

Recommended Advisory Clauses

- (a) to apply to the District Lands Officer/Kowloon East, Lands Department for lease modification to give effect to the proposal;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that:
 - (i) before any new building works are to be carried out on the application site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance;
 - (ii) the application site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulation respectively; and
 - (iii) as the application site does not abut on a specified street of not less than 4.5m wide, the permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage; and
- (c) to note the comments of the Director of Fire Services that arrangement of emergency vehicular access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the BD.

Previous s.12A and s.16 Applications covering the Application Site

Rejected Applications

Application No.	Zoning	Proposed Use(s)/Development(s)/ Rezoning	Date of Consideration (MPC/TPB)	Rejection Reasons
A/K12/20	"G/IC"	Proposed House	22.12.2000	(1), (2), (3) and (6)
A/K12/35	"G/IC"	Proposed Two Houses (Village Houses)	15.6.2007 (On Review)	(1), (4) and (6)
Y/K12/1	"G/IC"	To rezone the application site from "Government, Institution or Community" (G/IC") to "Village Type Development"	16.9.2016	(5) and (6)

Rejection Reason(s)

- (1) The proposed house development was not in line with the planning intention of the "G/IC" zone which was intended primarily for the provision of government, institution or community (GIC) facilities serving the needs of the residents in the area/district, and it would frustrate the planning and development of the designated community hall and public vehicle park uses.
- (2) The existing access road was too narrow and substandard for use as proper vehicular access to the application site.
- (3) No detailed information had been provided in the submission to demonstrate that the proposed development would not have any sewerage or drainage problems.
- (4) The proposed development did not comply with the Town Planning Board Guidelines for "Application for Development/Redevelopment within "G/IC" Zone for Uses other than GIC Uses" in that the subject site was still required for its designated GIC uses, and the proposed development would adversely affect the provision of GIC facilities in the area in the long term.
- (5) The application was for rezoning of a small part of a "G/IC" site in a piecemeal manner. Approval of the application would jeopardise the comprehensive development of the "G/IC" zone to provide the required GIC facilities for the area.
- (6) Approval of the application would set an undesirable precedent for other similar applications.

**Similar s.16 Applications within the same “Government, Institution or Community”
 (“G/IC”) zone on the Ngau Chi Wan Outline Zoning Plan**

Approved Application

Application No.	Proposed Use(s)/Development(s)	Date of Consideration (Appeal Board)	Approval Conditions
A/K12/39	Proposed House	26.11.2013 (Allowed on Appeal)	(a) and (b)

Approval Conditions

- (a) The provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (b) The submission of design and layout of the proposed house that would not jeopardize the future road works to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

Rejected Application

Application No.	Proposed Use(s)/Development(s)	Date of Consideration (MPC)	Rejection Reason
A/K12/13	Proposed House	3.6.1994	(1)

Rejection Reason

- (1) The proposed development would frustrate the future development of the site zoned for “G/IC” in a comprehensive manner.