

**Similar S.16 Planning Applications for Proposed Residential Development  
in “Residential (Group E)” Zone on Ma Tau Kok Outline Zoning Plan**

No.	Application No.	Location (Plan A-1)	Date of Consideration	Approval Condition(s)
<i>Applications considered when the sites concerned were zoned “Industrial (Group I)”.</i>				
1.	A/K10/160	19-23 Chi Kiang Street, Ma Tau Kok, Kowloon	25.10.1996 (TPB)	<i>Rejected [#]</i>
2.	A/K10/166		24.1.1997 (MPC)	(a), (d), (i), (j)
3.	A/K10/167		2.5.1997 (MPC)	(a), (d)
4. *	A/K10/172		21.11.1997 (MPC)	(a), (d), (k)
<i>Applications considered when the sites concerned are under current “Residential (Group E)” zone</i>				
5.	A/K10/178	9 Yuk Yat Street, Ma Tau Kok, Kowloon	3.3.2000 (MPC)	(a), (b), (c), (d)
6.	A/K10/180	5 Yuk Yat Street, Ma Tau Kok, Kowloon	14.4.2000 (MPC)	(b), (d), (e)
7.	A/K10/181	15 Yuk Yat Street, Ma Tau Kok, Kowloon	19.11.1999 (MPC)	(a), (d)
8.	A/K10/186	84 To Kwa Wan Road, Ma Tau Kok, Kowloon	8.9.2000 (MPC)	(a), (d)
9. *	A/K10/209	5 and 9 Yuk Yat Street, To Kwa Wan, Kowloon	2.6.2006 (MPC)	(d), (e), (f), (g)
10. *	A/K10/237	18 Chi Kiang Street, Ma Tau Kok, Kowloon	29.10.2010 (MPC)	(a), (d), (g), (h)

*\*With approved residential developments completed*

Approval Conditions:

- (a) Design and provision of appropriate mitigation measures to address the traffic/industrial noise problems.
- (b) Setting back of the lot boundary to provide a service lane.
- (c) Conversion of the existing loading/unloading lay-by area at the frontage of the development into pedestrian pavement.
- (d) Design and provision of parking spaces, loading/unloading bays, vehicular access
- (e) Submission of detailed design of the proposed development to reduce wall effect and improve air ventilation.
- (f) Submission of Land Contamination Assessment Report and implementation of land decontamination work identified therein.
- (g) Design and provision water supplies for firefighting and fire service installations.
- (h) Submission and implementation of landscaping proposal.
- (i) Submission and implementation of an implementation programme for the proposed development
- (j) No occupation of new development before demolition of the existing industrial building
- (k) Building height of the full development subject to the Hong Kong Airport (Control of Obstructions) Ordinance.

Rejection Reason for A/K10/160:

The submitted environmental impact assessment has not satisfactorily addressed the potential air quality problem from the adjoining industrial building (i.e. Fung Yu Industrial Building) and the proposed mitigation measures are inadequate.

**Recommended Advisory Clauses**

- (a) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines and any gross floor area (GFA) concession of the proposed residential development will be granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) direct to obtain the necessary approval. If the proposed building design elements are not approved/granted by the BA and major changes to the current scheme are required, a fresh planning application to the Town Planning Board (TPB) may be required;
- (b) to note the comments of the District Lands Officer/Kowloon West, Lands Department (LandsD) that the proposed development is not permitted under the existing lease conditions. If the planning application is approved by the Board, the lot owner shall apply to LandsD for a lease modification/land exchange to implement the proposal. However, there is no guarantee that such application will be approved. Such application, if received, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. Besides, if the application is approved, it shall be subject to such terms and conditions, including, among others, the payment of premium and administrative fee as may be considered appropriate by LandsD.;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that all proposed building works should comply with the Buildings Ordinance (BO). Under Section 31(1) of the BO, no building or other structure should be erected in, over, under or upon any portion of lane. Under B(P)R 23(2)(a), area of service lane should not be included in site area for purpose of plot ratio (PR) and site coverage (SC) calculations. Application for extinguishment, building over/under and inclusion of any existing lane in site area for PR and SC calculations may be considered at the building plan (BP) approval stage. Detail comments on the development proposal of the proposal under the BO can only be formulated at the plan approval stage under the building regime;
- (d) to note the comments of the Commissioner for Transport that to create an enjoyable walking environment, the applicant is encouraged to provide building canopies, including over public footpath(s) and/or right-of-way(s) in accordance with Chapter 8 of the Hong Kong Planning Standards and Guidelines for the provision of building canopies (i.e. para.5.6.11) and for the subject of pedestrian planning be included in development studies and planning applications (para.5.9.2)
- (e) to note the comments of the Director of Environmental Protection to minimise the generation of construction and demolition (C&D) materials; reuse and recycle the C&D materials on-site as far as possible; and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development; the applicant is also advised to observe the relevant requirements under the Air Pollution Control Ordinance and Waste Disposal Ordinance for asbestos control prior to demolition of the existing buildings

- (f) to note the comments of the Director of Electrical and Mechanical Services that there is an intermediate pressure underground town gas transmission pipeline running along Yuk Yat Street in the close vicinity of the subject application site. The future developer/consultant/works contractor shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations within/in the vicinity of the subject application site and any required minimum set back distance away from them during the design and construction stages of development. The future developer/consultant/works contractor is required to observe the requirements of the Electrical and Mechanical Services Department's Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition; and
- (g) to note the comments of the Director of Fire Services that fire service installations and water supplies for firefighting shall be provided to the satisfaction of his department. EVA arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by BD. Detailed fire safety requirements will be formulated upon receipt of formal submission of general BPs.