

Previous Applications

Approved Applications

<u>Application No.</u>	<u>Zoning on OZP</u>	<u>Proposed Development</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Condition(s)</u>
A/K5/625	“OU(B)”	Temporary Office and Shop and Services (Real Estate Agency) for a Period of 3 years	19.1.2007 (Revoked on 19.7.2007)	1,2,3
A/K5/699	“OU(B)4”	Proposed Shop and Services	4.3.2011	1,3,4,5
A/K5/774*	“OU(B)4”	Shop and Services	5.2.2016 (Revoked on 5.2.2017)*	3,6

Approval Conditions:

1. Time clause.
2. The submission and implementation of fire services installations in the subject premises within 6 months from the date of the planning approval.
3. Revocation clause.
4. The submission and implementation of fire safety measures, including the provision of a means of escape completely separating the subject premises from the industrial portion of the building and fire service installations in the subject premises before operation of the use.
5. The cockloft linking to the subject premises should be made inaccessible from the ground floor portion of the application premises before operation of the use.
6. The submission and implementation of fire safety measures, including the provision of fire service installations and equipment in the subject premises and means of escape completely separating the subject premises from the industrial portion, within 6 months from the date of the planning approval.

Remarks:

- * Two applications for extension of time for three months (until 5.11.2016) (Application No. A/K5/774-1) and for further three months (until 5.2.2017) (Application No. A/K5/774-3) for compliance with the approval condition in relation to the submission and implementation of fire safety measures were approved.

Recommended Advisory Clauses

- (a) The applicant should resolve the legal matters with the Incorporated Owners of Wing Ming Industrial Centre;
- (b) should the applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration may not be given by the Committee to any further application;
- (c) to note the comments of the District Lands Officer/Kowloon West, Lands Department (LandsD) that there is no guarantee that approval to any waiver applications to permit the ground floor portion of the subject Premises for shop and services use will be given. If the waiver application is approved by the LandsD acting in the capacity as the landlord at its sole discretion, it will be subject to payment of waiver fee and imposition of other terms and conditions as may be appropriate;
- (d) to note the comments of the Director of Fire Services that:
 - (i) regarding matters in relation to fire resisting construction of the Premises, the applicant should comply with the requirements as stipulated in the “*Code of Practice for Fire Safety in Buildings*” which is administered by the Building Authority;
 - (ii) the applicant should also observe the “*Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises*”;
- (e) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that:
 - (i) under section 14(1) of the Buildings Ordinance (BO), no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority before commencement of works unless they are exempted under section 41 of the BO, or fall within minor works under the Building (Minor Works) Regulations;
 - (ii) the applicant is advised to appoint an Authorised Person to check and ensure the followings are in compliance with the BO and its allied regulations:
 - I. adequate means of escape and fire resisting construction should be provided in accordance with the Building (Planning) Regulation (B(P)R) 41(1) and Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Buildings 2011 (FS Code);

- II. access and facilities for persons with a disability should be provided in accordance with B(P)R 72 and Design Manual: Barrier Free Access 2008;
 - III. provision of adequate sanitary fitments in accordance with Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations; and
- (f) to note the comments of the Commissioner for Transport that he has the rights to impose, alter or cancel any car parking loading/unloading facilities and/or any no-stopping restrictions, on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development.