

BUILDING AUTHORITY OF HONG KONG
Form BD 106
BUILDINGS ORDINANCE
(Chapter 123)
Section 42

Permit under Section 42

Permit No. MW 001/2019(MOD)
Our Ref. No. MW/4392/65
To : Concern for Grassroots' Livelihood Alliance Limited

Date 2nd December 2019

In exercise of the powers vested in me by section 42 of the Buildings Ordinance, I hereby grant modification of and/or exemption from the provisions of –

(A) **Building (Planning) Regulation 30**

To permit the reduction of natural lighting and ventilation for the living room in Flat J.

(B) **Building (Planning) Regulation 36**

To permit the reduction of natural lighting and ventilation for the pantry in Flat J.

(C) **Building (Planning) Regulation 45**

To permit the non-provision of kitchen in Flats I & J.

in respect of Flats I & J on 2/F, Cheong Fat Mansion (formerly known as Cheong Tak Mansion), 19 Cheung Wong Road, Kowloon on (lot no.) K.I.L. 9454 as shown on the attached plan (Dwg no. A01).

2. This permit is granted subject to the following conditions:-

- (a) Regarding item (A),
 - (i) artificial lighting and mechanical ventilation at a rate of not less than 5 air changes per hour to be provided to the living room to the satisfaction of the Building Authority; and
 - (ii) all other habitable rooms are in full compliance with B(P)R 30 & 31;
- (b) Regarding item (B), artificial lighting and mechanical ventilation at a rate of not less than 5 air changes per hour to be provided to the entire area in which the sink is located to the satisfaction of the Building Authority;
- (c) Regarding item (C),
 - (i) no cooking facilities with naked flame to be installed in the concerned flats;
 - (ii) a communal pantry to be provided; and
 - (iii) FSD approved standalone smoke detector or heat detector to be provided at a strategic location near the counter top to the satisfaction of the Building Authority;

- (d) Regarding items (A) & (C),
- (i) the flats shall be properly used and managed according to the Management Plan submitted on 22th November 2019 and agreed by the Building Authority;
 - (ii) an inspection report to certify that the flats comply with the Management Plan and no alterations or additions have been made to the flats as shown on the plan mentioned in paragraph 1 above (including but not limited to the mechanical ventilation and no cooking with naked flame, etc.) shall be submitted by an Authorized Person annually;
 - (iii) this permit is given in recognition of the letter submitted by the non-profit making organisation/institution (NPO) dated 2nd December 2019. The undertaking and this permit shall be incorporated into every tenancy agreement between the NPO and the occupants of the flats as mentioned in paragraph 1 above; and
 - (iv) there should not be alteration or addition to the flats as shown on the plan mentioned in paragraph 1 above unless a new permit for the revised layout is obtained.
3. This permit will be revoked if :-
- (a) the certificates of completion of minor works under the simplified requirements as shown on the attached plan (Dwg no. A01) have not been submitted on or before 1st June, 2020; or
 - (b) the NPO above has been changed.
4. Upon expiry or termination of the tenancy agreement between the NPO and the owner of the flats as mentioned in paragraph 1 above, the flats shall be reinstated in accordance with the approved plans or altered to a state that complies with the Buildings Ordinance and regulations and inform the Buildings Department immediately.
5. In case of contravention of any conditions in paragraph 2 above, the Building Authority:-
- (a) may instigate prosecution proceedings under section 40(2) of the Buildings Ordinance and any person convicted of such offence is liable to be a fine at level 6 and to imprisonment for 2 years; and
 - (b) would reserve the right to serve an order under section 24 of the Buildings Ordinance requiring the reinstatement of the concerned flats in accordance with the latest approved plan(s).
6. The annual inspection mentioned in para. 2(d)(ii) above should be carried out in May every year from 2021. The first annual inspection should be carried out in May 2021 and the inspection report should be submitted on or before 1st June 2021.

(PANG Yuk-lung)
Chief Officer/Minor Works & Signboard Control
for Building Authority

c.c. BD 106 Register
AP- Mr. WONG Wing-cheung
Owner

EB/4392/65/T04N

LEGEND:

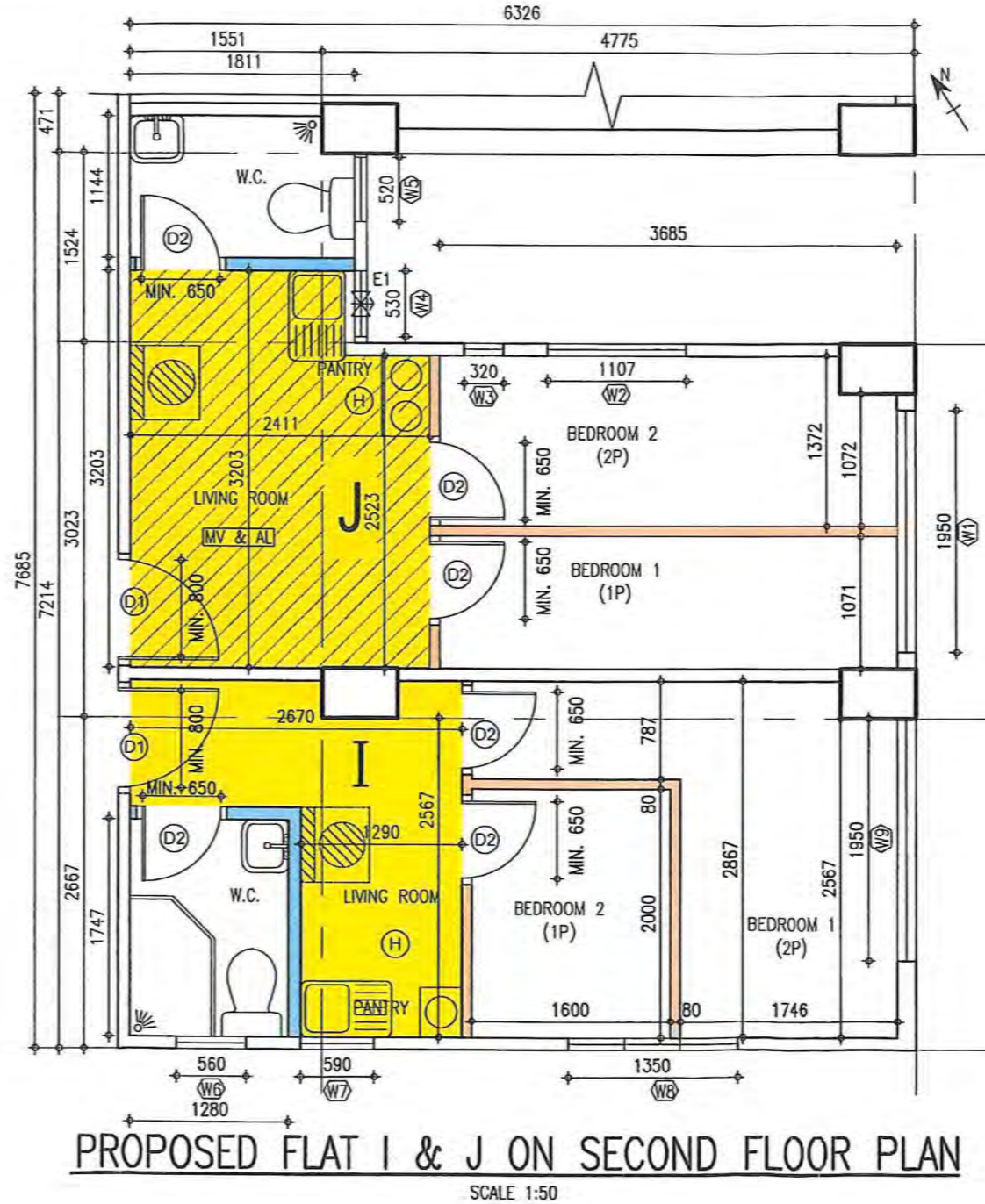
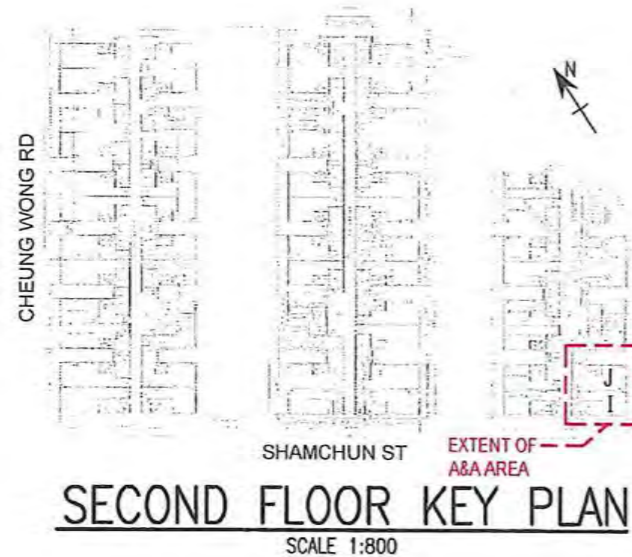
- (D1) NEW TIMBER SOLID DOOR WITH F.R.R. (-/60/60) WITH MIN. WIDTH 800mm
- (D2) NEW TIMBER DOOR WITHOUT F.R.R. WITH MIN. WIDTH 650mm
- █ BLOCK WALL 磚牆
- █ GYPSUM BOARD WALL (w/ 50mm THK. ACOUSTIC INSULATION) 石膏板間牆連50mm厚隔音棉
- (H) HEAT DETECTOR
- ⊗ EXHAUST FAN
- E1 EXHAUST FAN PROVIDING 5 AIR CHANGES PER HOUR

- WASHING MACHINE
- INDUCTION COOKER FOR PANTRY
- SINK FOR PANTRY
- MV & AL ARTIFICIAL LIGHTING AND MECHANICAL VENTILATION

AREA (m ²)					
	GFA	LIVING ROOM	BEDROOM 1	BEDROOM 2	W.C.
FLAT J	20.945	8.086	4.501	5.857	2.502
FLAT I	19.387	5.765	7.314	3.595	2.713

MODIFICATION APPLIED FOR RESPECTIVE LOCATIONS

	Kitchen	Living Room	Pantry
Flat I	To permit the non-provision of kitchen under B(P)R 45.	—	—
Flat J	To permit the non-provision of kitchen under B(P)R 45.	To permit the reduction of natural lighting and ventilation under B(P)R 30 & 31 for communal living area.	To permit the reduction of natural lighting and ventilation under B(P)R 36 for pantry.
LEGEND			



B.D. REF :
F.S.D. REF :

NOTES:

1. WORK FROM FIGURED DIMENSIONS ONLY.
2. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BY THE CONTRACTOR.
3. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH RELEVANT SPECIFICATIONS, CONDITIONS OF CONTRACT AND ALL OTHER RELEVANT DOCUMENTS. THE AUTHORIZED PERSON / REGISTERED STRUCTURAL ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF ANY DISCREPANCY FOUND THEREIN.
4. THIS DRAWING IS NOT VALID FOR CONSTRUCTION OR OTHER PURPOSES UNLESS IT HAS BEEN SIGNED BY THE AUTHORIZED PERSON / REGISTERED STRUCTURAL ENGINEER.
5. ALL WORKS SPECIFIED ON THIS DRAWING SHALL BE CARRIED OUT STRICTLY IN ACCORDANCE WITH PROVISIONS OF THE BUILDING ORDINANCE AND REGULATIONS.
6. COPY RIGHT OF THIS DRAWING IS RESERVED BY THE AUTHORIZED PERSON / REGISTERED STRUCTURAL ENGINEER. NO PORTION OF THIS DRAWING MAY BE REPRODUCED WITHOUT HIS WRITTEN CONSENT.

REV.	DESCRIPTION	DATE
	1ST SUBMISSION	SEP 19
	RE-SUBMISSION	OCT 19

CONSULTANT :

PRUDENTIAL SURVEYORS (INTL) LTD
TEL. 25078333 FAX. 25986576

PROJECT TITLE :
COMMUNITY HOUSING FOR
FLAT I & J, 2/F CHEUNG FAT
MANSION 19 CHEUNG WONG ROAD
MONGKOK, KOWLOON

DRAWING TITLE :
GENERAL NOTES, KEY PLAN &
PROPOSED FLOOR PLAN

DATE	DRAWN	DESIGNED	CHECKED	SCALE
14-10-18	AT	/	DW	AS SHOWN

JOB NO. : E7068 DRAWING NO. : A01

FILING CODE:
14/17/008.../01/17/008 A01
2018-10-08

STATUS : RE-SUBMISSION

AUTHORIZED PERSON :
Dennis W.C. Wong
BSc (Eng), MSc (Mech. Eng),
MSc (Struct. Eng),
Professional Engineer
Registration No. AP(S) 5/93

ICU / FSD OFFICIAL USE:

THE PREMISES WILL NOT BE CARVED OUT FOR SALES

Annex III

**Management Plan for
Transitional Housing Initiatives in
Domestic Buildings
Flat I & J, 2/F, Cheung Fat Mansion, No. 19 Cheung Wong Road,
Kowloon**

Implemented and observed by the main tenant, the operator and all sub-tenants / occupiers
of the premises

Main Tenant's Name
and Operator's Name:

Concern for Grassroots' Livelihood Alliance Limited

Signature:



Date:

21 Nov 2019

Table of Contents

1. The Premises
2. Exemptions/Modifications under the Buildings Ordinance and Subsidiary Regulations Sought
3. Management of the Premises
4. Annual Inspection of the Premises

Appendix A – Layout Plan of the Premises

1. The Premises

Address of the premises		Flat I & J, 2/F, Cheung Fat Mansion, No. 19 Cheung Wong Road, Kowloon	
Name of main tenant and operator of the premises		Concern for Grassroots' Livelihood Alliance Limited	
Use of the premises		Domestic	Domestic
Proposed subdivision of the premises	Use of subdivided areas	Usable Floor Area – Flat J	Usable Floor Area – Flat I
	(a) Living room	8.086m ²	5.765m ²
	(b) Bedroom 1	4.501m ²	7.314m ²
	(c) Bedroom 2	5.857m ²	3.595m ²
	(d) W.C.	2.502m ²	2.713m ²
Layout plan of the premises	Attached at the Appendix A		

2. Exemptions/Modifications of the Buildings Ordinance and Subsidiary Regulations Sought

Relevant Regulations	Description of exemption/ modification sought	Location	Remarks
B(P)Rs 30 & 31	To permit the reduction of natural lighting and ventilation for living room	Flat J: Living Room	<ol style="list-style-type: none"> 1. Artificial lighting and mechanical ventilation at a rate of not less than 5 air changes per hour to be provided to the room to the satisfaction of the BA. 2. All habitable rooms are in full compliance with B(P)R 30 & 31.
B(P)R 45	To permit the non-provision of kitchen	Flat I: Living Room	<ol style="list-style-type: none"> 1. No cooking with naked flame inside the premises. 2. Provision of a communal pantry that is provided with an openable window 3. FSD approved standalone heat detector to be provided at a strategic location near the counter top to the satisfaction of the BA.
		Flat J: Living Room	<ol style="list-style-type: none"> 1. No cooking with naked flame inside the premises. 2. Provision of a communal pantry that is provided with an openable window 3. FSD approved standalone heat detector to be provided at a strategic location near the counter top to the satisfaction of the BA.
B(P)R 36	To permit the reduction of natural lighting and ventilation for pantry	Flat J: Pantry	<ol style="list-style-type: none"> 1. Artificial lighting and mechanical ventilation at a rate of not less than 5 air changes per hour to be provided to the entire area in which the sink is located to the satisfaction of the BA

3. Management of the Premises

3.1 The following clauses should be incorporated in the tenancy agreement between the main tenant, operator and the sub-tenants of the premises:

- (a) The living room/ communal pantry should be maintained as shown on the layout plan.
- (b) The artificial lighting and mechanical ventilation systems should be kept in good functioning condition.
- (c) Cooking facilities with naked flame in the premises are prohibited to be installed or used.
- (d) No alteration should be carried out to the layout including walls, doors and windows (including their glazing and openable sashes), artificial lighting, mechanical ventilation systems, pantry and fire services installations or equipment of the premises.
- (e) Access by the agent of the owner, main tenant or operator for inspection, maintenance and repair of any part of the premises should be provided by the sub-tenants.

3.2 The main tenant should arrange proper maintenance of the premises, including arranging repair of the artificial lighting, mechanical ventilation systems and fire service installations and equipment if any of such is out of order.

3.3 A notice listing the requirements in paragraph 3.1 above should be displayed in a conspicuous position of the premises.

4. Annual Inspection of the Premises

4.1 An Authorized Person registered under the Buildings Ordinance should be appointed by the main tenant to inspect the premises annually and to submit the inspection certificate to the Building Authority.

4.2 A registered fire service installation contractor shall be appointed by the main tenant pursuant to the Fire Service (Installations and Equipment) Regulations to inspect and certify annually the fire service installations and equipment installed in the premises including the standalone heat detector.

Appendix A – Layout Plan of the Premises

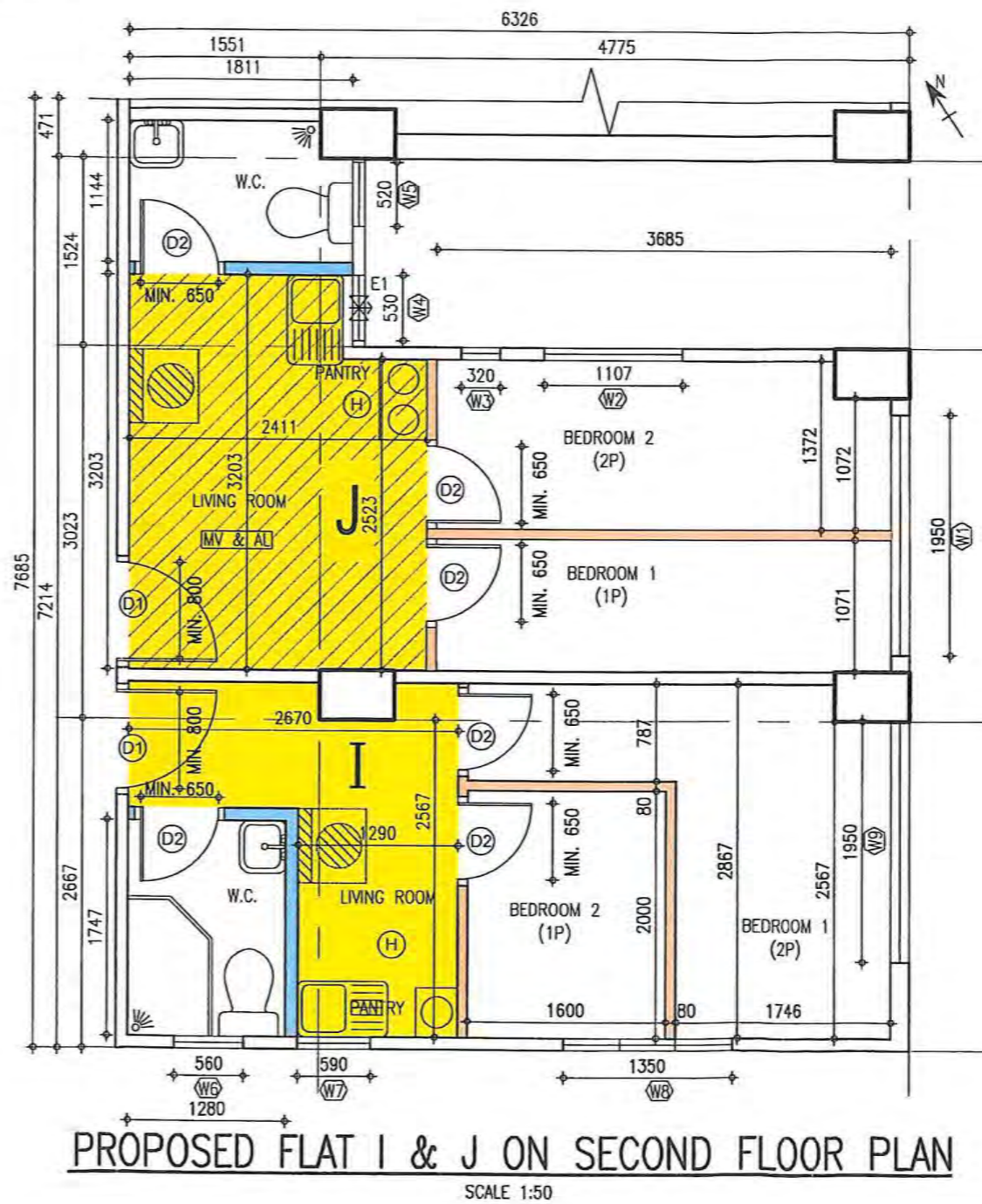
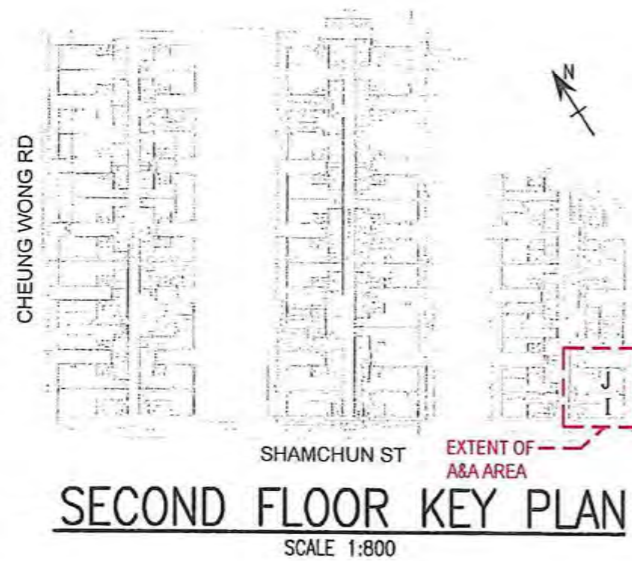
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- EXHAUST FAN
- E1 EXHAUST FAN PROVIDING 5 AIR CHANGES PER HOUR
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- (Induction Cooker Symbol) INDUCTION COOKER FOR PANTRY
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NOTES:				
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	RE-SUBMISSION	OCT 19		
CONSULTANT :				
 PRUDENTIAL SURVEYORS (INTL) LTD TEL. 25078333 FAX. 25986576				
PROJECT TITLE :				
COMMUNITY HOUSING FOR FLAT I & J, 2/F, CHEUNG FAT MANSION 19 CHEUNG WONG ROAD MONGKOK, KOWLOON				
DRAWING TITLE :				
GENERAL NOTES, KEY PLAN & PROPOSED FLOOR PLAN				
DATE	DRAWN	DESIGNED	CHECKED	SCALE
14-10-19	AT	/	DW	AS SHOWN
JOB NO. :		DRAWING NO. :		
E7066		A01		
FILING CODE:				
H:\77008_01\077008_01 2019-10-09				
STATUS : RE-SUBMISSION				
AUTHORIZED PERSON :				
Dennis W.C. Wong (S. Eng., M. Arch., M. Eng., M. Sc., P. Eng., P. Reg. R. Registered Structural Engineer REGISTRATION NO. AP(S) 5/93				
ICU / FSD OFFICIAL USE:				

THE PREMISES WILL NOT BE CARVED OUT FOR SALES

Annex II

**Undertaking Letter for
Non-profit Making Organisation / Institution (NPO)**

Date: 07/12/2019

To the Building Authority

*I/We (name in full) 關注草根生活聯盟有限公司 (Chinese) Concern For Grassroots'
Livelihood Alliance Limited (English) Of

Telephone No. 24812699, Fax No. , incorporated under
the Companies Ordinance Chapter 32 of the Laws of Hong Kong
, being the tenant of
Flat I & J, 2/F, Cheung Fat Mansion, No. 19 Cheung Wong Road, Kowloon
(the Premises) as shown on the plan(s) drawing number A01 submitted to the Building
Authority on 22/11/2019 at the Appendix of the Management Plan in item (b) below, undertake
the following:

- (a) *I/We will arrange, and cause those employed to manage the Premises for the purpose of non-profit making use as transitional housing under Community Housing Movement, to conduct the measures as stated in the attached Management Plan;
- (b) the relevant parts of the Management Plan will be incorporated into the tenancy agreements with occupants of the Premises;
- (c) a copy of the Management Plan will be properly kept at a conspicuous position of the Premises for the attention of occupants at all times; and
- (d) *I/We will notify the Building Authority if our tenancy agreement with the owner is terminated.

2. *I/We understand that *I/we may be liable to prosecution under section 40(2)(b) of the Buildings Ordinance if *I/we have breached or failed to perform any condition of a permit granted by the Building Authority under section 42 of the Buildings Ordinance in relation to the proposed works as shown on the plan(s) mentioned in paragraph 1 above.

3. *I/We understand that contravention of any condition of the permit mentioned in paragraph 2 above or expiry/termination of tenancy between me/us and the owner will render the permit invalid and the Premises should then be reinstated in accordance

with the approved plans or to a state that fully complies with the Buildings Ordinance and regulations.

4. *I/We understand that the Building Authority may issue an order under sections 24 or 24AA of the Buildings Ordinance if any condition of the permit mentioned in paragraph 2 above is not complied with resulting in contravention of the Buildings Ordinance or its subsidiary regulations. As a result, the Premises shall be reinstated as specified in the order.



(Signature of representative with company chop)

李大成

(Name of representative)

Representative

(Position held)

* Delete whichever is inapplicable
(09/2019)