

Previous Applications

Approved Application

Application No.	Zoning on OZP	Proposed Development	Date of Consideration (MPC/TPB)	Approval Condition(s)
A/K5/168	“I”	Showroom Use	23.7.1993	1, 2
A/K5/535	“OU(B)”	Showroom for Garments	15.8.2003	3
A/K5/805	“OU(B)2”	Proposed Shop and Services	16.8.2019	4, 5, 6

Approval Conditions:

1. Only showrooms ancillary to the industrial operations within the same industrial building or in close proximity are permitted.
2. No retailing activities within the showrooms are permitted.
3. The provision of fire service installations.
4. The submission and implementation of fire safety measures, including the provision of fire service installations and a means of escape separated from the industrial portion before operation of the proposed use.
5. Time Clause.
6. Revocation Clause.

Rejected Application

Application No.	Zoning on OZP	Proposed Development	Date of Consideration (MPC/TPB)	Main Reason(s) for Rejection
A/K5/133	“I”	Retail Shops and Wholesale Centre	16.8.1991 (upon review)	1, 2, 3

Main Reasons for Rejection:

1. The subject wholesale centre is not directly ancillary to industries in the building or in the industrial area and wholesale use is not permitted in the zone under the relevant Outline Zoning Plan. There is also no operational need for the wholesale centre to occupy such an extensive industrial space on the ground floor which should generally be retained for industrial purposes.
2. Alternative commercial floor space suitable for garment wholesale activities are available in the vicinity.
3. Approval for the application will set an undesirable precedent for other cases.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Premises;
- (b) to note that a shorter compliance period is granted in order to monitor the fulfilment of the approval conditions. 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 Metro Planning Committee of the Town Planning Board to any further application;
- (c) to apply to the Lands Department (LandsD) for a waiver or no-objection letter for the proposed use. However, there is no guarantee that the approval will be given. If the application is approved by LandsD acting in the capacity as the private landlord at its sole discretion, it will be subject to payment of fee/premium and imposition of other terms as may be appropriate;
- (d) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) that:
 - (i) the applicant is advised to engage an Authorised Person to ensure that any alterations and additions/change in use are implemented in compliance with the Buildings Ordinance (BO);
 - (ii) under section 14(1) of the 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) Regulation;
 - (iii) detailed comments under the BO would be provided at the building plan submission stage; and
 - (iv) attention of the applicant should be drawn that “no objection” to the application should not be constructed as an acceptance of any unauthorised building work (UBW) on the Premises under the BO. Enforcement action may be taken by the Building Authority to effect their removal in accordance with the BD’s enforcement policy against UBW as and when necessary;
- (e) to note the comments of the Commissioner for Transport (C for T) that C for T 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; and
- (f) to note the comments of the Director of Fire Services that:
 - (i) detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans;

- (ii) regarding matters related to fire resisting construction of the Premises, the applicant is reminded to comply with “Code of Practice for Fire Safety in Buildings” which is administered by the Building Authority; and
- (iii) the applicant’s attention is drawn to the “Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises”.