

2024年 2月 8日

此文件在 收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

This document is received on - 8 FEB 2024
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-I
表格第 S16-I 號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP. 131)**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

Applicable to proposals not involving or not only involving:
適用於建議不涉及或不祇涉及:

- (i) **Construction of “New Territories Exempted House(s)”;**
興建「新界豁免管制屋宇」;
- (ii) **Temporary use/development of land and/or building not exceeding 3 years in rural areas or Regulated Areas; and**
位於鄉郊地區或受規管地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展;及
- (iii) **Renewal of permission for temporary use or development in rural areas or Regulated Areas**
位於鄉郊地區或受規管地區的臨時用途或發展的許可續期

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.tpb.gov.hk/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知:
https://www.tpb.gov.hk/tc/plan_application/apply.html

General Note and Annotation for the Form
填寫表格的一般指引及註解

“Current land owner” means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

2400326

1/2 by hand

Form No. S16-I 表格第 S16-I 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/K11/245
	Date Received 收到日期	- 8 FEB 2024

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.tpb.gov.hk/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.tpb.gov.hk/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Jing Wah Garments Manufacturing Co. Ltd.

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Raymond Chan Surveyors Limited

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Portion of G/F, Jing Wah Building, 10 Sam Chuk Street, San Po Kong (New Kowloon Inland Lot No. 4437)
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input type="checkbox"/> Site area 地盤面積 sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 230 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有) sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/31
(e) Land use zone(s) involved 涉及的土地用途地帶	"Other Specified Uses" annotated "Business"
(f) Current use(s) 現時用途	Vacant (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

☒ is the sole "current land owner"^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。

☐ is one of the "current land owners"^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。

☐ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。

☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

(a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

☐ has obtained consent(s) of "current land owner(s)"[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of "current land owner(s)"[#] obtained 取得「現行土地擁有人」[#]同意的詳情

No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified “current land owner(s)”[#]
已通知 名「現行土地擁有人」[#]。

Details of the “current land owner(s)” [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the “current land owner(s)” on _____ (DD/MM/YYYY)^{#&}
於 _____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別

- ☒ Type (i) Change of use within existing building or part thereof
第(i)類 更改現有建築物或其部分內的用途
- ☐ Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s)
第(ii)類 根據法定圖則《註釋》內所要求的河道改道／挖土／填土／填塘工程
- ☐ Type (iii) Public utility installation / Utility installation for private project
第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
- ☐ Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s)
第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
- ☐ Type (v) Use / development other than (i) to (iii) above
第(v)類 上述的(i)至(iii)項以外的用途／發展

Note 1: May insert more than one 「✓」.

註 1：可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.

註 2：如發展涉及靈灰安置用途，請填妥於附件的表格。

(i) For Type (i) application 供第(i)類申請

(a) Total floor area involved 涉及的總樓面面積	About 230 sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	Proposed 'Shop and Services' use (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)		
(c) Number of storeys involved 涉及層數	1	Number of units involved 涉及單位數目	1
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分 sq.m 平方米 <input type="checkbox"/> About 約		
	Non-domestic part 非住用部分 230 sq.m 平方米 <input checked="" type="checkbox"/> About 約		
	Total 總計 230 sq.m 平方米 <input checked="" type="checkbox"/> About 約		
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足，請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途
	G/F Portion	Vacant	Proposed 'Shop and Services' use

(ii) For Type (ii) application 供第(ii)類申請

(a) Operation involved 涉及工程	<input type="checkbox"/> Diversion of stream 河道改道		
	<input type="checkbox"/> Filling of pond 填塘		
	Area of filling 填塘面積	sq.m 平方米	<input type="checkbox"/> About 約
	Depth of filling 填塘深度	m 米	<input type="checkbox"/> About 約
	<input type="checkbox"/> Filling of land 填土		
	Area of filling 填土面積	sq.m 平方米	<input type="checkbox"/> About 約
	Depth of filling 填土厚度	m 米	<input type="checkbox"/> About 約
	<input type="checkbox"/> Excavation of land 挖土		
	Area of excavation 挖土面積	sq.m 平方米	<input type="checkbox"/> About 約
	Depth of excavation 挖土深度	m 米	<input type="checkbox"/> About 約
(Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用圖則顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍))			
(b) Intended use/development 有意進行的用途/發展			

(iii) For Type (iii) application 供第(iii)類申請

(a) Nature and scale 性質及規模	<input type="checkbox"/> Public utility installation 公用事業設施裝置													
	<input type="checkbox"/> Utility installation for private project 私人發展計劃的公用設施裝置													
	Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量, 包括每座建築物/構築物(倘有)的長度、高度和闊度													
	<table border="1"> <thead> <tr> <th>Name/type of installation 裝置名稱/種類</th> <th>Number of provision 數量</th> <th>Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)										
	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)											
(Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)														

(iv) For Type (iv) application 供第(iv)類申請

- (a) Please specify the proposed minor relaxation of stated development restriction(s) and **also fill in the proposed use/development and development particulars in part (v) below** –
請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- ☐ Plot ratio restriction From 由 to 至
地積比率限制
- ☐ Gross floor area restriction From 由sq. m 平方米 to 至sq. m 平方米
總樓面面積限制
- ☐ Site coverage restriction From 由% to 至 %
上蓋面積限制
- ☐ Building height restriction From 由m 米 to 至 m 米
建築物高度限制
From 由 mPD 米 (主水平基準上) to 至mPD 米 (主水平基準上)
From 由 storeys 層 to 至 storeys 層
- ☐ Non-building area restriction From 由m to 至 m
非建築用地限制
- ☐ Others (please specify)
其他 (請註明)

(v) For Type (v) application 供第(v)類申請

(a) Proposed
use(s)/development
擬議用途/發展

(Please illustrate the details of the proposal on a layout plan 請用平面圖說明建議詳情)

(b) Development Schedule 發展細節表

- Proposed gross floor area (GFA) 擬議總樓面面積 sq.m 平方米 ☐About 約
- Proposed plot ratio 擬議地積比率 ☐About 約
- Proposed site coverage 擬議上蓋面積 % ☐About 約
- Proposed no. of blocks 擬議座數
- Proposed no. of storeys of each block 每座建築物的擬議層數 storeys 層
☐ include 包括storeys of basements 層地庫
☐ exclude 不包括storeys of basements 層地庫
- Proposed building height of each block 每座建築物的擬議高度 mPD 米(主水平基準上) ☐About 約
..... m 米 ☐About 約

☐ Domestic part 住用部分GFA 總樓面面積 sq. m 平方米 ☐ About 約

number of Units 單位數目

average unit size 單位平均面積sq. m 平方米 ☐ About 約

estimated number of residents 估計住客數目

☐ Non-domestic part 非住用部分GFA 總樓面面積☐ eating place 食肆 sq. m 平方米 ☐ About 約☐ hotel 酒店 sq. m 平方米 ☐ About 約

(please specify the number of rooms

請註明房間數目)

☐ office 辦公室 sq. m 平方米 ☐ About 約☐ shop and services 商店及服務行業 sq. m 平方米 ☐ About 約☐ Government, institution or community facilities
政府、機構或社區設施 (please specify the use(s) and concerned land area(s)/GFA(s) 請註明用途及有關的地面面積／總樓面面積)

.....

.....

.....

☐ other(s) 其他 (please specify the use(s) and concerned land area(s)/GFA(s) 請註明用途及有關的地面面積／總樓面面積)

.....

.....

.....

☐ Open space 休憩用地

(please specify land area(s) 請註明地面面積)

☐ private open space 私人休憩用地 sq. m 平方米 ☐ Not less than 不少於☐ public open space 公眾休憩用地 sq. m 平方米 ☐ Not less than 不少於

(c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
.....
.....
.....
.....
.....

(d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途

.....

.....

.....

.....

.....

7. Anticipated Completion Time of the Development Proposal 擬議發展計劃的預計完成時間

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)

擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例: 2023 年 6 月)

(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))

(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

June 2025

8. Vehicular Access Arrangement of the Development Proposal 擬議發展計劃的行車通道安排

<p>Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) Sam Chuk Street</p> <p><input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度)</p> <p><input type="checkbox"/></p>
<p>Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示)</p> <p>Private Car Parking Spaces 私家車車位 _____</p> <p>Motorcycle Parking Spaces 電單車車位 _____</p> <p>Light Goods Vehicle Parking Spaces 輕型貨車泊車位 _____</p> <p>Medium Goods Vehicle Parking Spaces 中型貨車泊車位 _____</p> <p>Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 _____</p> <p>Others (Please Specify) 其他 (請列明) _____</p> <p>_____</p> <p>_____</p> <p><input checked="" type="checkbox"/></p>
<p>Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示)</p> <p>Taxi Spaces 的士車位 _____</p> <p>Coach Spaces 旅遊巴車位 _____</p> <p>Light Goods Vehicle Spaces 輕型貨車車位 _____</p> <p>Medium Goods Vehicle Spaces 中型貨車車位 _____</p> <p>Heavy Goods Vehicle Spaces 重型貨車車位 _____</p> <p>Others (Please Specify) 其他 (請列明) _____</p> <p>_____</p> <p>_____</p> <p><input checked="" type="checkbox"/></p>

9. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?</p>	<p>Yes 是</p> <p>No 否</p>	<p><input checked="" type="checkbox"/> Please provide details 請提供詳情 Involving internal layout alteration only</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input type="checkbox"/></p>																													
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註：如申請涉及第(ii)類申請，請跳至下一條問題。)</p>	<p>Yes 是</p> <p>No 否</p>	<p><input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度m 米 <input type="checkbox"/> About 約</p> <p><input checked="" type="checkbox"/></p>																													
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <p>.....</p> <p>.....</p> <p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(尚可)</p> <p>N/A</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													

10. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

Please refer to the attached planning statement.

11. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion. 本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署

Yip Siu Kwan, Sandra

Name in Block Letters
姓名（請以正楷填寫）

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Town Planner

Position (if applicable)
職位（如適用）

Professional Qualification(s) ☒ Member 會員 / ☐ Fellow of 資深會員

專業資格

- ☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /
☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /
☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會
☐ RPP 註冊專業規劃師
Others 其他

Royal Town Planning Institute

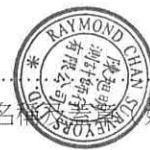
on behalf of Raymond Chan Surveyors Limited
代表

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱（如適用）

Date 日期

30 JAN 2024

..... (DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

For Developments involving Columbarium Use, please also complete the following:
如發展涉及靈灰安置所用途，請另外填妥以下資料：

Ash interment capacity 骨灰安放容量[@]

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

Total number of niches 龕位總數

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

Proposed operating hours 擬議營運時間

[@] Ash interment capacity in relation to a columbarium means –

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.
在該靈灰安置所內，總共最多可安放多少份骨灰。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置／地址	Portion of G/F, Jing Wah Building, 10 Sam Chuk Street, San Po Kong, Kowloon		
Site area 地盤面積	230	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	sq. m 平方米	<input type="checkbox"/> About 約)
Plan 圖則	Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/31		
Zoning 地帶	“Other Specified Uses” annotated “Business”		
Applied use/ development 申請用途／發展	Proposed ‘Shop and Services’ use		
(i) Gross floor area and/or plot ratio 總樓面面積及／或 地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	230 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of blocks 幢數	Domestic 住用		
	Non-domestic 非住用		
	Composite 綜合用途		

(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)
		mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Non-domestic 非住用	m 米 <input type="checkbox"/> (Not more than 不多於)
		mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Composite 綜合用途	m 米 <input type="checkbox"/> (Not more than 不多於)
		mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
(iv) Site coverage 上蓋面積	% <input type="checkbox"/> About 約	
(v) No. of units 單位數目		
(vi) Open space 休憩用地	Private 私人	sq.m 平方米 <input type="checkbox"/> Not less than 不少於
	Public 公眾	sq.m 平方米 <input type="checkbox"/> Not less than 不少於

(vii) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) <hr/>	
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) <hr/>	

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lot Index Plan		
Location Plan		
<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<hr/>		
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

此為空白頁。

This is a blank page.



**SECTION 16 PLANNING APPLICATION
TOWN PLANNING ORDINANCE (CAP. 131)**

**PROPOSED 'SHOP AND SERVICES' USE
AT PORTION OF G/F,
JING WAH BUILDING,
NO. 10 SAM CHUK STREET,
SAN PO KONG, KOWLOON**

**IN RESPECT OF "OTHER SPECIFIED USES (BUSINESS)" ZONE UNDER
THE APPROVED TSZ WAN SHAN, DIAMOND HILL
AND SAN PO KONG OUTLINE ZONING PLAN
NO. S/K11/31**

SUPPLEMENTARY PLANNING STATEMENT

DIRECTORS:
CHAN Yuk-ming, Raymond

AP(HK), FRICS, FHKIS, MCIArb, MCIQB, C. Build E FCABE,
RPS(BS, PFM, P&D)
Chartered Building Surveyor, Authorized Person
Chartered Project Management Surveyor
Registered Professional Surveyor

TSE Chi-kin, Kenny

BSc, FRICS, FHKIS, RPS(BS, PFM, P&D), MHKIVM, MHKICM
Chartered Building Surveyor, Authorized Person
Chartered Project Management Surveyor
Registered Professional Surveyor

TOWN PLANNER:
YIP Siu-kwan, Sandra

BSc, MSc (Urban Planning), MRTPI, RPP
Chartered Town Planner

QUANTITY SURVEYOR:
CHAN Siu-hong, Honby

FRICS, FHKIS, FInstCES, MHKICM, RPS(QS)
Chartered Quantity Surveyor
Chartered Project Management Surveyor
Registered Professional Surveyor

Executive Summary

This planning statement is prepared in support of a planning application for **Proposed ‘Shop and Services’ Use at Portion of G/F, Jing Wah Building, No. 10 Sam Chuk Street, San Po Kong, Kowloon**. The application premises is zoned “Other Specified Uses” annotated “Business” (“OU(Business)”) on the Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/31.

The application premises, with floor area of about 230 m², will be converted from workshop to ‘Shop and Services’ use. It will be separated from the industrial portion of the subject building by buildings material with acceptable fire resistance period (FRP). It will also be provided with new, independent, exclusive Means of Escape (MOE) separated with the industrial portion of the building. All the fire service installations in the premises will fulfill the requirements of Fire Services Department to ensure fire safety of the new use.

The proposed shop and services use at the subject premises is justified mainly on the following grounds:-

- (i) The proposed use is compatible to the adjoining uses.
- (ii) The proposed use conforms to the planning intention of “OU(Business)” zone.
- (iii) The proposed use could fulfill the great demand of shop and services within the San Po Kong business area.
- (iv) The proposed use complies with Town Planning Board Guidelines No. 22D regarding development within industrial building in “OU(Business)” zone.
- (v) There would be no traffic and environmental impact generated from the proposed use.
- (vi) There are similar planning approvals within the same OZP.

In view of the justifications throughout this planning statement, we sincerely hope that members of the Board will approve this application.

行政摘要

此規劃報告書旨在支持新蒲崗三祝街10號正華工業大廈地下(部分)作商店及服務行業用途。申請處所位於慈雲山、鑽石山及新蒲崗分區計劃大綱核准圖（圖則編號S/K11/31）上的「其他指定用途（商貿）」地帶。

申請處所涉及樓面面積約230平方米，擬議由工場改作商店及服務行業用途。申請處所將會與有關建築物的工業部分以可接受的耐火時效建築物材料完全分隔。處所也將提供新的、獨立的及專用的走火逃生路徑。處所內所有消防設備將履行消防處的要求，以確保消防安全。

本規劃報告書提出的規劃理據如下：

- (i) 擬議用途與毗鄰用途相容。
- (ii) 擬議用途符合「其他指定用途（商貿）」地帶的規劃意向。
- (iii) 擬議用途可以滿足商店及服務行業在新蒲崗工業/商業領域內的巨大需求。
- (iv) 擬議用途符合城市規劃委員會指引編號22D內有關商貿區中工業大廈的發展指引。
- (v) 擬議用途不會增加交通流量，亦不會產生環境影響。
- (vi) 分區計劃大綱圖內有多個類似規劃申請的獲批准。

以此理據，此敬希 各城規會成員能批准本用途申請。

<u>TABLE OF CONTENTS</u>	<u>PAGE</u>
1 Introduction.....	1
2 Site Context.....	2
3 Planning Context.....	7
4 Development Proposal.....	9
5 Planning Justification.....	10
6 Conclusion.....	16

PLAN

Location Plan	Plan 1
Lot Index Plan	Plan 2
Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/31	Plan 3
Ground Floor Plan of the Subject Building	Figure 1
Proposed Layout for the Application Premises	Figure 2

APPENDICES

Notes of Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/31 (Extracts)	Appendix I
Town Planning Board Guidelines for Development within “Other Specified Uses (Business)” Zone (TPB PG-No. 22D)	Appendix II

**SECTION 16 PLANNING APPLICATION
TOWN PLANNING ORDINANCE (CHAPTER 131)
SUPPLEMENTARY PLANNING STATEMENT**

PROPOSED SHOP AND SERVICES

**AT PORTION OF G/F, JING WAH BUILDING, 10 SAM CHUK STREET,
SAN PO KONG, KOWLOON (NEW KOWLOON INLAND LOT NO. 4437)
IN RESPECT OF “OTHER SPECIFIED USES (BUSINESS)” ZONE UNDER
THE APPROVED TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG
OUTLINE ZONING PLAN
NO. S/K11/31**

1 INTRODUCTION

- 1.1 This Planning Statement is submitted to the Town Planning Board (“the Board”) in support of a planning application for **proposed ‘Shop and Services’ use at Portion of G/F, Jing Wah Building, 10 Sam Chuk Street, San Po Kong, Kowloon** (hereafter referred to as “the application premises”). The location of the application premises is shown per **Plan 1 and Plan 2**.
- 1.2 The application premises falls within an area zoned “Other Specified Uses” annotated “Business” (“OU(Business)”) on the Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/31 (“the OZP”) (**Plan 3**). According to Schedule II of the schedule of user for this zoning, ‘Shop and Services (not elsewhere specified)’ is listed under Column 2 use and requires planning permission from the Board.
- 1.3 This planning statement presents the site context, the planning context, proposed development as well as planning justifications in support of the planning application for proposed ‘Shop and Services’ use pursuant to section 16 of the Town Planning Ordinance (CAP 131) for the consideration of the Board and relevant government departments concerned.

2 SITE CONTEXT

2.1 The Application Premises

Location and Existing Use

- 2.1.1 The application premises is located at portion of G/F, Jing Wah Building, 10 Sam Chuk Street, San Po Kong, Kowloon. The floor area of the premises is about 230 m². It is currently vacant (**Plate 1**).



Plate 1 The Application Premises

- 2.1.2 The subject building is a 9-storey industrial building, namely Jing Wah Building (10 Sam Chuk Street), commonly built with the adjoining 15-storey industrial building, namely Efficiency House (35 Tau Yau Street). According to the approved general building plans (GBP) under BD ref. 2/5047/62, the existing main uses on each floor are as follows (**Table 1**):-

Table 1 Existing Uses of the Subject Commonly Built Industrial Buildings

<u>Floor</u>	<u>10 Sam Chuk Street</u>	<u>Floor</u>	<u>35 Tai Yau Street</u>
G/F	Car Park and Workshop	G/F	Car Park and Workshop
1-8/F	Workshops	1-8/F	Workshops
R/F	Plant Room	9-14/F	Workshops
		R/F	Plant Room

Neighbourhood Characteristics (Plate 2)

- 2.1.3 The application premises abuts Sam Chuk Street and Tai Yau Street. The ground floor of the adjoining premises, 35 Tai Yau Street is currently a factory canteen (**Photo 1**). To the immediate northeast of the application premises across Sam Chuk Street are industrial buildings, Canny Industrial Building and Kai Yip Factory Building, which are zoned “OU(Business)” on the same OZP (**Photo 2**). To the immediate west of the application premises across Tai Yau Street is Wah Hing Industrial Mansions, which are zoned “OU(Business)” on the same OZP. ‘Shop & Services’ use are found at ground floor of the subject industrial building (**Photo 3**). To the further south of the application premises across Tseuk Luk Street are residential cluster currently zoned “Residential (Group A)” on the OZP (**Photo 4**). A mixture of residential, industrial and commercial activities forms the existing land uses on the locality.
- 2.1.4 The San Po Kong Business Area had been a long-established industrial area that used to comprise predominantly godowns and manufacturing industries. Due to transformation of industrial operations and the shift of industries out of the area, commercial and ancillary industrial uses are emerging. It is also observed that predominant ground floor workshops of industrial building at the locality have been converted to commercial uses.

2.1.5 Active and vibrant commercial services are provided at ground floor buildings along Tai Yau Street (**Photo 5 and 6**).



Plate 2 Site Context



Photo 1 Factory Canteen at Ground Floor of Adjoining Building (35 Tai Yau Street)



Photo 2 Ground Floor Shop at Canny Industrial Building



Photo 3 Ground Floor Shop at Wah Hing Industrial Mansions



Photo 4 Existing Residential Cluster across Tseuk Luk Street



Photo 5 Active and vibrant commercial services



Photo 6 Active and vibrant commercial services

Accessibility

- 2.1.6 The application premises lies at Ground Floor of the subject building which is accessible via pavement along Sam Chuk Street and Tai Yau Street direct.
- 2.1.7 The locality is well-served by pedestrian network. To the further northeast of the application premises is Diamond Hill MTR station within 10 minutes walking distance along Tai Yau Street.

2.2 Land Status of the Application Site

- 2.2.1 The applicant, **Jing Wah Garments Manufacturing Co. Ltd.**, is the sole owner of the application premises. The application premises is subject to Condition of Sale No. UB 7179 governing New Kowloon Inland Lot No. 4437, under which the premises is restricted to industrial use excluding any offensive, noxious, noisome or unhealthy trade, business or manufacture.

3 PLANNING CONTEXT

3.1 Planning History

- 3.1.1 The application premises is not subject to any previous planning application.

3.2 Statutory Planning Policy

- 3.2.1 The application site is zoned “OU(Business)” on the Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/31. This zone is intended primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office buildings **(Appendix I)**.

- 3.2.2 According to the Notes of the OZP, ‘Shop and Services (not elsewhere specified)’ is under Column 2 of the “OU(Business)” zone and may be permitted with or without conditions on application to the Board.

- 3.2.3 The Town Planning Board Guidelines for Development within “Other Specified Uses (Business)” Zone (TPB PG-No.22D) **(Appendix II)** is relevant to this application, the guidelines mentioned that:-

(Para. 1.1) “the “OU(Business)” zone has been introduced to allow maximum flexibility in the use of existing industrial and industrial-office (I-O) buildings as well as in the development of new buildings for both commercial and clean industrial uses.”

(Para. 1.2) “The planning intention of the “OU(Business)” zone is primarily for general employment uses.”

(Para. 4.5) “The provision for planning application for shop and services is restricted to those located at the ground floor only due to fire safety concerns”

(Para 4.6) “the aggregate commercial floor areas on the ground floor of an existing industrial/I-O building with and without sprinkler systems should as a general principle not exceed 460m² and 230m² respectively... The above limits on commercial floor area do not apply to uses which are ancillary to or for the purposes of supporting the industrial activities and the routine activities of the workers in the industrial or I-O building. These uses include bank, fast food counter (sited at street level without seating accommodation and licensed as food factory), electrical shop (selling electrical accessories usually with repairing services and small in scale), local provisions store (selling cigarettes, drinks, canned food and other local convenience goods, and small in scale) and showroom in connection with the main industrial use.”

3.3 Definition of Terms

- 3.3.1 The Definition of Terms published by the Town Planning Board regarding the proposed uses are listed under the table below:-

Table 2 Definition of Terms by Town Planning Board

Proposed Use	Definition	Remarks
Shop and Services	Means any premises where goods are sold or where services are provided to visiting members of the public.	It includes bank, barber shop, beauty parlour, convenient store, supermarket, department store, fast food shop, courier service counter, clinical laboratory, medical consulting room (including medical clinic, dental clinic, physiotherapy clinic and veterinarian clinic), money exchange, money lending office, pawn shop, photographic studio, small-scale printing and xerox service, real estate agency, retail shop, securities brokerage, service trades, showroom, tourist information office, employment agency and travel/ticket agency.

4 DEVELOPMENT PROPOSAL

4.1 Proposed Use

The application premises is applied for ‘Shop and Services’ use with total floor area of about 230 m².

4.2 Floor Layout

The ground floor plan of the subject building is shown in **Figure 1** and **Figure 2**. The internal layout of the application premises will be carefully designed in order to fulfill the requirement that the ‘Shop and Services’ use within the premises is feasible and safe in nature without posing any adverse impacts to the surroundings or the subject building itself.

4.3 Main Entrance

The proposed ‘Shop and Services’ will be accessible directly from pavement along Sam Chuk Street and Tai Yau Street.

4.4 Fire Safety Measures

The application premises will be separated from the industrial portion of the subject building by buildings material with acceptable fire resistance period (FRP). It will also be provided with new, independent, exclusive Means of Escape (MOE) separated with the rest of the building. All the fire service installations in the premises will fulfill the requirements of Fire Services Department to ensure fire safety of the new use.

4.5 Implementation

After approval of this application, the applicant intends to apply to Lands Department for temporary waiver and obtain building plan approval before operation.

5 PLANNING JUSTIFICATION

5.1 Land Use Compatibility

Remaining portion of the ground floor of the subject building is currently occupied by a car park providing internal transport facilities to the subject industrial building. Meanwhile, ground floor of the immediate adjoining premises, 35 Tai Yau Street, is currently a factory canteen.

Active ‘Shop and Services’ uses are commonly found at ground floor of the industrial buildings along Tai Yau Street. And, to the further south of the application premises across Tseuk Luk Street are residential cluster currently zoned “Residential (Group A)” on the OZP. It is anticipated that the proposed ‘Shop and Services’ use at the application premises will be compatible with surrounding residential, industrial and commercial activities.

5.2 Conforming to the Planning Intention of “OU(Business)” Zone

The proposed ‘Shop and Services’ use at the application premises is considered fully in line with the planning intention of the “OU(Business)” zone which aims to phase out industrial uses by encouraging a mix of non-polluting industrial, office and other commercial uses. The proposed use will prove its conformability with the said planning intention since the proposed use is non-polluting and hence support the planning intention of progressive transformation and upgrading of the area.

5.3 Meeting the Demand of Shop and Services Use

Many commercial activities are actively operating in the vicinity of the application premises, particularly at the ground floor of industrial buildings along Tai Yau Street. The existing land use pattern demonstrates the demand for ‘Shop and Services’ supporting the soaring commercial use at the locality. The proposed use for the purposes of supporting the commercial activities and the routine activities for the residents and workers in the area would be able to meet the foreseeable demand.

5.4 Low Risk of Fire Hazard

With reference to the Town Planning Board Guidelines No. 22D, “*owing to fire safety concern, the aggregate commercial floor area on the ground floor of an existing industrial/I-O building with and without sprinkler system should as a general principle not exceed 460m² and 230m² respectively.*” Nevertheless, the aforesaid guidelines also state that “*the above limits on commercial floor area do not apply to uses which are ancillary to or for the purposes of supporting the industrial activities and the routine activities of the workers in the industrial or I-O building.*” In view of this, the applied floor area of the ‘Shop and Services’ use does not exceed the permissible commercial floor area on the ground floor of the subject building. With the fire safety measures to be implemented on site, the business operation of the proposed ‘Shop and Services’ is not likely to arouse fire hazard.

5.5 No Adverse Traffic Impact

The locality is well-served by pedestrian network. To the further northeast of the application premises is Diamond Hill MTR station within 10 minutes walking distance along Tai Yau Street. Together with the fact that the proposed shop and services use is small scale, it is not envisaged that the proposed use is generating excessive traffic affecting the locality.

5.6 No Adverse Impact on Environment

The application premises will not cause any adverse environmental impact to the locality, since the operation will not generate any noise, waste water discharge, vibration, odour smell or dust. It will facilitate the transformation of the subject area to a business area more environmentally desirable.

5.7 Similar Planning Approvals for Shop and Services Use

Similar planning approvals for ‘Shop and Services’ use in the subject “OU(Business)” zone approved by the Board since 2005 are summarized in **Table 3** below.

Table 3 Similar Planning Approvals for ‘Shop and Services’ use

Application No.	Location	Proposed Use	Date of Decision
A/K11/168	Workshop No. 2, G/F, Canny Industrial Building, 33 Tai Yau Street, San Po Kong (NKIL 4395)	Proposed Shop and Services (Retail Shop)	04.03.2005
A/K11/169	Workshop No. 1D, G/F, Canny Industrial Building, 33 Tai Yau Street, San Po Kong (NKIL 4395)	Proposed Shop and Services (Fast Food Shop)	18.03.2005
A/K11/171	Workshop No. 3, G/F, Canny Industrial Building, 33 Tai Yau Street, San Po Kong (NKIL 4395)	Shop and Services (Retail Shop)	10.06.2005
A/K11/173	Portions of C1, C2, C3, C4, C5A, C5B and C6 of Workshop Unit C, G/F, Startex Industrial Building, 14 Tai Yau Street, San Po Kong	Shop and Services	03.03.2006
A/K11/174	Units 1 to 5, G/F, Winning Centre, 29 Tai Yau Street, San Po Kong, Kowloon	Shop and Services	17.03.2006

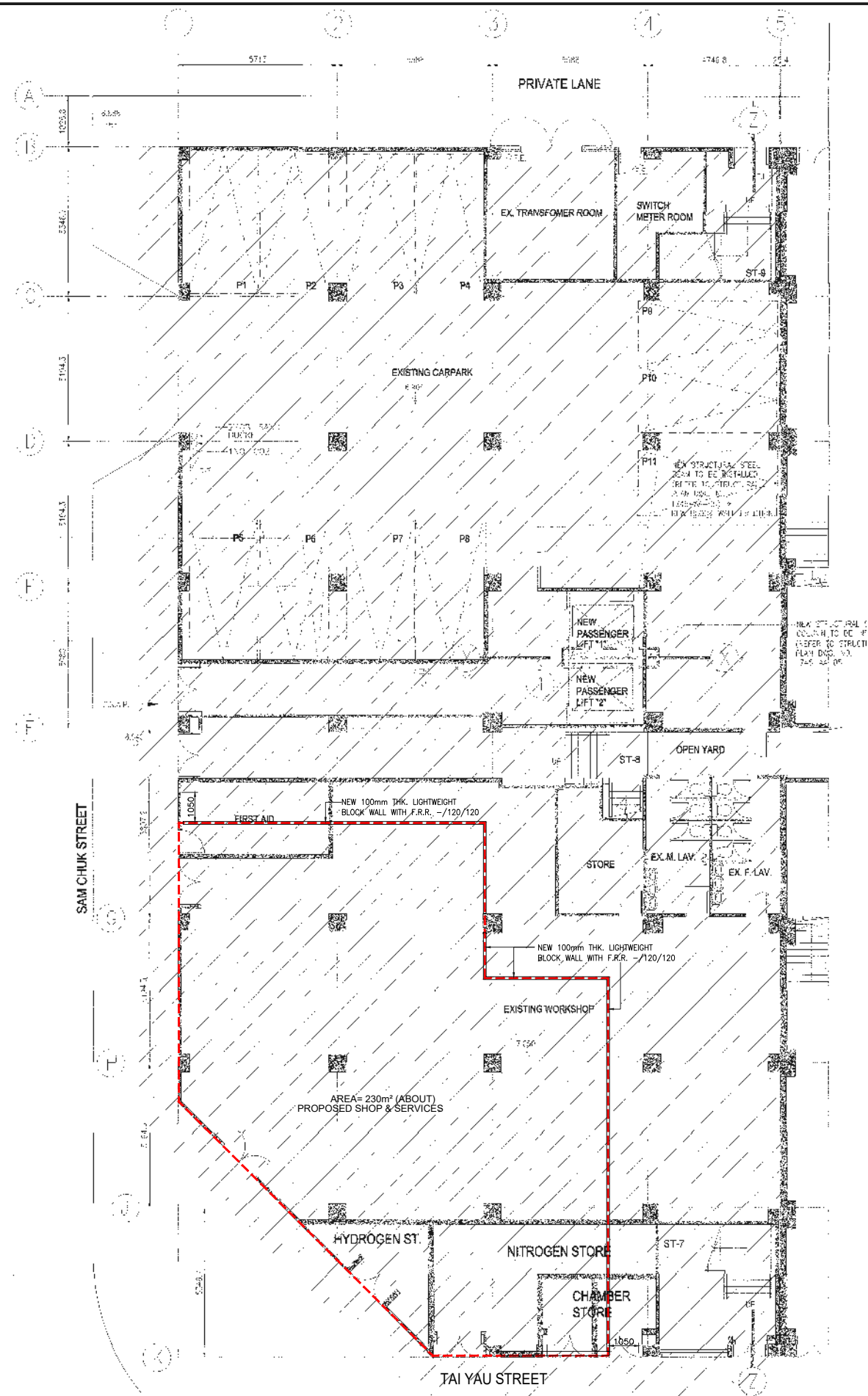
Application No.	Location	Proposed Use	Date of Decision
A/K11/176	Workshop 1C, G/F, Canny Industrial Building, 33 Tai Yau Street, San Po Kong	Shop and Services	19.05.2006
A/K11/182	Workspace A (Portion), G/F, Lee King Industrial Building, 12 Ng Fong Street, San Po Kong, Kowloon	Shop and Services	20.06.2008
A/K11/187	Workshop No. 4A (Portion), G/F, Laurels Industrial Centre, 32 Tai Yau Street, San Po Kong, Kowloon	Shop and Services	07.11.2008
A/K11/190	Workshop No. 4B (Portion), G/F, Laurels Industrial Centre, 32 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services (Property Agency)	13.03.2009
A/K11/192	Portion (Unit 7) of Factory Space No. E, G/F, Wah Hing Industrial Mansions, 36 Tai Yau Street and 21 - 25 Tseuk Luk Street, San Po Kong, Kowloon	Proposed Shop and Services	27.03.2009
A/K11/193	Workshop No. 4B, G/F, Laurels Industrial Centre, 32 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services	10.07.2009
A/K11/195	Workshop No. C on G/F, Midas Plaza, 1 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services	21.08.2009
A/K11/196	Workshop 3, G/F, Canny Industrial Building, 33 Tai Yau Street, San Po Kong, Kowloon.	Shop and Services	12.02.2010
A/K11/201	Workshop D, Ground Floor and the A/C Platform on 1/F, Midas Plaza, 1 Tai Yau Street, San Po Kong, Kowloon	Shop and Services (Real Estate Agency)	01.04.2011
A/K11/207	Workshop 2, G/F, Canny Industrial Building, 33 Tai Yau Street, San Po Kong, Kowloon	Shop and Services	24.02.2012

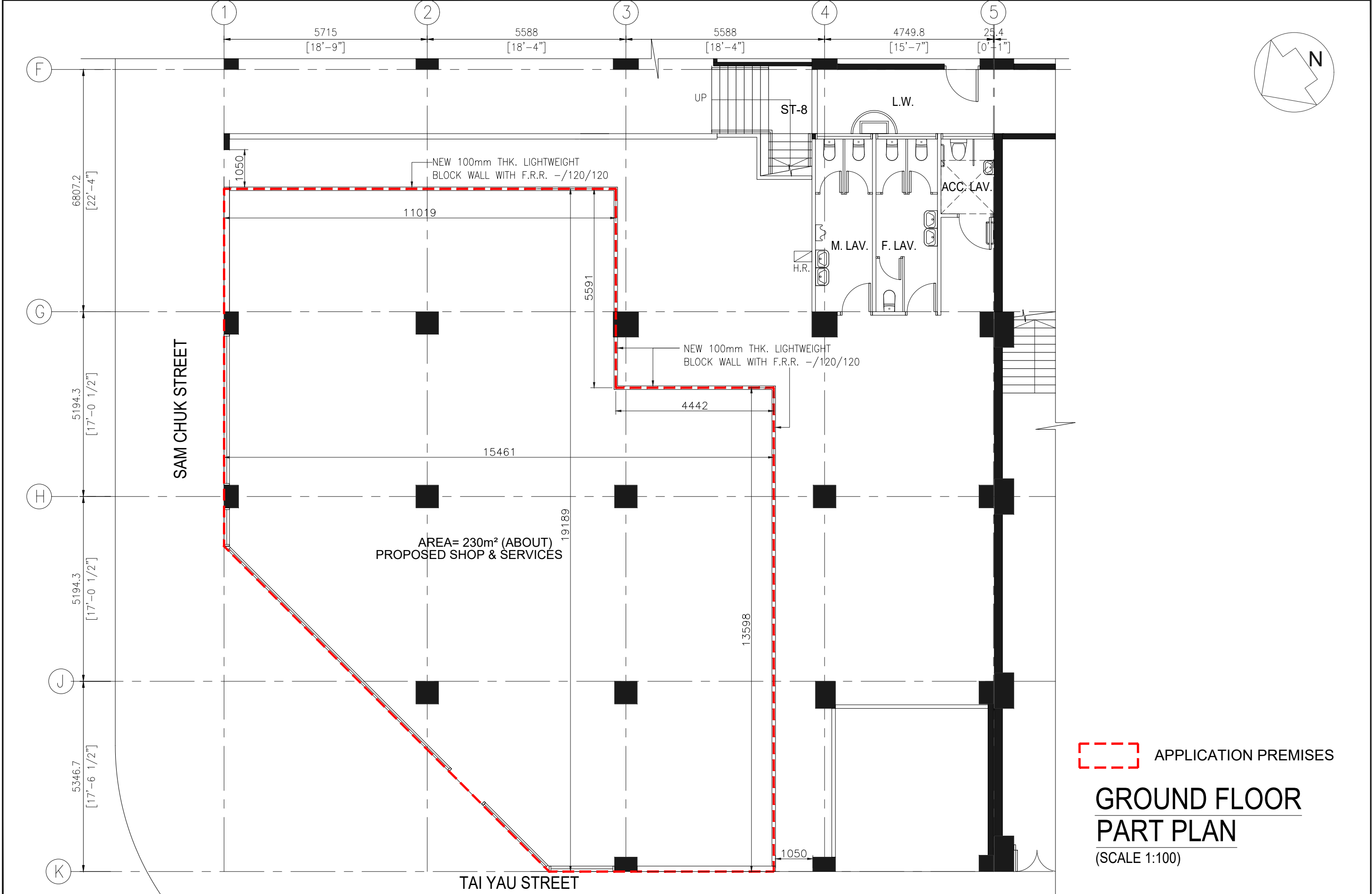
Application No.	Location	Proposed Use	Date of Decision
A/K11/213	Workshop C, G/F, Midas Plaza, 1 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services	02.08.2013
A/K11/219	Factory Flat Nos. 2A and 2B on Ground Floor, Wing Shing Industrial Building, No.26 Ng Fong Street, San Po Kong, Kowloon	Proposed Shop and Services (Fast Food Shop)	27.03.2015
A/K11/221	Workshop No.2, Ground Floor, Laurels Industrial Centre, No.32 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services (Fast Food Shop)	17.07.2015
A/K11/222	Workshop B (Portion), G/F, Wong King Industrial Building, 2-4 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services	09.10.2015
A/K11/224	Unit 1A & 1B, G/F, Wing Shing Industrial Building, 26 Ng Fong Street, San Po Kong	Proposed Shop and Services (Fast Food Shop)	28.04.2017
A/K11/225	Workshop 11, G/F, New Tech Plaza, 34 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services	28.07.2017
A/K11/226	Workshop 13, G/F, New Tech Plaza, 34 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services	11.08.2017
A/K11/227	Portion of G/F, Lead On Industrial Building, 18 Ng Fong Street, San Po Kong, Kowloon	Proposed Shop and Services	11.08.2017
A/K11/228	Portion of G/F, Lead On Industrial Building, 18 Ng Fong Street, San Po Kong, Kowloon	Proposed Shop and Services	11.08.2017
A/K11/229	Unit B, G/F, Wang Fai Industrial Building, 29 Luk Hop Street, San Po Kong, Kowloon	Proposed Shop and Services	24.11.2017
A/K11/230	Workshops 10, 12 and 15, G/F, New Tech Plaza, 34 Tai Yau Street, San Po Kong, Kowloon	Proposed Shop and Services	12.01.2018

Application No.	Location	Proposed Use	Date of Decision
A/K11/234	Workshop on Ground Floor, No. 1 Sheung Hei Street, San Po Kong, Kowloon	Proposed Shop and Services	16.08.2019
A/K11/239	Workshop D on G/F including the glass panel enclosing the shop front and one A/C platform on 1/F, Midas Plaza, 1 Tai Yau Street, San Po Kong, Kowloon	Shop and Services	10.09.2021
A/K11/240	Factory Space No. F7, G/F, Wah Hing Industrial Mansions, 36 Tai Yau Street and 21-25 Tseuk Luk Street, San Po Kong, Kowloon	Shop and Services	24.09.2021
A/K11/242	Unit B, G/F., Wang Fai Industrial Building, 29 Luk Hop Street, San Po Kong, Kowloon	Proposed Shop and Services	23.09.2022
A/K11/243	Workshop Space, G/F (Portion), 21 Luk Hop Street, San Po Kong (New Kowloon Inland Lot No. 4873)	Proposed Shop and Services	14.10.2022

6 CONCLUSION

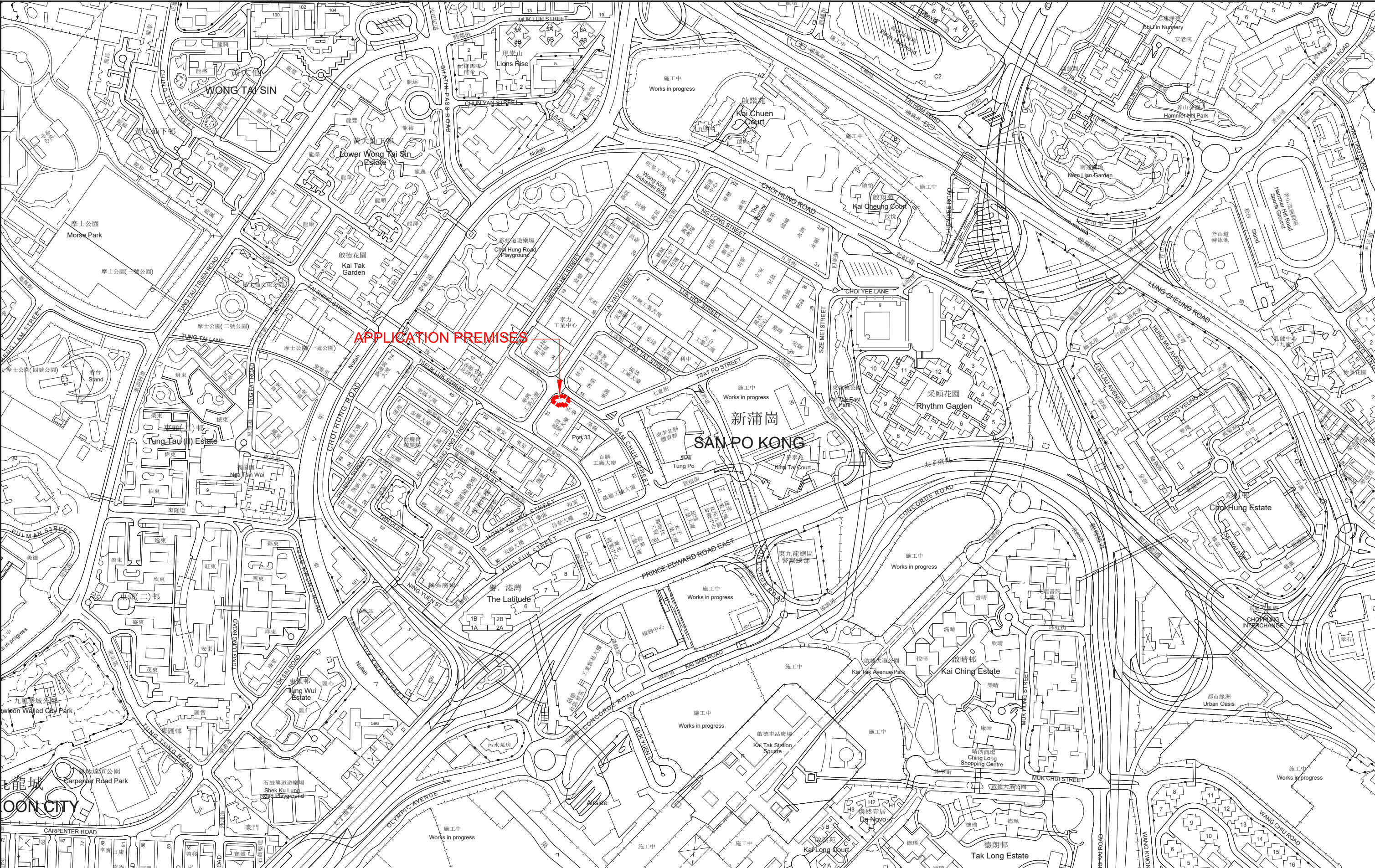
- 6.1** This planning application is to seek planning permission for proposed ‘Shop and Services’ use at Portion of G/F, Jing Wah Building, 10 Sam Chuk Street, San Po Kong, Kowloon.
- 6.2** The application premises falls within an area zoned “Other Specified Uses” annotated “Business” on the Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/31.
- 6.3** The San Po Kong Business Area had been a long-established industrial area that used to comprise predominantly godowns and manufacturing industries. Due to transformation of industrial operations and the shift of industries out of the area, commercial and ancillary industrial uses are emerging. It is also observed that predominant ground floor workshops of industrial building at the locality have been converted to commercial uses.
- 6.4** The proposed ‘Shop and Services’ use complies with the planning intention of “OU(Business)” zone which aims to phase out industrial uses and permit maximum flexibility in the use of an existing industrial building. Remaining portion of the ground floor of the subject building is currently occupied by a car park providing internal transport facilities to the subject industrial building. Meanwhile, ground floor of the immediate adjoining premises, 35 Tai Yau Street, is currently a factory canteen. Thus, it is expected that the proposed use at the application premises will have no interface problems with adjoining uses.
- 6.5** On the other hand, the proposed use will meet the demand for ‘Shop and Services’ amongst residential, industrial and commercial uses at the locality. Besides, no adverse traffic or environmental impact nor fire risk problem are envisaged to be generated from the proposed change of use.
- 6.6** In view of the justifications stated herein, in addition to the fact that there have been many similar approved applications in the district, we sincerely hope that the Board will approve this application.





GROUND FLOOR
PART PLAN
(SCALE 1:100)

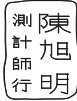
<div>測陳旭明</div> <div>RAYMOND CHAN SURVEYORS LIMITED</div> <div>TEL.:2722-7270 FAX.:2311-3436</div>	<div>NOTES:</div> <div>1. ALL MEASUREMENT MUST BE CHECKED ON SITE.</div> <div>2. DO NOT SCALE DRAWING.</div> <div>3. DRAWING AND COPY-RIGHT ARE PROPERTY OF THE RAYMOND CHAN SURVEYORS LTD AND SHALL BE RETURNED AT COMPLETION OF WORK.</div> <div>4. DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS EXPRESSEDLY CERTIFIED.</div>	<div>HAD REF.:</div> <div>BD REF.:</div> <div>FSD REF.:</div>	<div>PROJECT:</div> <div>PLANNING APPLICATION FOR PROPOSED SHOP AND SERVICES USE AT PORTION OF G/F, JING WAH BUILDING, 10 SAM CHUK STREET, SAN PO KONG, KOWLOON</div>	<div>DRAWING TITLE:</div> <div>PROPOSED LAYOUT FOR THE APPLICATION PREMISES</div> <div>SCALE: 1: 100 @A3</div> <div>DRAWN: P.C.</div>	<div>SIGNATURE:</div>	<div>DATE:</div> <div>JAN 2024</div>
						<div>DRAWING NO.:</div> <div>FIGURE 2</div>
						<div>REFERENCE:</div> <div>—</div>
						<div>REVISION:</div> <div>—</div>



<div><div>測陳 計旭 師行 明</div><div>RAYMOND CHAN SURVEYORS LIMITED</div><div>TEL.:2722-7270 FAX.:2311-3436</div></div>	NOTES: 1. ALL MEASUREMENT MUST BE CHECKED ON SITE. 2. DO NOT SCALE DRAWING. 3. DRAWING AND COPY-RIGHT ARE PROPERTY OF THE RAYMOND CHAN SURVEYORS LTD AND SHALL BE RETURNED AT COMPLETION OF WORK. 4. DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS EXPRESSEDLY CERTIFIED.	HAD REF.:	PROJECT: PLANNING APPLICATION FOR PROPOSED SHOP AND SERVICES USE AT PORTION OF G/F, JING WAH BUILDING, 10 SAM CHUK STREET, SAN PO KONG, KOWLOON	DRAWING TITLE: LOCATION PLAN		SIGNATURE:	DATE: JAN 2024
		BD REF.:		DRAWING NO.: PLAN 1			
		FSD REF.:		REFERENCE: —			
				REVISION: —			
				SCALE: 1: 5000 @A3			
				DRAWN: P.C.			



APPLICATION PREMISES



RAYMOND CHAN
SURVEYORS
LIMITED

TEL.:2722-7270 FAX.:2311-3436

- NOTES:
1. ALL MEASUREMENT MUST BE CHECKED ON SITE.
 2. DO NOT SCALE DRAWING.
 3. DRAWING AND COPY-RIGHT ARE PROPERTY OF THE RAYMOND CHAN SURVEYORS LTD AND SHALL BE RETURNED AT COMPLETION OF WORK.
 4. DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS EXPRESSEDLY CERTIFIED.

HAD REF.:
BD REF.:
FSD REF.:

PROJECT:
PLANNING APPLICATION FOR PROPOSED
SHOP AND SERVICES USE AT
PORTION OF G/F, JING WAH BUILDING,
10 SAM CHUK STREET,
SAN PO KONG, KOWLOON

DRAWING TITLE:
APPROVED TSZ WAN SHAN,
DIAMOND HILL AND
SAN PO KONG OUTLINE
ZONING PLAN NO.S/K11/31
SCALE: 1: 10000 @A3
DRAWN: P.C.

SIGNATURE:

DATE: JAN 2024
DRAWING NO.: PLAN 3
REFERENCE: —
REVISION: —

Appendix I

Notes of the “OU(Business)” zone under

Approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No.

S/K11/31 (Extract)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
-----------------------------------	---

For "Business only (Cont'd)

Schedule II: for industrial or industrial-office building[@]

Ambulance Depot	Broadcasting, Television and/or Film Studio
Art Studio (excluding those involving direct provision of services or goods)	Cargo Handling and Forwarding Facility (Container Freight Station, free-standing purpose-designed Logistics Centre only)
Cargo Handling and Forwarding Facility (not elsewhere specified)	Industrial Use (not elsewhere specified)
Eating Place (Canteen only)	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Government Refuse Collection Point	Off-course Betting Centre
Government Use (not elsewhere specified)	Office (not elsewhere specified)
Information Technology and Telecommunications Industries	Petrol Filling Station
Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods [△])	Place of Recreation, Sports or Culture (not elsewhere specified)
Office (excluding those involving direct provision of customer services or goods)	Private Club
Public Convenience	Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom[#] which may be permitted on any floor)
Public Transport Terminus or Station	Vehicle Repair Workshop
Public Utility Installation	Wholesale Trade
Public Vehicle Park (excluding container vehicle)	
Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation	
Recyclable Collection Centre	
Research, Design and Development Centre	
Shop and Services (Motor Vehicle Showroom on ground floor, Service Trades only)	
Utility Installation for Private Project	
Warehouse (excluding Dangerous Goods Godown)	

In addition, for building without industrial undertakings involving offensive trades or the use/storage of Dangerous Goods[△], the following use is always permitted :

Office

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business only (Cont'd)

In addition, the following uses are always permitted in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the uses are separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

In addition, the following use may be permitted with or without conditions on application to the Town Planning Board in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the use is separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

Commercial Bathhouse/Massage Establishment
Eating Place
Educational Institution
Exhibition or Convention Hall
Institutional Use (not elsewhere specified)
Library
Off-course Betting Centre
Office
Place of Entertainment
Place of Recreation, Sports or Culture
Private Club
Public Clinic
Religious Institution
School (excluding kindergarten)
Shop and Services
Training Centre

Social Welfare Facility (excluding those involving residential care)

- @ An industrial or industrial-office building means a building which is constructed for or intended to be used by industrial or industrial-office purpose as approved by the Building Authority.
- △ Dangerous Goods refer to substances classified as Dangerous Goods and requiring a licence for their use/storage under the Dangerous Goods Ordinance (Cap. 295).
- # Ancillary Showroom requiring planning permission refers to showroom use of greater than 20% of the total usable floor area of an industrial firm in the same premises or building.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business only (Cont'd)

Planning Intention

This zone is intended primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new "business buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office buildings.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 12.0, or the plot ratio of the existing building, whichever is the greater.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) Non-building area(s) from the lot boundary shall be provided:
 - (i) a minimum of 3m-wide abutting Tai Yau Street and King Fuk Street; and
 - (ii) a minimum of 1.5m-wide abutting Choi Hung Road, Tseuk Luk Street, Sheung Hei Street, Sam Chuk Street, Sze Mei Street, Ng Fong Street, Luk Hop Street, Tsat Po Street, Pat Tat Street and Prince Edward Road East.
- (4) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (5) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business only (Cont'd)

Remarks (Cont'd)

- (7) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as stated in paragraphs (3)(i) and 3(ii) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

Appendix II

**Town Planning Board Guidelines for Development within
“OU(Business)” Zone (TPB PG-No. 22D)**

**TOWN PLANNING BOARD GUIDELINES FOR
DEVELOPMENT WITHIN “OTHER SPECIFIED USES (BUSINESS)” ZONE**

(Important Note:

The Guidelines are intended for general reference only.

Any enquiry on this pamphlet should be directed to the Secretariat of the Town Planning Board (15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong – Tel. 2231 4810 or 2231 4835) or the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17th Floor, NPGO and 14th Floor, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

The Guidelines are subject to revision without prior notice.)

” ” ”

1. Introduction

- 1.1 The “Other Specified Uses” annotated “Business (‘OU(Business)’) zone has been introduced to allow maximum flexibility in the use of existing industrial and industrial-office (I-O) buildings as well as in the development of new buildings for both commercial and clean industrial uses. It is perceived as a combination of the “Commercial” and “Industrial” zones. However, it is not intended to replace either of them as both zones will still have an important role to play in ensuring an adequate supply of land for core commercial and industrial activities at appropriate locations.
- 1.2 The planning intention of the “OU(Business)” zone is primarily for general employment uses. Under the “OU(Business)” zoning, a mix of non-polluting industrial, office and other commercial uses will be permitted as of right in new developments of ‘business’ buildings. Industrial uses involving offensive trades declared under the Public Health and Municipal Services Ordinance will not be permitted within the “OU(Business)” zone. In order to ensure that the concerns on fire safety and environmental impacts are properly addressed, only less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public will be permitted as of right in existing industrial and I-O buildings within an “OU(Business)” zone. As it is not possible to phase out existing polluting and hazardous industrial uses all at once, it is necessary to ensure compatibility of the uses within the same building and in existing industrial areas until the whole area is transformed to cater for the new non-polluting business uses.

2. Scope and Application

- 2.1 This set of Guidelines sets out the definitions of relevant terms used in the user schedule of the “OU(Business) zone and explains in detail the uses that are permitted within the zone.

3. Definition of Terms

Non-polluting Industrial Use

- 3.1 **Non-polluting Industrial Use** means any industrial use which does not involve activities that are detriment to the occupants of the building and amenity of the area by reason of noise, waste water discharge, vibration, smell, fume, smoke, soot, ash, dust or grit.
- 3.2 In determining whether an industrial use falls within the meaning of ‘non-polluting industrial use’, reference should be made to the relevant ordinances such as the Air Pollution Control Ordinance, Water Pollution Control Ordinance, Waste Disposal Ordinance and Noise Control Ordinance, and their relevant technical memoranda and regulations as well as the relevant Government published guidelines such as the Hong Kong Planning Standards and Guidelines. Advice could also be sought from the relevant authorities such as the Director of Environmental Protection on a case-by-case basis.
- 3.3 In general, it includes uses involving prototyping, production, design, research and development, alteration, testing, quality control, adaptation, repair, assembly, packaging, storage and distribution of goods and materials without generating environmental pollution and nuisance to neighbours. It also includes information technology support and training for the enhanced productivity and delivery of the goods and materials involved in the aforementioned processes. Examples include custom-tailoring, fashion design and production, computer-aided design service, design and prototyping of electronic product and component, label/badge/button embossing, editing of newspapers, books and magazines for printing off the premises, photo-typesetting and typesetting, film developing and editing, packaging and quality inspection of finished products and after-sale repair of electrical appliances, furniture and office equipment.
- 3.4 It excludes industrial uses involving offensive trades declared under the Public Health and Municipal Services Ordinance and Specified Processes covered by the Air Pollution Control Ordinance; activities which produce chemical waste; or other activities which generate residuals such as waste water, noise, aerial emissions, solid waste, runoff and odour, or create physical changes causing unacceptable impacts on other land uses or on

the environment.

- 3.5 Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) refers to those industrial establishments falling within the definition set out in paragraph 3.1 above, and would not involve the use and/or storage of substances classified as Dangerous Goods which requires a licence under the Dangerous Goods Ordinance. Non-polluting industrial establishments which would involve the use and/or storage of small quantities of Dangerous Goods that are exempted from the licensing requirements will be permitted.

Office (excluding those involving direct provision of customer services or goods)

- 3.6 **Office (excluding those involving direct provision of customer services or goods)** means any office of such uses that would not attract frequently a large number of visitors to the premises by providing direct services or goods to customers or visiting members of the general public.
- 3.7 In general, the premises are to be used for 'office' function which would not attract a large number of visitors. Some examples include headquarters or back-office operations; professional consultants such as architects, engineers, surveyors, planning consultants, solicitors, accountants; and business services such as advertising agencies, management consultants, public relations agencies and interior/graphic design offices.
- 3.8 Establishments which may be frequently visited by the general public, such as travel agents, property agents, employment agencies, investment broker firms, money lending offices, ticketing and sales offices and tourist information offices would be considered as general office use, and planning permission is required from the Board in industrial and I-O buildings (except in the purpose-designed non-industrial portion on the lower floors of an existing building).

I-O Building

- 3.9 An I-O Building is defined as a dual-purpose building in which every unit of the building, other than that in the purpose-designed non-industrial portion, can be used flexibly for both industrial and office purposes. In terms of building construction, the building must comply with all relevant building and fire regulations applicable to both industrial and office buildings, including floor loading, compartmentation, lighting, ventilation, provision of means of escape and sanitary fitments.

4 Permitted Use/Development in an “OU(Business)” Zone

”

New Development

- 4.1 The following types of buildings are permitted as of right in the “OU(Business)” zone as new development or redevelopment/conversion of the whole building:
- (a) Business buildings providing accommodation for a mix of non-polluting industrial (excluding industrial undertakings involving the use/storage of Dangerous Goods), office and other commercial uses;
 - (b) Office buildings with or without retail and other commercial uses;
 - (c) Industrial buildings providing accommodation for non-polluting industrial uses (excluding industrial undertakings involving the use/storage of Dangerous Goods) and office uses (excluding those involving direct provision of customer services and goods); and
 - (d) I-O buildings providing accommodation for non-polluting industrial uses (excluding industrial undertakings involving the use/storage of Dangerous Goods), offices (excluding those involving direct provision of customer services and goods) on upper floors, and general offices with or without commercial uses in the purpose-designed non-industrial portion on the lower floors which will be separated from the industrial uses on the upper floors by a buffer floor.
- 4.2 All uses included in Column 1 of Schedule I of the user schedule for the “OU(Business)” zone will be permitted as of right in new development as well as redevelopment/conversion of an existing industrial or I-O building in whole to a ‘business’ building.
- ”
- 4.3 New development of industrial or I-O buildings, i.e. development with general building plans submitted and approved under the “OU(Business)” zoning, have to conform to uses specified under Column 1 of Schedule II of the user schedule unless otherwise permitted by the Town Planning Board through the planning permission system. For such development, if no industrial undertakings involving offensive trades or the use/storage of Dangerous Goods will be accommodated within the building and such intention is clearly specified in the building plan submission, general office use will be permitted as of right. Otherwise, only those office uses that would not involve direct provision of customer services or goods to the general public will be permitted as of right. This is to address the concern on fire safety within the building. By the same token, for a building with office uses involving direct provision of customer services or goods, planning

permission will not be granted for any proposed industrial undertakings involving the use/storage of Dangerous Goods that requires a licence under the Dangerous Goods Ordinance.

Existing Industrial or I-O Buildings

- 4.4 As specified in the covering Notes of the outline zoning plans, no action is required to make the existing use of any land or building conform to the relevant plan, including the “OU(Business) zoning. All existing uses within an existing industrial or I-O building will be tolerated. However, any material change of use will have to be permitted in terms of the plan (see paragraph 4.8 below).
- 4.5 Whilst it is the intention to provide greater flexibility in the use of the existing industrial or I-O buildings before such buildings are redeveloped, it is necessary to ensure that the fire safety and environmental concerns are properly addressed. In view of the possible presence of existing polluting and hazardous industrial uses, it is necessary to ensure compatibility of the uses within the same building until the whole building is modified/converted to accommodate the new non-polluting and less fire hazard-prone uses. In such circumstances, Schedule II of the user schedule for the “OU(Business) zone provides that only office use which would not involve direct provision of customer services or goods to the general public will be permitted as of right in existing industrial or I-O buildings. Other office, commercial and institutional uses specified under Column 2 of Schedule II will require planning permission from the Town Planning Board. **The provision for planning application for shop and services is restricted to those located at the ground floor only due to fire safety concerns.** However, ancillary showroom use of up to 20% of the total usable floor area of an industrial firm in the same premises or building will be permitted without application. Ancillary showroom exceeding the 20% threshold may also be permitted on any floor of the building upon application to the Board.
- 4.6 The Fire Services Department (FSD) should be satisfied on the risks likely to arise or increase from the proposed commercial use under application. **Owing to fire safety concern, the aggregate commercial floor areas¹ on the ground floor of an existing industrial/I-O building with and without sprinkler systems should as a general principle not exceed 460m² and 230m² respectively.** For any application which would result in a slight exceedance of the relevant floor area limit, the applicant has to demonstrate that the fire safety concern can be satisfactorily addressed, and each case will be considered by the Board on its own merits. **The above limits on commercial floor area do not**

¹ In calculating the floor area, staircases, common circulation areas, lift landings, lavatories, water closets and any space occupied by machinery for any lift, air-conditioning system or similar service provided for the building may be excluded.

apply to uses which are ancillary to or for the purposes of supporting the industrial activities and the routine activities of the workers in the industrial or I-O building. These uses include bank, fast food counter (sited at street level without seating accommodation and licensed as food factory), electrical shop (selling electrical accessories usually with repairing services and small in scale), local provisions store (selling cigarettes, drinks, canned food and other local convenience goods, and small in scale) and showroom in connection with the main industrial use. Any prospective applicant may check with the Planning Department on the aggregate commercial floor area figure in the concerned industrial or I-O building. Moreover, the 230m²/460m² criteria do not apply to cases involving conversion of the low zone of an existing industrial or I-O building for commercial uses if the commercial portion is completely separated from the industrial or I-O portion on the upper floors by a buffer floor of non-hazardous occupancy such as a car-parking floor. In all cases, separate means of escape should be available for the commercial portion. Also, FSD will not support commercial uses in the basement(s) of an industrial or I-O building as the basement(s) are more susceptible to fire risk and pose more serious hazards when involved in fire.

- 4.7 For an existing I-O building, commercial uses and general office use will be permitted as of right in the purpose-designed non-industrial portion on the lower floors of an existing building (excluding basement(s) and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) provided such uses are separated from the industrial or I-O use located above by a buffer floor of non-hazardous occupancy, such as a car-parking or loading/unloading floor. No industrial uses will be permitted to co-exist with the commercial uses in the non-industrial portion.

Material Change of Use in Part of Existing Industrial or I-O Buildings

- 4.8 When there is a material change of use, say, from one type of industrial use to another, or from non-industrial to industrial, the proposed use must be permitted in terms of the extant OZP. In this respect, only non-polluting industrial uses without the use/storage of Dangerous Goods that requires a licence under the Dangerous Goods Ordinance will be permitted as of right in order to avoid the perpetuation and/or aggravation of the potential interface problems.

5. Other Statutory and Non-statutory Requirements

- 5.1 For all new development, redevelopment, conversion and material change of use, adequate parking and loading/unloading spaces should be provided in accordance with the requirements of the Hong Kong Planning Standards and Guidelines, and all other statutory or non-statutory requirements of relevant Government departments must also be met. These include building structure, means of escape and fire safety requirements, which will be considered at the building plan submission stage.

TOWN PLANNING BOARD

September 2007

RAYMOND CHAN SURVEYORS LIMITED
陳旭明測計師行有限公司

ROOM 308, 3/F, EMPIRE CENTRE, 68 MODY ROAD, TSIMSHATSUI EAST, KOWLOON, HONG KONG.
香港 九龍 尖沙咀 麼地道68號 帝國中心3樓308室

Appendix Ib of
MPC Paper No. A/K11/245B



TEL : 2722 7270
FAX: 2311 3436

Your Ref: TPB/A/K11/245

Our Ref. : PR220601/03

Date : 23 APR 2024

The Secretary, Town Planning Board
15/F., North Point Government Offices,
333 Java Road, North Point,
Hong Kong

By Hand By Fax
(2877 0245)

Dear Sir/Madam,

Re: Section 16 Planning Application for Proposed 'Shop and Services' Use at Portion of G/F, Jing Wah Building, No. 10 Sam Chuk Street, San Po Kong, Kowloon (Planning Application No. A/K11/245)

We refer to the emails from Kowloon District Planning Office dated 27 February 2024, 1 March 2024 and 22 March 2024 forwarding to us the government departmental and public comment on the captioned application.

We hereby submit our response to government departmental comments and public comment (Enclosure).

We hope the information provided could facilitate your kind consideration of this application. Should you have any queries, please feel free to contact the undersigned at [REDACTED]

Yours faithfully,
RAYMOND CHAN SURVEYORS LIMITED

Sandra Yip

Encl.

c.c. Kowloon District Planning Office (Attn: Mr. Charles Lee) – By Fax (2894 9502)



DIRECTORS:
CHAN Yuk-ming, Raymond

AP(HK), FRICS, FHKIS, MCI Arb, MCI OB, C. Build E FCABE,
RPS(BS, PFM, P&D)
Chartered Building Surveyor, Authorized Person
Chartered Project Management Surveyor
Registered Professional Surveyor

TSE Chi-kin, Kenny

BSc, FRICS, FHKIS, RPS(BS, PFM, P&D), MHKIVM, MHKICM
Chartered Building Surveyor, Authorized Person
Chartered Project Management Surveyor
Registered Professional Surveyor

TOWN PLANNER:
YIP Siu-kwan, Sandra

BSc, MSc (Urban Planning), MRTPI, RPP
Chartered Town Planner

QUANTITY SURVEYOR:
CHAN Siu-hong, Honby

FRICS, FHKIS, FInstCES, MHKICM, RPS(QS)
Chartered Quantity Surveyor
Chartered Project Management Surveyor
Registered Professional Surveyor

DEPARTMENTAL COMMENTS			OUR RESPONSES TO DEPARTMENTAL COMMENTS								
(I)	Comments from Transport Department dated 28.2.2024 (Received by Planning Department on 1.3.2024) (Contact Person: Mr. Dustin CHAN, [REDACTED])		Our Response to Departmental Comments								
	2.	The ancillary parking and loading/unloading provision in accordance with HKPSG was not mentioned in the submission. We had approached the Authorised Agent (Raymond Chan Surveyors Limited)'s representative (Ms Jane Yim at [REDACTED]) and request for clarification of the car parking provision and layout, however, the response was not yet received before the deadline.	The subject building, Jing Wah Building, is a 9-storey industrial building commonly built with the adjoining 15-storey industrial building, namely Efficiency House (35 Tai Yau Street). The subject industrial development is providing internal transport facilities in accordance to lease condition (the relevant approved GBP under BD ref. 2/5047/62 and 2-3/5047/62/10 are attached) as follows:								
	2.	The applicant should elaborate the proposed car parking provision and demonstrate the fulfillment of HKPSG requirements and provide the relevant calculation, proposed carpark layout, loading/unloading arrangement including goods delivery routes within building for our further consideration.	<table><tr><th>Floor</th><th>Internal Transport Facilities (Jing Wah Building)</th><th>Internal Transport Facilities (Efficiency House)</th></tr><tr><td>G/F</td><td>11 nos. Private Car Parking Space</td><td>6 nos. Private Car Parking Space & 17 nos. Parking, Loading/Unloading Space for Goods Vehicle</td></tr></table>	Floor	Internal Transport Facilities (Jing Wah Building)	Internal Transport Facilities (Efficiency House)	G/F	11 nos. Private Car Parking Space	6 nos. Private Car Parking Space & 17 nos. Parking, Loading/Unloading Space for Goods Vehicle	<p>According to the approved GBP, the total non-domestic GFA of subject industrial development is 332,046.01 sq.ft (about 30,847.83 sq.m). The proposed conversion of the subject workshop to Shop and Services use (involving floor area of about 230 sq.m) constitutes not more than 0.75% of total GFA of the industrial development, the additional demand for internal transport facilities should be considered minimal. The loading/unloading activities for the proposed use would perform at the existing loading/unloading space at G/F of the subject industrial development.</p> <p>The proposed goods delivery routes within building is demonstrated in Figure 3.</p>	
Floor	Internal Transport Facilities (Jing Wah Building)	Internal Transport Facilities (Efficiency House)									
G/F	11 nos. Private Car Parking Space	6 nos. Private Car Parking Space & 17 nos. Parking, Loading/Unloading Space for Goods Vehicle									

(II)	Comments from Buildings Department dated 22.2.2024 (Contact Person: Mr Colin Lai, [REDACTED])			Our Response to Departmental Comments
	The applicant is required to clarify the following for our consideration:			
	1.	(a)	It is noted that the proposed layout is different from the approved plans dated 25.1.2017 (our reference BD 2-3/5047/62/7) in respect of an active Alterations and Additions works at the subject premises, in that the F.S. pump room and sprinkler pump room and fire control centre shown on the aforesaid approved plans have not been indicated on the proposed layout plan.	<p>Please be clarified that the latest A&A works implemented on site was in accordance to the latest GBP BD ref. 2-3/5047/62/10 approved by the Building Authority on 27.7.2022.</p> <p>The said approved plan dated 25.1.2017 under BD ref. 2-3/5047/62/7 in respect of the proposed Alterations and Additions works at the subject premises, and the said proposed F.S. pump room, sprinkler pump room and fire control centre shown on the aforesaid approved plans had not been implemented on site.</p>
		(b)	The layout of existing staircase No. 7 on G/F. Para. 5(b)(i) of your memo dated 15.2.2024 refers.	The existing staircase No. 7 is shown on Figure 2_Rev. A enclosed herewith.
		(c)	The proposed use of the area in between the subject premises and the adjoining lavatories. Para, 5(b)(ii) of the above memo refers.	The area in between the application premises and the adjoining lavatories is out of the application boundary and shall be remained as 'workshop' use.
	2.	Regarding para. 1(a) above, you may wish to seek comments from the Fire Services Department.		Noted.
	3.	All building works/ change of use are subject to compliance with the Buildings Ordinance (BO).		
	4.	Before any new building works are carried out, prior approval and consent from the Building Authority (BA) under BO should be obtained, unless the works fall within the scope of designated minor works that can be carried out under the simplified requirements specified in the Building (Minor Works) Regulation or such works are exempted works.		

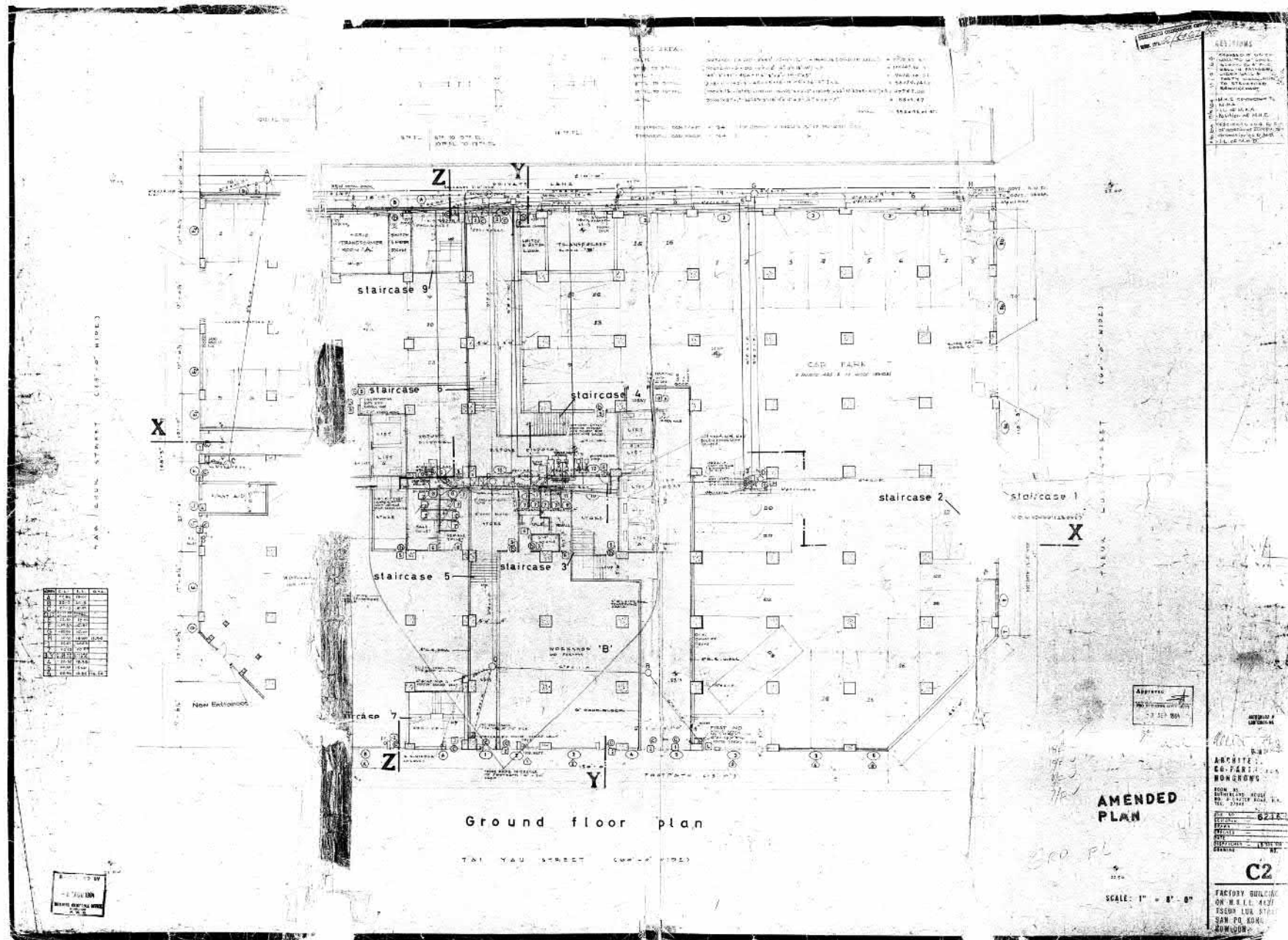
	5.	The applicant is advised to appoint an Authorized Person to ensure that any building works/ change of use are implemented in compliance with BO, including (but not limited to) the following;		
		(a)	Adequate means of escape should be provided in accordance with the Building (Planning) Regulation 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code).	
		(b)	The subject premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to the Building (Construction) Regulation 35 and the FS Code.	
		(c)	Adequate provision of sanitary fitments should be provided to the subject premises in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations.	
		(d)	Adequate provision of barrier free access to the subject premises should be provided in accordance with the Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008.	
	6.	For unauthorised building works (UBW) erected on private land/buildings, enforcement action may be taken by the Building Authority to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any UBW on the application site under the BO.		
	7.	If the proposed use under application is subject to the issue of a licence, please be reminded that any existing structures on the application site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.		

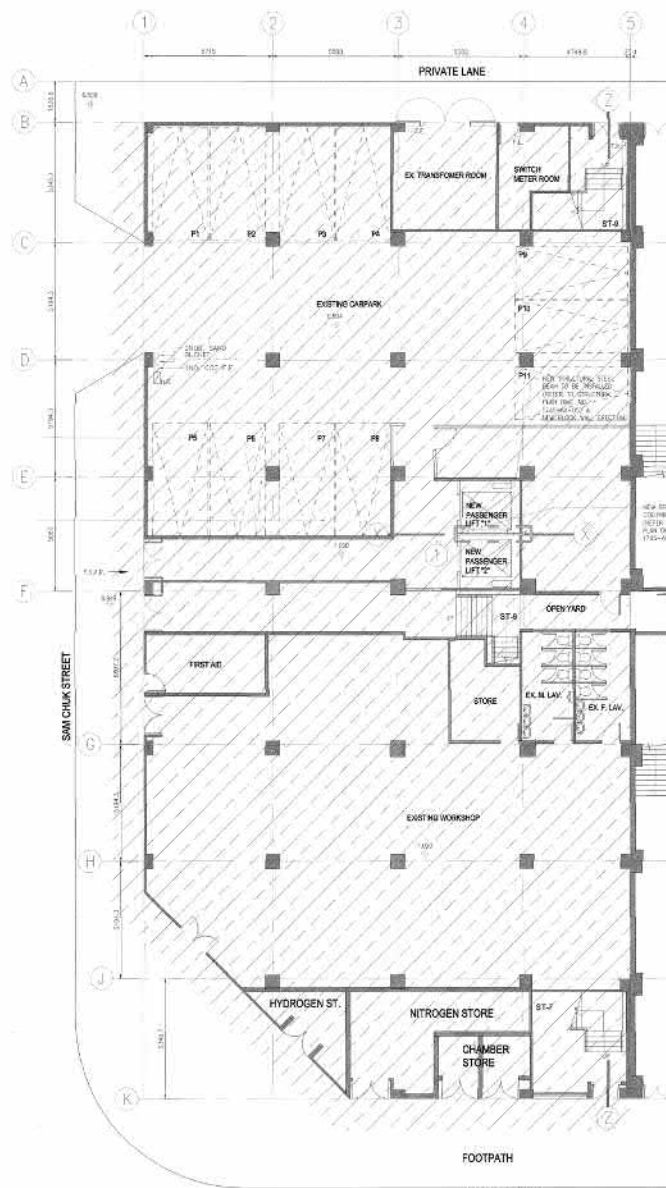
	8.	Please also draw the applicant's attention to Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers PNAP APP-47 that the BA has no powers to give retrospective approval or consent for any UBW	
	9.	Detailed comments under the BO will be given at the building plans submission stage.	
(III)	Comments from Planning Department dated 27.2.2024 (Contact Person: Mr. Charles LEE, [REDACTED])		Our Response to Departmental Comments
	Your attention is drawn to BD's comments 1(a) to (c), and PlanD is of the view that the applicant should provide clarification regarding the relevant particulars. Besides, our other comments are as follow:		
	(a)	Please indicate the proposed entrance(s)/exit(s) on Figure 2.	The entrance of the proposed shop & services shall be designated at the building frontage facing Sam Chuk Street and Tai Yau Street. The proposed exit is shown on Figure 2_Rev A enclosed herewith.
	(b)	Should the proposed shop and services use utilizes the existing carpark at G/F of the Jing Wah Building, please provide clarification on the access route from the carpark to the proposed use.	The proposed goods delivery routes within building is demonstrated in Figure 3 .
(IV)	Comments from Lands Department dated 1.3.2024 (Contact Person: Ms Emily Fok, [REDACTED])		Our Response to Departmental Comments
		The premises under application falls within New Kowloon Inland Lot No. 4437 ("the Lot"), which is held under the Condition of Sale No. 7179 dated 25.6.1962 as varied or modified by a modification letter dated 5.7.1965. The lease term has been extended up to 30.6.2046. The Lot is restricted for industrial and/or godown purposes excluding offensive trades. The proposed "Shop and Services" use of the premises will contravene the lease conditions under which the Lot is held.	Noted.

	2.	If the planning application is approved by the Town Planning Board ("TPB"), the owner of the premises shall apply to Lands Department ("LandsD") for a lease modification or temporary waiver to implement the proposal. However, there is no guarantee that the lease modification or temporary waiver application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord as its soled discretion. In the event any such application is approved, it will be subject to such terms and conditions including, among others, the payment of premium/waiver fee and administrative fee as may be imposed by LandsD. Approval by TPB shall not prejudice the government's right to take enforcement action against any breach of lease conditions identified at the premises.	Noted.
(v)	Comments from Food and Environmental Hygiene Department dated 20.2.2024 (Contact Person: Ms Kaya Chan. [REDACTED])		Our Response to Departmental Comments
	i.	Proper licence/permit issued by this Department is required if there is any food business/catering service/activities regulated by the Director of Food and Environmental Hygiene (DFEH) under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. Under the Food Business Regulation, Cap. 132X, a factory canteen licence is required for the operation of the food businesses in the industrial building as listed in the Regulation.	Noted.
	ii.	The operation of business should not cause any environmental nuisances and/or hygiene problems at the application site and its vicinities. The operator of the site is responsible for the removal and disposal of any trade waste generated from the commercial activities at their expenses.	Noted.

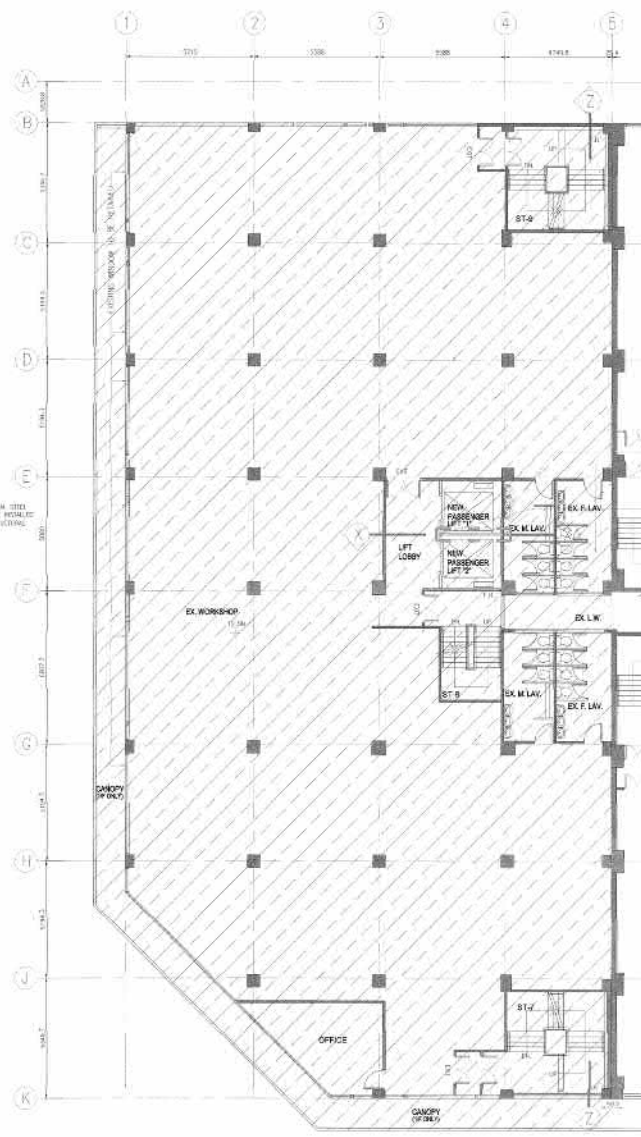
(VI)	Comments from Fire Services Department dated 26.2.2024 (Received by PlanD on 1.3.2024) (Contact Person: Mr. LEE Ka-wai, [REDACTED])		
	<u>Part A: General Comments:</u> I have no objection in principle to the application subject to :		
	(i)	Fire service installations and equipment being provided to the satisfaction of this Department. Detailed Fire Services requirements will be formulated upon receipt of formal submission for general building plans; and	Noted.
	(ii)	Means of escape separated from the industrial portion is available for the subject unit.	Noted.
	<u>Part B: Advisory Comments for the Applicant</u> Regarding matters related to fire resisting construction of the premises, the applicant is reminded to comply with the “Code of Practice for Fire Safety in Buildings” which is administered by the Building Department. Applicant’s attention should be drawn to the “Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises” if the application is approved.		Noted.
(VII)	Comments from Highways Department dated 15.2.2024 (Contact Person: Ms Jenny Li, [REDACTED])		Our Response to Departmental Comments
	No comment on the application.		Noted.
(VIII)	Comments from Drainage Services Department dated 29.2.2024 (Contact Person: Ms Veda TSANG, [REDACTED])		Our Response to Departmental Comments
	I have no comment on the subject planning application from public drainage operation and maintenance point of view.		Noted.
(IX)	Comments from Water Services Department dated 22.2.2024 (Contact Person: Ms. Ruby Hu, [REDACTED])		Our Response to Departmental Comments
	No comment on the application.		Noted.

PUBLIC COMMENT	OUR RESPONSES TO PUBLIC COMMENT
Comments from Incorporated Owners of Efficiency House and Jing Wah Building dated 9.3.2024	Our Response to Public Comment
<p>就有關規劃申請編號： A/K 11/245 – 九龍新蒲崗三祝街 10 號正華工業大廈地下列(部份)申請擬議商店及服務行業。本法團議決通過，予以強烈反對，所持理由如下：-</p> <ol style="list-style-type: none"> 1. 正華大廈雖然是獨立大廈，但仍屬於本業主立案法團管理。他們過去要求自負盈虧地管理自己大廈。但遇事故發生時，如前兩年的工傷意外事件，其大廈業主將保險責任問題推卸給本法團承擔。過去多年來，本法團從未有收取其任何管理費用（包括公眾意外保險費用）。若通過此項目，日後誓必增加任何因意外而做成的事件，本法團極有可能需要花更多時間及金錢去處理由其引起之保險及賠償問題。 2. 本法團從未接到正華大廈業主之申請規劃方案，若作為商業用途，恐產生大量排污廢水，尤其是餐飲業服務：由於正華大廈已有多多年空置未有使用，對於大廈翻新後增加各層的排水裝置，已對舊有地渠管道及設施，構成不可預見之用量，對維修及保養費用成本增加。根據記錄，正華大廈業主曾拒絕支付地下排污管理維修費用及分攤更新工程費用。正華大廈業主的申請方案，無疑對共用設施再次增加排量，從而引起的額外費用，本法團必須提出反對。 	<ol style="list-style-type: none"> 1. Approval of this planning application shall not prejudice any of the rights and remedies of the co-owners under the Deed of Mutual Covenant governing the subject Efficiency House and Jing Wah Building. The applicant shall resolve the subject disputes with his co-owners after planning approval, if necessary. 2. This planning application is proposing 'Shop & Services' use at the subject premises. In accordance to the Definition of Terms published by the Town Planning Board, 'Shop & Services' refers any premises where goods are sold or where services are provided to visiting members of the public. From planning perspectives, 'Shop & Services' is differentiated from 'Eating Place', which are defined as premises used for the carrying on of any business where primary purpose is the sale of food or drinks mainly for consumption on the premises. Therefore, there shall be no food catering services at the subject premises after planning approval for 'Shop & Services' use. Furthermore, DSD EPD had no concern on the sewerage/drainage discharge and did not raise objection to the subject planning application.





GROUND FLOOR PLAN



1ST FLOOR PLAN

NEW STRUCTURE: 2008
PLAN TO BE RE-DESIGNED
STRUCTURE TO CONFORM
WITH THE 10
100-40-00-0
NEW DESIGN AND SPECIFICATIONS
NEW STRUCTURE: 2008
PLAN TO BE RE-DESIGNED
STRUCTURE TO CONFORM
WITH THE 10
100-40-00-0
NEW DESIGN AND SPECIFICATIONS

Note: This drawing is prepared under the supervision of
the Architect and the Engineer and the Architect and the Engineer
are responsible for the accuracy of the information provided in this
drawing. The user of this drawing is responsible for the accuracy of the
information provided in this drawing. The user of this drawing is responsible
for the accuracy of the information provided in this drawing.

The Architect
Lam Wai Yeung
27 JUL 2022

BD REF: BD 2-1/2017/02/10

PROJ REF: P 8/3882 (178)

NOTES:
1. ALL DIMENSIONS GIVEN ARE IN MILLIMETRE
2. ALL DIMENSIONS SHOULD BE CHECKED AND
VERIFIED ON SITE
3. THIS DRAWING IS NOT VALID FOR
CONSTRUCTION PURPOSES UNLESS EXPRESSLY
CERTIFIED

REV.	REVISION	DATE
1	ISSUE FOR TENDER	20/01/2022
2	REVISED	20/01/2022
3	REVISED	20/01/2022
4	REVISED	20/01/2022
5	REVISED	20/01/2022
6	REVISED	20/01/2022

CBRE
世邦魏理仕

OFFICES NO. 03, LEVEL 19
MANLIFE PLACE
348 KWUN TONG ROAD
KOWLOON, HONG KONG

TEL: 2999 5100 FAX: 2836 0881

CLIENT
JING WAI GARMENTS
MANUFACTURING CO., LTD.

PROJECT
PROPOSED A&A WORKS AT JING WAI
BUILDING, 10 SUI CHUK STREET,
SUI PO KONG

PROJECT NO: BCD-C3568

TITLE
GROUND AND 1ST FLOOR PLAN

DRAWING NO: AA-02

REV: D

SCALE: 1:100 (A1)

DRAWN: SUM DATE: JUL 2022

CHECKED: AT APPROVED: AT

This drawing is prepared under the supervision of

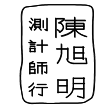
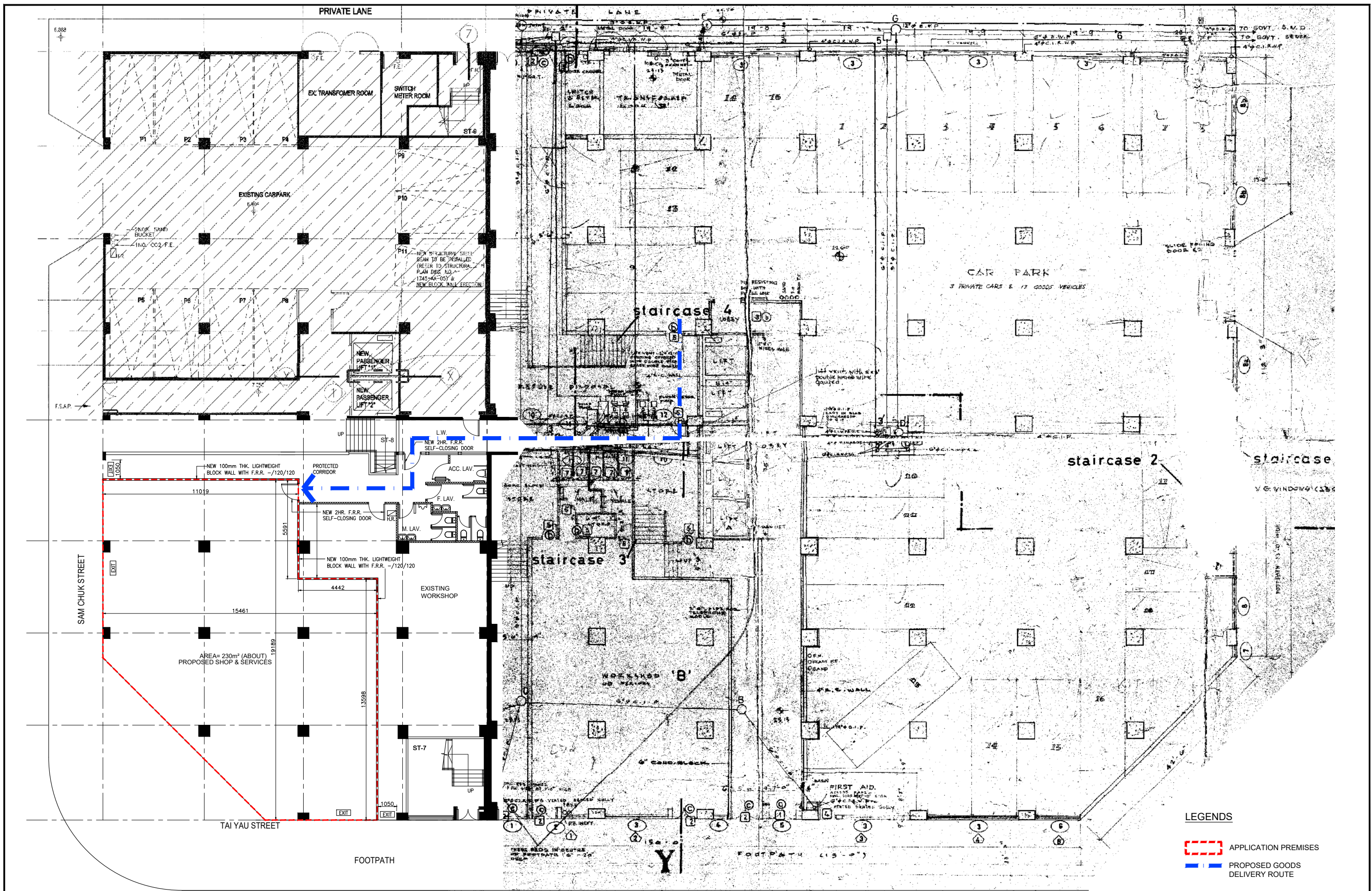
[Signature]

LAM WAI YEUNG
27 JUL 2022
Registered Professional Surveyor (R.S.)
Authorized Person

CONSTRUCTOR REF:

The works shown on this plan are type of work
(A&A WORKS) in respect of which the
Planning Authority's consent is applied for the purpose
of fast track consent application under regulation 33 of
the Building (Administration) Regulations.





RAYMOND CHAN
SURVEYORS
LIMITED

TEL.: 2722-7270 FAX.: 2311-3436

NOTES:

1. ALL MEASUREMENT MUST BE CHECKED ON SITE.
2. DO NOT SCALE DRAWING.
3. DRAWING AND COPY-RIGHT ARE PROPERTY OF THE RAYMOND CHAN SURVEYORS LTD AND SHALL BE RETURNED AT COMPLETION OF WORK.
4. DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS EXPRESSEDLY CERTIFIED.

HAD REF.:

BD REF.:

FSD REF.:

PROJECT:

PLANNING APPLICATION FOR PROPOSED
SHOP AND SERVICES USE AT
PORTION OF G/F, JING WAH BUILDING,
10 SAM CHUK STREET,
SAN PO KONG, KOWLOON

DRAWING TITLE:

PROPOSED GOODS
DELIVERY ROUTE

SCALE: 1: 200 @A3

DRAWN: P.C.

SIGNATURE:

DATE: APR 2024

DRAWING NO.: FIGURE 3

REFERENCE: —

REVISION: —

RAYMOND CHAN SURVEYORS LIMITED
陳旭明測計師行有限公司

Appendix Ic of
MPC Paper No. A/K11/245B



ROOM 308, 3/F, EMPIRE CENTRE, 68 MODY ROAD, TSIMSHATSUI EAST, KOWLOON, HONG KONG.
香港九龍尖沙咀麼地道68號帝國中心3樓308室

TEL : 2722 7270
FAX: 2311 3436

Your Ref: TPB/A/K11/245

Our Ref. : PR220601/04

Date : 5 June 2024

The Secretary, Town Planning Board
15/E., North Point Government Offices,
333 Java Road, North Point,
Hong Kong

By Hand By Fax
(2877 0245)

Dear Sir/Madam,

Re: Section 16 Planning Application for Proposed 'Shop and Services' Use at
Portion of G/F, Jing Wah Building, No. 10 Sam Chuk Street, San Po Kong,
Kowloon (Planning Application No. A/K11/245)

We refer to the emails from Kowloon District Planning Office dated 6 May 2024 and 22 May 2024 forwarding to us the government departmental comment on the captioned application.

We hereby submit our response to government departmental comments (Enclosure).

We hope the information provided could facilitate your kind consideration of this application. Should you have any queries, please feel free to contact the undersigned at [REDACTED]

Yours faithfully,
RAYMOND CHAN SURVEYORS LIMITED

Sandra Yip

Encl.

c.c. Kowloon District Planning Office (Attn: Mr. Charles Lee) – By Fax (2894 9502)
Transport Department (Attn: Ms. Summer Lee) – By Email (wingsumlee@td.gov.hk)

DIRECTORS:
CHAN Yuk-ming, Raymond

AP(HK), FRICS, FHKIS, MCIArb, MCIOB, C, Build E FCABE,
RPS(BS, PFM, P&D)
Chartered Building Surveyor, Authorized Person
Chartered Project Management Surveyor
Registered Professional Surveyor

TSE Chi-kin, Kenny

BSc, FRICS, FHKIS, RPS(BS, PFM, P&D), MHKIVM, MHKICM
Chartered Building Surveyor, Authorized Person
Chartered Project Management Surveyor
Registered Professional Surveyor

TOWN PLANNER:
YIP Siu-kwan, Sandra

BSc, MSc (Urban Planning), MRTPI, RPP
Chartered Town Planner

QUANTITY SURVEYOR:
CHAN Siu-hong, Honby

FRICS, FHKIS, FInstCES, MHKICM, RPS(QS)
Chartered Quantity Surveyor
Chartered Project Management Surveyor
Registered Professional Surveyor

DEPARTMENTAL COMMENTS			OUR RESPONSES TO DEPARTMENTAL COMMENTS								
(I) Comments from Transport Department dated 28.2.2024 (Received by Planning Department on 1.3.2024) (Contact Person: Mr. Dustin CHAN, tel.: [REDACTED])			Our Response to Departmental Comments dated 23 April 2024								
	2.	The ancillary parking and loading/unloading provision in accordance with HKPSG was not mentioned in the submission. We had approached the Authorised Agent (Raymond Chan Surveyors Limited)'s representative (Ms Jane Yim at [REDACTED] and request for clarification of the car parking provision and layout, however, the response was not yet received before the deadline.	<p>The subject building, Jing Wah Building, is a 9-storey industrial building commonly built with the adjoining 15-storey industrial building, namely Efficiency House (35 Tai Yau Street). The subject industrial development is providing internal transport facilities in accordance to lease condition (the relevant approved GBP under BD ref. 2/5047/62 and 2-3/5047/62/10 are attached) as follows:</p> <table><tr><th>Floor</th><th>Internal Transport Facilities (Jing Wah Building)</th><th>Internal Transport Facilities (Efficiency House)</th></tr><tr><td>G/F</td><td>11 nos. Private Car Parking Space</td><td>6 nos. Private Car Parking Space & 17 nos. Parking, Loading/Unloading Space for Goods Vehicle</td></tr></table> <p>According to the approved GBP, the total non-domestic GFA of subject industrial development is 332,046.01 sq.ft (about 30,847.83 sq.m). The proposed conversion of the subject workshop to Shop and Services use (involving floor area of about 230 sq.m) constitutes not more than 0.75% of total GFA of the industrial development, the additional demand for internal transport facilities should be considered minimal. The loading/unloading activities for the proposed use would perform at the existing loading/unloading space at G/F of the subject industrial development.</p> <p>The proposed goods delivery routes within building is demonstrated in Figure 3.</p>			Floor	Internal Transport Facilities (Jing Wah Building)	Internal Transport Facilities (Efficiency House)	G/F	11 nos. Private Car Parking Space	6 nos. Private Car Parking Space & 17 nos. Parking, Loading/Unloading Space for Goods Vehicle
	Floor	Internal Transport Facilities (Jing Wah Building)				Internal Transport Facilities (Efficiency House)					
G/F	11 nos. Private Car Parking Space	6 nos. Private Car Parking Space & 17 nos. Parking, Loading/Unloading Space for Goods Vehicle									
2.	The applicant should elaborate the proposed car parking provision and demonstrate the fulfillment of HKPSG requirements and provide the relevant calculation, proposed carpark layout, loading/unloading arrangement including goods delivery routes within building for our further consideration.										

	Comments from Transport Department dated 6.5.2024 (Contact Person: Ms. Summer LEE, tel. [REDACTED])	Our Response to Departmental Comments dated 5 June 2024
	<p>To determine the acceptability of the proposed use of the existing loading/unloading bay at Efficiency House, the applicant should seek the agreement from the stakeholders for allocating designated loading/unloading bay(s) to them. The applicant should provide justification to confirm and demonstrate that their proposal will not induce roadside loading/unloading and good delivery on the public road and the remaining loading/unloading bays are adequate for the Efficiency House.</p>	<p>(i) Considering the applicant finds difficulty in seeking written consent/agreement from the existing owner of Efficiency House to allocate designated loading/unloading bay(s) to serve the proposed 'Shop and Services' at this planning application stage, the applicant would like to propose alternative proposed goods delivery route <u>within building (Figure 3_Rev. A)</u>, which supersedes the proposed goods delivery route in Figure 3 submitted on 23 April 2024.</p> <p><u>(ii) Existing Utilization Condition</u> Please be clarified that the applicant is the sole owner of Jing Wah Building (see all Land Registers in Annex A) including the existing car park on ground floor of the subject building. Currently, 8 nos. of car parking spaces on site are under monthly rental to the users of Jing Wah Building while the remaining parking spaces on site are reserved for applicant's self-use. From 29 May 2024 to 02 June 2024, it is observed that the 8 nos. of car parking space under monthly rental are occupied during office hour 9:00 am to 6:00 pm from Monday to Saturday and unoccupied on Sunday. The remaining parking spaces reserved for the applicant's self-use are unoccupied everyday.</p> <p><u>(iii) Proposed New Parking Arrangement for Proposed 'Shop & Services' Use on G/F</u> It is proposed that unloading/unloading activities for the proposed 'Shop & Services' shall be performed at the existing car park at Jing Wah Building (Car Parking Space Nos. P5 & P6 shall designated exclusive use by the Proposed 'Shop & Services' for L/UL or parking activities from 7:00 am to 9:00 am everyday by visit-by-appointment arrangement (Figure 3_Rev. A). The visit-by-appointment arrangement shall be managed by the existing property managers/security guards residing at the subject building who are directly employed by the applicant. The parking arrangement shall be as follows:-</p>

		<table border="1"> <thead> <tr> <th>Car Parking Space No.</th><th>Dimension (W x L) (m)</th><th>Designated Users</th></tr> </thead> <tbody> <tr> <td>9 nos. (P1, P2, P3, P4, P7, P8, P9, P10 & P11)</td><td>2.5 m x 5m</td><td>Monthly Rental to the users of the subject Jing Wah Building</td></tr> <tr> <td>2 nos. (P5 & P6)</td><td>2.5 m x 5m</td><td> (i) Exclusive Use by the Proposed 'Shop & Services' for L/UL or parking activities from 7:00 am to 9:00 am everyday by visit-by-appointment arrangement (at construction/renovation stage and operation phases of the proposed development) (ii) Hourly Rental to the users of the subject Jing Wah Building (other than 7:00 am to 9:00 am everyday) </td></tr> </tbody> </table> <p>(iv) The Anticipated L/UL and Parking Demand from the Proposed 'Shop & Services'</p> <p>The anticipated L/UL and parking demand from the proposed 'Shop & Services' are as follows:-</p> <p><u>(a) Operation Phase</u></p> <p>The anticipated type of vehicles for goods delivery shall be Light Goods Vehicle (LGV) and the estimated trips generated from the delivery of goods shall be <u>a maximum of 4 trips per week</u> and each unloading/unloading slot shall <u>not be more than 30 minutes</u>. Meanwhile, car parking facility required by customers is not anticipated as the proposed 'Shop & Services' mainly serve the demand from the local workers and residents.</p> <p><u>(b) Construction/Renovation Phase</u></p> <p>The conversion of the subject workshop to 'Shop & Services' use shall involve minor A&A and renovation works only, LGV shall be able to cater for the need of delivery of construction materials at construction/renovation phase. The anticipated type of vehicles for delivery of construction materials shall be Light Goods Vehicle (LGV) and the delivery of construction materials shall only be performed at early stage of the proposed development. The construction period shall last for about two months and each unloading/unloading slot shall <u>not be more than 30 minutes</u>.</p>	Car Parking Space No.	Dimension (W x L) (m)	Designated Users	9 nos. (P1, P2, P3, P4, P7, P8, P9, P10 & P11)	2.5 m x 5m	Monthly Rental to the users of the subject Jing Wah Building	2 nos. (P5 & P6)	2.5 m x 5m	(i) Exclusive Use by the Proposed 'Shop & Services' for L/UL or parking activities from 7:00 am to 9:00 am everyday by visit-by-appointment arrangement (at construction/renovation stage and operation phases of the proposed development) (ii) Hourly Rental to the users of the subject Jing Wah Building (other than 7:00 am to 9:00 am everyday)
Car Parking Space No.	Dimension (W x L) (m)	Designated Users									
9 nos. (P1, P2, P3, P4, P7, P8, P9, P10 & P11)	2.5 m x 5m	Monthly Rental to the users of the subject Jing Wah Building									
2 nos. (P5 & P6)	2.5 m x 5m	(i) Exclusive Use by the Proposed 'Shop & Services' for L/UL or parking activities from 7:00 am to 9:00 am everyday by visit-by-appointment arrangement (at construction/renovation stage and operation phases of the proposed development) (ii) Hourly Rental to the users of the subject Jing Wah Building (other than 7:00 am to 9:00 am everyday)									

		<p>(v) According to the latest approved GBP for the subject building, the 2 nos. of car parking space (P5 & P6) to be designated exclusive use by the Proposed 'Shop & Services' for parking or L/UL activities from 7:00 am to 9:00 am everyday has locational advantage to accommodate a Light Goods Vehicle with standard parking dimension of 3.5 m (W) x 7.0 m (L) as specified in Hong Kong Planning Standards and Guidelines (HKPSG) (as demonstrated on Figure 3_Rev. A).</p> <p>(vi) Considering the observation on existing utilization condition stated in para. (ii) above, the proposed new parking arrangement shall be able to cater the need of L/UL activities generated from the proposed 'Shop & Services' Use.</p>
--	--	---

(II)	Comments from Lands Department dated 1.3.2024 (Contact Person: Ms Emily Fok, tel.: [REDACTED])	Our Response to Departmental Comments dated 23 April 2024
	<p><i>The premises under application falls within New Kowloon Inland Lot No. 4437 ("the Lot"), which is held under the Condition of Sale No. 7179 dated 25.6.1962 as varied or modified by a modification letter dated 5.7.1965. The lease term has been extended up to 30.6.2046. The Lot is restricted for industrial and/or godown purposes excluding offensive trades. The proposed "Shop and Services" use of the premises will contravene the lease conditions under which the Lot is held.</i></p>	<p><i>Noted.</i></p>
	<p><i>2. If the planning application is approved by the Town Planning Board ("TPB"), the owner of the premises shall apply to Lands Department ("LandsD") for a lease modification or temporary waiver to implement the proposal. However, there is no guarantee that the lease modification or temporary waiver application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord as its soled discretion. In the event any such application is approved, it will be subject to such terms and conditions including, among others, the payment of premium/waiver fee and administrative fee as may be imposed by LandsD. Approval by TPB shall not prejudice the government's right to take enforcement action against any breach of lease conditions identified at the premises.</i></p>	<p><i>Noted.</i></p>

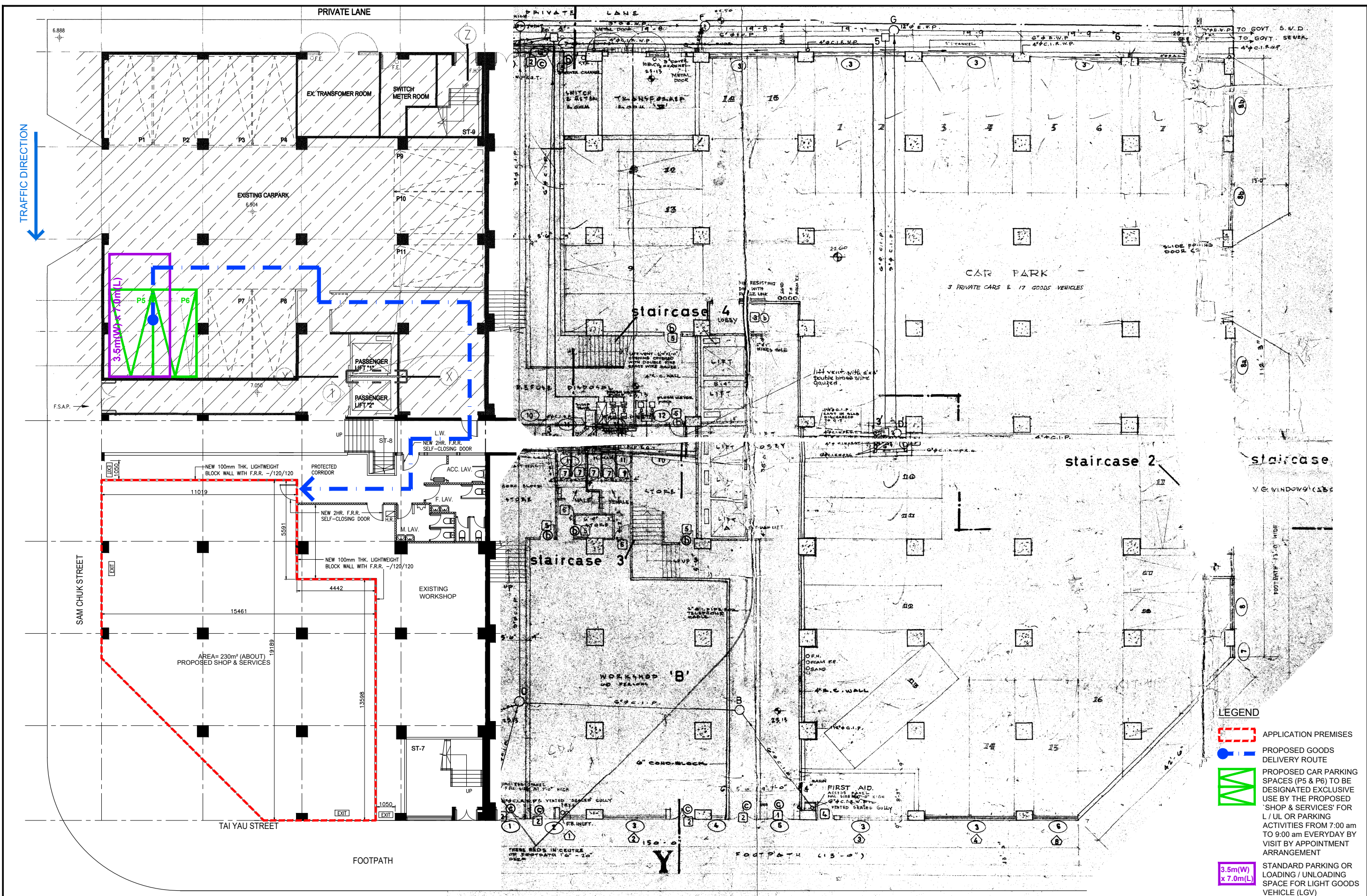
	Comments from Lands Department dated 6.5.2024 (Contact Person: Ms Emily Fok, tel.: [REDACTED])	Our Response to Departmental Comments dated 5 June 2024
	<p>The proposed goods delivery route as shown in Figure 3 (Rev. -) falls within the common area of the Lot while the car parking and L/UL spaces located in Efficiency House are currently held by two separate owners as shown in the Land Registry record.</p>	<p>See our Response to Comments to TD above and the alternative goods delivery route proposed under this submission (see Figure 3_Rev A).</p>

(III)	Comments from Buildings Department dated 22.2.2024 (Contact Person: Mr Colin Lai, tel. [REDACTED])	Our Response to Departmental Comments dated 23 April 2024
	<i>The applicant is required to clarify the following for our consideration:</i>	
1.	(a) <i>It is noted that the proposed layout is different from the approved plans dated 25.1.2017 (our reference BD 2-3/5047/62/7) in respect of an active Alterations and Additions works at the subject premises, in that the F.S. pump room and sprinkler pump room and fire control centre shown on the aforesaid approved plans have not been indicated on the proposed layout plan.</i>	<i>Please be clarified that the latest A&A works implemented on site was in accordance to the latest GBP BD ref. 2-3/5047/62/10 approved by the Building Authority on 27.7.2022.</i> <i>The said approved plan dated 25.1.2017 under BD ref. 2-3/5047/62/7 in respect of the proposed Alterations and Additions works at the subject premises, and the said proposed F.S. pump room, sprinkler pump room and fire control centre shown on the aforesaid approved plans had not been implemented on site.</i>
	(b) <i>The layout of existing staircase No. 7 on G/F. Para. 5(b)(i) of your memo dated 15.2.2024 refers.</i>	<i>The existing staircase No. 7 is shown on Figure 2_Rev. A enclosed herewith.</i>
	(c) <i>The proposed use of the area in between the subject premises and the adjoining lavatories. Para, 5(b)(ii) of the above memo refers.</i>	<i>The area in between the application premises and the adjoining lavatories is out of the application boundary and shall be remained as 'workshop' use.</i>
	2. <i>Regarding para. 1(a) above, you may wish to seek comments from the Fire Services Department.</i>	<i>Noted.</i>
	3. <i>All building works/ change of use are subject to compliance with the Buildings Ordinance (BO).</i>	
	4. <i>Before any new building works are carried out, prior approval and consent from the Building Authority (BA) under BO should be obtained, unless the works fall within the scope of designated minor works that can be carried out under the simplified requirements specified in the Building (Minor Works) Regulation or such works are exempted works.</i>	




	5.	<i>The applicant is advised to appoint an Authorized Person to ensure that any building works/ change of use are implemented in compliance with BO, including (but not limited to) the following;</i>		<i>Noted.</i>
		<i>(a)</i>	<i>Adequate means of escape should be provided in accordance with the Building (Planning) Regulation 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code).</i>	
		<i>(b)</i>	<i>The subject premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to the Building (Construction) Regulation 35 and the FS Code.</i>	
		<i>(c)</i>	<i>Adequate provision of sanitary fitments should be provided to the subject premises in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations.</i>	
		<i>(d)</i>	<i>Adequate provision of barrier free access to the subject premises should be provided in accordance with the Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008.</i>	
	6.	<i>For unauthorised building works (UBW) erected on private land/buildings, enforcement action may be taken by the Building Authority to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any UBW on the application site under the BO.</i>		

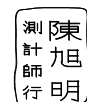
	7.	<i>If the proposed use under application is subject to the issue of a licence, please be reminded that any existing structures on the application site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.</i>	<i>Noted.</i>
	8.	<i>Please also draw the applicant's attention to Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers PNAP APP-47 that the BA has no powers to give retrospective approval or consent for any UBW</i>	
	9.	<i>Detailed comments under the BO will be given at the building plans submission stage.</i>	

Comments from Buildings Department dated 21.5.2024 (Contact Person: Ms Natalie Ng, SBS/K3; Tel.: [REDACTED])		Our Response to Departmental Comments dated 5 June 2024
1.	It is noted that the applicant provided clarifications to address the comments in paragraphs 1(a) to 1(c) of our memo dated 22.2.2024. Based on the clarifications provided, I have no further comments. However, please remind the applicant that our comments in paragraphs 3 to 9 of the said memo are still valid.	Noted.
2.	It is noted that the proposed passage for goods delivery as shown in drawing no. 'FIGURE 3' of the FI would involve proposed building works within and outside the application premises. In this regard, the applicant's attention is drawn to the comments in paragraphs 3 to 9 of our memo dated 22.2.2024. The applicant should also be reminded to obtain consents from relevant owner(s) for using the proposed passage for goods delivery.	See our Response to Comments to TD above and the alternative goods delivery route proposed under this submission (see Figure 3_Rev A).
3.	Based on the aforesaid drawing no. 'Figure 3', it appears that the proposed passage for goods delivery would route through an approved flush water pump room and a light well. You are advised to seek comments from Transport Department on whether the proposed goods delivery route is acceptable	



LEGEND

-  APPLICATION PREMISES
-  PROPOSED GOODS DELIVERY ROUTE
-  PROPOSED CAR PARKING SPACES (P5 & P6) TO BE DESIGNATED EXCLUSIVE USE BY THE PROPOSED 'SHOP & SERVICES' FOR L / UL OR PARKING ACTIVITIES FROM 7:00 am TO 9:00 am EVERYDAY BY VISIT BY APPOINTMENT ARRANGEMENT
-  3.5m(W) x 7.0m(L) STANDARD PARKING OR LOADING / UNLOADING SPACE FOR LIGHT GOODS VEHICLE (LGV)



RAYMOND CHAN
SURVEYORS
LIMITED

TEL.:2722-7270

FAX.:2311-3436

NOTES:

1. ALL MEASUREMENT MUST BE CHECKED ON SITE.
2. DO NOT SCALE DRAWING.
3. DRAWING AND COPY-RIGHT ARE PROPERTY OF THE RAYMOND CHAN SURVEYORS LTD AND SHALL BE RETURNED AT COMPLETION OF WORK.
4. DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS EXPRESSEDLY CERTIFIED.

HAD REF.:

BD REF.:

FSD REF.:

PROJECT:
PLANNING APPLICATION FOR PROPOSED
SHOP AND SERVICES USE AT
PORTION OF G/F, JING WAH BUILDING,
10 SAM CHUK STREET,
SAN PO KONG, KOWLOON

DRAWING TITLE:
PROPOSED GOODS
DELIVERY ROUTE

SCALE: 1: 200 @A3

DRAWN: P.C.

SIGNATURE:

DATE: JUN 2024

DRAWING NO.: FIGURE 3

REFERENCE: -

REVISION: A

RAYMOND CHAN SURVEYORS LIMITED
陳旭明測計師行有限公司

Appendix Id of
MPC Paper No. A/K11/245B



ROOM 308, 3/F, EMPIRE CENTRE, 68 MODY ROAD, TSIMSHATSUI EAST, KOWLOON, HONG KONG.
香港九龍尖沙咀麼地道68號帝國中心3樓308室

TEL : 2722 7270
FAX: 2311 3436

Your Ref: TPB/A/K11/245
Our Ref. : PR220601/05
Date : 24 June 2024

The Secretary, Town Planning Board
15/F., North Point Government Offices,
333 Java Road, North Point,
Hong Kong

By Hand By Fax
(2877 0245)

Dear Sir/Madam,

**Re: Section 16 Planning Application for Proposed 'Shop and Services' Use at
Portion of G/F, Jing Wah Building, No. 10 Sam Chuk Street, San Po Kong,
Kowloon (Planning Application No. A/K11/245)**

We refer to the email from Kowloon District Planning Office dated 19 June 2024 forwarding to us the comment from Lands Department on the captioned application.

We hereby submit our response to Lands Department's comments (Enclosure).

We hope the information provided could facilitate your kind consideration of this application. Should you have any queries, please feel free to contact the undersigned at [REDACTED]

Yours faithfully,
RAYMOND CHAN SURVEYORS LIMITED

Sandra Yip
Encl.

c.c. Kowloon District Planning Office (Attn: Mr. Charles Lee) – By Fax (2894 9502)
Lands Department (Attn: Mr. Alex Lee) – By Email (eskewts@landsd.gov.hk)

DIRECTORS:
CHAN Yuk-ming, Raymond

AP(HK), FRICS, FHKIS, MCIArb, MCIQB, C. Build E FCABE,
RPS(BS, PFM, P&D)
Chartered Building Surveyor, Authorized Person
Chartered Project Management Surveyor
Registered Professional Surveyor

TSE Chi-kin, Kenny

BSc, FRICS, FHKIS, RPS(BS, PFM, P&D), MHKIVM, MHKICM
Chartered Building Surveyor, Authorized Person
Chartered Project Management Surveyor
Registered Professional Surveyor

TOWN PLANNER:
YIP Siu-kwan, Sandra

BSc, MSc (Urban Planning), MRTPI, RPP
Chartered Town Planner

QUANTITY SURVEYOR:
CHAN Siu-hong, Honby

FRICS, FHKIS, FInstCES, MHKICM, RPS(QS)
Chartered Quantity Surveyor
Chartered Project Management Surveyor
Registered Professional Surveyor

*Response to Departmental Comments
on Planning Application No. A/K11/245 Further Information dated 24 June 2024*

DEPARTMENTAL COMMENTS		OUR RESPONSES TO DEPARTMENTAL COMMENTS
(I)	Comments from Lands Department via PlanD email dated 19 June 2024 (Contact Person: Mr. Alex Lee (ES/WTS, DLO/KE, [REDACTED]))	Our Response to Departmental Comments dated 24 June 2024
	<p>Pursuant to Special Condition No. (8) of the Conditions of Sale No. 7179 dated 25.6.1962 as varied or modified by the modification letter dated 5.7.1965, space shall be provided for the parking, loading and unloading of motor vehicles at the rate of not less than 1 vehicle for each 10,000 or part of 10,000 sq.ft. of floor area but in any event not less than 1 vehicle for each 5,000 or part of 5,000 sq.ft. of site area.</p> <p>Referring to Figure 3 (Rev. A) in the applicant's letter, the applicant should demonstrate that the proposed use of 2 car parking spaces namely P5 and P6 as 1 loading and unloading space would comply with the relevant lease restrictions.</p>	<p>In our submission dated 5 June 2024, it was proposed that the 2 nos. of car parking space P5 & P6 shall serve the loading/unloading activities by Light Goods Vehicle (LGV) <u>on temporary basis</u> (from 7:00 am to 9:00 am everyday by visit-by-appointment). Please be clarified that there shall be no change on the demarcation line of the subject 2 nos. of car parking space (P5 & P6) and the total number of the car parking spaces for the subject building remains unchanged. Transport Department has no adverse comments on our submission dated 5 June 2024 from traffic engineering perspective.</p>

Detailed Departmental Comments

Comments of Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) for unauthorized building works (UBW) erected on private land/buildings, enforcement action may be taken by the Buildings Authority (BA) to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Premises under the Buildings Ordinance (BO);
- (b) if the proposed use under application is subject to issue of a license, please be reminded that any existing structures on the application premises intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
- (c) the applicant's attention is drawn to the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers PNAP APP-47 that the BA has no powers to give retrospective approval or consent for any UBW; and
- (d) detailed comments under the BO will be given at the building plans submission stage.

Comments of Commissioner for Transport (C for T) :

- (a) regarding the provision of the proposed temporary loading/unloading (L/UL) space and the goods delivery route, the applicant should implement the following measures as proposed:
 - (i) provision of a temporary L/UL space at G/F of Jing Wah Building for the proposed use between 7:00 a.m. to 9:00 a.m.;
 - (ii) employees of the applicant will manage the usage of the L/UL space via visit-by-appointment arrangement. There shall be a maximum of 4 trips per week for goods delivery and each section for L/UL activity shall not be more than 30 minutes; and
 - (iii) delivery of construction materials for the proposed use shall be limited to Light Goods Vehicle and performed at early stage of the proposed use. Each section for L/UL activity shall not be more than 30 minutes.

Comments of Director of Fire Services (D of FS):

- (a) regarding matters related to fire resisting construction of the Premises, the applicant is reminded to comply with the "Code of Practice for Fire Safety in Buildings" which is administered by the BD; and
- (b) 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" if the application is approved.

義發及正華工業大廈業主立案法團

THE INCORPORATED OWNERS OF EFFICIENCY HOUSE AND JING WAH BUILDING

檔案編號: EJ-LM05-20240307

致: 城市規劃委員會


(郵寄及傳真)

有關: 申請編號 A/K11/245 - 本法團表示強烈反對申請

就有關規劃申請編號:A/K 11/245-九龍新蒲崗三祝街 10 號正華工業大廈地下列(部份)申請擬議商店及服務行業。本法團議決通過, 予以強烈反對, 所持理由如下:-

1. 正華大廈雖然是獨立大廈, 但仍屬於本業主立案法團管理。他們過去要求自負盈虧地去管理自己大廈。但遇事故發生時, 如前兩年的工傷意外事件, 其大廈業主將保險責任問題推卸給本法團承擔。過去多年來, 本法團從未有收取其任何管理費用(包括公眾意外保險費用)。若通過此項目, 日後誓必增加任何因意外而做成的事件, 本法團極有可能需要花更多時間及金錢去處理由其引起之保險及賠償問題。
2. 本法團從未接到正華大廈業主之申請規劃方案, 若作為商業用途, 恐產生大量排污廢水, 尤其是餐飲業服務; 由於正華大廈已有多年空置未有使用, 對於大廈翻新後增加各層的排水裝置, 已對舊有地渠管道及設施, 構成不可預見之用量, 對維修及保養費用成本增加。根據記錄, 正華大廈業主曾拒絕支付地下排污管理維修費用及分攤更新工程費用。正華大廈業主的申請方案, 無疑對共用設施再次增加排量, 從而引起的額外費用, 本法團必須提出反對。

義發及正華工業大廈業主立案法團 敬上
新城市管理服務有限公司 代行



助理總經理: 廖浚暉
二零二四年三月九日

副本抄送: 義發工業大廈業主立案法團

Recommended Advisory Clauses

- (a) To note the comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD) that if the planning application is approved by the Town Planning Board (the Board), the owner of the premises shall apply to LandsD for a lease modification or temporary waiver to implement the proposal. However, there is no guarantee that the lease modification or temporary waiver will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it will be subject to such terms and conditions, including, among others, the payment of premium/waiver fee and administrative fee as imposed by LandsD. Approval by the Board shall not prejudice the Government's right to take enforcement action against any breach of lease conditions identified at the Premises.

- (b) To note the comments of the Commissioner for Transport (C for T) that:
 - regarding the provision of the proposed temporary loading/unloading (L/UL) space and the goods delivery route, the applicant should implement the following measures as proposed:
 - (i) provision of a temporary L/UL space at G/F of Jing Wah Building for the proposed use between 7:00 a.m. to 9:00 a.m.;
 - (ii) employees of the applicant will manage the usage of the L/UL space via visit-by-appointment arrangement. There shall be a maximum of 4 trips per week for goods delivery and each section for L/UL activity shall not be more than 30 minutes; and
 - (iii) delivery of construction materials for the proposed use shall be limited to Light Goods Vehicle and performed at early stage of the proposed use. Each section for L/UL activity shall not be more than 30 minutes.

- (c) To note the comments of the Director of Fire Services (D of FS) that:
 - (i) regarding matters related to fire resisting construction of the Premises, the applicant is reminded to comply with the "Code of Practice for Fire Safety in Buildings" which is administered by the Buildings Department; and
 - (ii) 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" if the application is approved.

(d) To note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) that:

- (i) before any new building works are carried out, prior approval and consent from the Building Authority under Buildings Ordinance (BO) should be obtained, unless the works fall within the scope of designated minor works that can be carried out under the simplified requirements specified in the Building (Minor Works) Regulation or such works are exempted works;
- (ii) the applicant should be advised to appoint an Authorised Person to ensure that any building works/change of use are implemented in compliance with BO, including (but not limited to) the following:
 - 1. adequate means of escape should be provided in accordance with Building (Planning) Regulation ((B(P)R) 41(1)) and the Code of Practice for Fire Safety in Buildings 2011 (the FS Code);
 - 2. the subject premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 35 and the FS Code;
 - 3. Adequate provision of sanitary fitments should be provided to the subject premises in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations; and
 - 4. adequate provision of barrier free access to the subject premises should be provided in accordance with B(P)R 72 and Design Manual: Barrier Free Access 2008;
- (iii) for unauthorized building works (UBW) erected on private land/buildings, enforcement action may be taken by the Buildings Authority (BA) to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Premises under the BO;
- (iv) if the proposed use under application is subject to issue of a license, please be reminded that any existing structures on the application premises intended

to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;

- (v) the applicant's attention is drawn to the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers PNAP APP-47 that the BA has no powers to give retrospective approval or consent for any UBW; and
 - (vi) detailed comments under the BO will be given at the building plans submission stage.
- (e) To note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- (i) proper licence / permit issued by this Department is required if there is any food business /catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. Under the Food Business Regulation, Cap. 132X, a factory canteen licence is required for the operation of the food businesses in the industrial building as listed in the Regulation; and
 - (ii) the operation of the business should not cause any environmental nuisances and/or hygiene problems at the Premises and its vicinities. The operator of the site is responsible for the removal and disposal of any trade waste generated from the commercial activities at their expenses.