apply for an excavation permit from HyD prior to the commencement of work. The applicant is also required to maintain and update the Master Plans showing all installations on unleased land pursuant to the conditions of the Block Licence.

**Building Matters**

- 8.1.2 Comments of the Chief Building Surveyor/Kowloon, Building Department (CBS/K, BD):

- (a) No objection to the application.
- (b) The Site is located at a public street. Under section 41(1)(c) of the Building Ordinance (BO), it shall be exempted from the provisions of the BO.
- (c) In all cases, if the Site is subject to a lease by the Government, all building works are subject to compliance with the BO. In this connection, the applicant should be advised to engage an Authorized Person to submit building plans for Building Authority's approval, his detailed comments would be conveyed at building plan submission stage.

### **Gas and Electricity Safety**

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

According to the applicant, the proposed kiosk is designed for regulating the gas pressure from medium pressure to low pressure in order to make provision of gas supply to the potential gas demand in Hung Hom District and to enhance the reliability of town gas supply in the adjacent area. He has no objection on the proposed location and scale of the proposed kiosk and the proposed measures to be implemented for the proposed kiosk at Hung Ling Street by the applicant. The applicant, as a registered gas supply company (RGSC), has a duty to conduct its operations in a safe manner so that members of the public are not exposed to undue risks from gas in accordance with the Gas Safety Ordinance (Cap. 51).

### **Fire Safety**

#### 8.1.4 Comments of the Director of Fire Services (D of FS):

- (a) No objection to the application.
- (b) The Emergency Vehicular Access (EVA) provision of nearby buildings shall not be affected by the proposed works. Nevertheless, shall the proposed works affect any EVA provision of nearby buildings or licensed premises in the area, such as petrol filling station or dangerous goods store, the applicant should make separate enquiry to his department to ensure work feasibility.

### **Environment**

#### 8.1.5 Comments of the Director of Environmental Protection (DEP):

- (c) No objection to the application.
- (d) In view of the nature and the small scale of the proposal, the proposed development would unlikely cause any adverse environmental impact to the surroundings.

### **Visual and Landscaping**

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

No particular concern from a visual impact point of view and landscape impact arising from the application is not envisaged.

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

- (a) Project Manager (East), Civil Engineering and Development Department (CEDD);
- (b) District Officer (Kowloon City), Home Affairs Department;
- (c) Director of Food and Environmental Hygiene;
- (d) Commissioner for Transport (C for T);
- (e) Chief Engineer/Mainland South, Drainage Services Department;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Chief Highway Engineer/Kowloon, HyD (CHE/K, HyD);
- (h) Chief Architect/Central Management Division 2, Architectural Services Department;
- (i) Head of Geotechnical Engineering Office, CEDD; and
- (j) Commissioner of Police.

## **9. Public Comments Received During Statutory Publication Period**

The application was published for public inspection. During the statutory public inspection period, one public comment was received from the Royal Peninsula Owners' Committee, expressing concerns on the location of the proposed kiosk and the potential fire hazards (**Appendix II**).

## **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 supply pressure from medium pressure to low pressure to reinforce the existing gas supply network and to provide gas supply to meet the potential demand under the urban renewal plan for Hung Hom district. The Site falls within an area shown as 'Road' on the OZP which is intended for the development of roads and related facility/infrastructure. The proposed kiosk will only occupy a small area of about 5.67m<sup>2</sup> (2.7m (length) x 2.1m (width)) at the pedestrian street of Hung Ling Street and will unlikely obstruct sightline of vehicles. Both C for T and CHE/K of HyD have no adverse comment in this regard.
- 10.2 The proposed kiosk is an essential utility to support the nearby new and existing developments bounded by Bulkeley Street, Fuk Chi Street, Hung Hom South Road and Gillies Avenue South (**Drawing A-4**). The applicant has considered a number of factors in site selection, which include a 3m distance from residential developments, avoidance of obstruction to pedestrian and traffic flow, land use compatibility, impacts on existing structures and underground utilities installations, buffer from CLP Electric Substation and future operation and maintenance arrangements. DEMS has no objection on the proposed location and scale of the proposed kiosk. On safety aspects, the gas governor is protected by a stainless steel kiosk with a fire resistance period of two hours. A fire extinguisher will be installed

in the kiosk and the gas governor will be automatically switched off in case of a gas leak. The existing railing along Hung Ling Street will also protect the proposed kiosk from car crash. In view of the small scale of the installation, the application would not cause significant impact on the environment, traffic, visual and landscape, gas and electricity safety, fire safety, drainage and water supplies aspects. Relevant government departments consulted including DEMS, D of FS, DEP and CTP/UD&L, PlanD have no objection to or no adverse comment on the application. Two similar applications (No. A/K22/19 and A/K22/21) for the same use within the “OU(Amenity Area)” zone and ‘Road’ area within the Kai Tak OZP were approved by the Committee on 23.6.2017 and 7.9.2018 respectively.

- 10.3 Regarding the public concern on the location and potential fire hazard of the proposed kiosk, the assessment in the above paragraphs are relevant.

## **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 29.7.2026, 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 III**.
- 11.3 There is no strong planning reason to recommend rejection to 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**

<b>Appendix I</b>	Application form with supporting documents received on 1.6.2022
<b>Appendix Ia</b>	Further Information (FI) 1 vide email received on 13.7.2022
<b>Appendix Ib</b>	FI 2 vide email received on 15.7.2022
<b>Appendix II</b>	Public comment received
<b>Appendix III</b>	Recommended advisory clauses
<b>Drawings A-1 to A-3</b>	Detailed design drawings of the proposed kiosk submitted by the applicant
<b>Drawing A-4</b>	Service area of the proposed kiosk submitted by the applicant
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2022**