

**Similar s.16 Applications within “OU(B)” zone in Tsuen Wan  
on the Approved Tsuen Wan OZP No. S/TW/33**

**Approved Applications**

	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/TW/442	Proposed Shop and Services	8.2.2013 Partially approved* by MPC (Revoked on 23.5.2014)	(1), (7)
2.	A/TW/457	Proposed Shop and Services	27.6.2014 Approved by MPC (Revoked on 27.12.2014)	(2), (7)
3.	A/TW/459	Proposed Shop and Services (Retail Shop)	22.8.2014 Approved by MPC	(3), (7)
4.	A/TW/460	Shop and Services	22.8.2014 Approved by MPC (Revoked on 22.2.2015)	(3), (7)
5.	A/TW/468	Shop and Services	27.3.2015 Approved by MPC	(3), (7)
6.	A/TW/473	Shop and Services	18.9.2015 Approved by MPC	(3), (7)
7.	A/TW/484	Temporary Shop and Services for a Period of 5 Years	23.12.2016 Approved by MPC (5 years)	(4), (5), (7)
8.	A/TW/490	Proposed Shop and Services	26.5.2017 Approved by MPC	(3), (7)
9.	A/TW/499	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	15.6.2018 Approved by MPC (3 years)	(6), (7)

\* Note : approved by MPC for shop and services in two premises, while the shop and services at another premises without a separate means of escape was rejected.

Approval Conditions

- (1) The submission and implementation of the proposal for fire safety measures including provision of a separate means of escape for and fire service installations in the application premises to the satisfaction of the Director of Fire Services or of the Town Planning Board before operation of the use.
- (2) The submission and implementation of the proposal for fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the application premises to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (3) The submission and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the application premises to the satisfaction of the Director of Fire Services or of the Town Planning Board before operation of the use.
- (4) The submission of the proposal for the fire service installations and equipment in the premises to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (5) The implementation of the proposal for the fire service installations and equipment in the premises to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (6) The submission and implementation of the fire safety measures including provision of separate means of escape and fire service installations and equipment to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (7) If the above planning condition was not complied with before operation of the use / by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

**Recommended Advisory Clauses**

- (a) To note the comments of District Lands Officer/Tsuen Wan and Kwai Tsing of Lands Department (LandsD) that: The Premises falls within TWIL 29 s.A, TWIL 29s.B R.P., TWIL 34 s.A ss.1 and TWIL 34 s.A ss.2 R.P. TWIL 29 is governed by Conditions of Sale No. UB 5098 and TWIL 34 is governed by Conditions of Sale No. UB 5136 (collectively referred as “Leases”). Under the Leases, the Premises shall only be used for industrial purposes. The Leases will expire in June 2047. The ‘Shop and Services’ use proposed by the applicant is not permissible under the Leases. ***If planning approval is given, the applicant will need to apply to LandsD for a temporary waiver for the above proposal. The proposal will only be considered by LandsD upon their receipt of formal application from the applicant. There is no guarantee that the application, if received by LandsD, will be approved and LandsD reserve comment on such. The application will be considered by LandsD acting in the capacity as landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit including payment of waiver fee and administrative fee.***
- (b) To note the comments of the Chief Building Surveyor/ New Territories West of Buildings Department that (i) under the Building Ordinance (BO), no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority before commencement of works unless they are exempted under s.41 of the BO, or fall within minor works under the Building (Minor Works) Regulation; (ii) any proposed building works should comply with the prevailing requirements under the BO and allied regulations and Code of Practices; (iii) adequate means of escape should be provided to the existing workshops in accordance with the Building (Planning) Regulation 41(1) and the FS Code; (iv) adequate fire separation should be provided between the subject premises and the remaining portion of the building; (v) adequate sanitary fitments should be provided to the proposed premises; (vi) adequate access for persons with a disability should be provided to the existing workshops in accordance with Building (Planning) Regulation 72 and the Design Manual: Barrier Free Access 2008; and (vii) detailed checking will be made at plan submission stage.
- (c) To note the comments of the Director of Fire Services that (i) detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans; (ii) the “Code of Practice for Fire Safety in Buildings” which is administered by the Building Authority should be complied with; and (iii) the “Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises” should be noted.