

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.: 2399 2767)	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 <b>(the relevant approved GBP under BD ref. 2/5047/62 and 2-3/5047/62/10 are attached)</b> 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 border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Floor</th> <th style="text-align: center;">Internal Transport Facilities (Jing Wah Building)</th> <th style="text-align: center;">Internal Transport Facilities (Efficiency House)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">G/F</td> <td style="text-align: center;">11 nos. Private Car Parking Space</td> <td style="text-align: center;">6 nos. Private Car Parking Space &amp; 17 nos. Parking, Loading/Unloading Space for Goods Vehicle</td> </tr> </tbody> </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 <b>Figure 3</b>.</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						

(II)	Comments from Buildings Department dated 22.2.2024 (Contact Person: Mr Colin Lai, tel.: 2626 1490)		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&amp;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 <b>Figure 2_Rev. A</b> 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.	
<b>(III)</b>	<b>Comments from Planning Department dated 27.2.2024 (Contact Person: Mr. Charles LEE, tel.: 2231 4963)</b>		<b>Our Response to Departmental Comments</b>
	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 <b>Figure 2_Rev A</b> 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 <b>Figure 3</b> .
<b>(IV)</b>	<b>Comments from Lands Department dated 1.3.2024 (Contact Person: Ms Emily Fok, tel.: 3842 7604)</b>		<b>Our Response to Departmental Comments</b>
		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.

	<p>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 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 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.</p>	Noted.
<b>(v)</b>	<p><b>Comments from Food and Environmental Hygiene Department dated 20.2.2024 (Contact Person: Ms Kaya Chan. tel.: 3141 1232)</b></p>	<p><b>Our Response to Departmental Comments</b></p>
	<p>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.</p>	Noted.
	<p>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.</p>	Noted.

*Response to Departmental Comments and Public Comment  
on Planning Application No. A/K11/245  
Further Information dated 23 April 2024*

<b>(VI)</b>	<b>Comments from Fire Services Department dated 26.2.2024 (Received by PlanD on 1.3.2024) (Contact Person: Mr. LEE Ka-wai, tel.: 3971 4670)</b>	
	<b>Part A: General Comments:</b> 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.
	<b>Part B: Advisory Comments for the Applicant</b> 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.
<b>(VII)</b>	<b>Comments from Highways Department dated 15.2.2024 (Contact Person: Ms Jenny Li, tel.: 2707 7411)</b>	<b>Our Response to Departmental Comments</b>
	No comment on the application.	Noted.
<b>(VIII)</b>	<b>Comments from Drainage Services Department dated 29.2.2024 (Contact Person: Ms Veda TSANG, tel.: 2300 1588)</b>	<b>Our Response to Departmental Comments</b>
	I have no comment on the subject planning application from public drainage operation and maintenance point of view.	Noted.
<b>(IX)</b>	<b>Comments from Water Services Department dated 22.2.2024 (Contact Person: Ms. Ruby Hu, tel.: 2152 5772)</b>	<b>Our Response to Departmental Comments</b>
	No comment on the application.	Noted.

<b>PUBLIC COMMENT</b>	<b>OUR RESPONSES TO PUBLIC COMMENT</b>
<p><b>Comments from Incorporated Owners of Efficiency House and Jing Wah Building dated 9.3.2024</b></p> <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"> <li>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。</li> <li>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。</li> </ol>	<p><b>Our Response to Public Comment</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. This planning application is proposing 'Shop &amp; Services' use at the subject premises. In accordance to the Definition of Terms published by the Town Planning Board, 'Shop &amp; Services' refers any premises where goods are sold or where services are provided to visiting members of the public. From planning perspectives, 'Shop &amp; 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 &amp; Services' use. Furthermore, DSD EPD had no concern on the sewerage/drainage discharge and did not raise objection to the subject planning application.</li> </ol>





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

REV.	REVISIONS	DATE
1	1ST SUBMITTAL	27/10/2017
2	APPROVED	25/12/2017
3	1ST AMENDMENT	13/01/2018
4	2ND AMENDMENT	14/02/18
5	3RD AMENDMENT	17/02/18
6	4TH AMENDMENT	25/7/2022



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

TEL: 2989 5100 FAX: 2836 0881

CLIENT:  
 JING WAH GARMENTS  
 MANUFACTURING CO. LTD.

PROJECT:  
 PROPOSED ASA WORKS AT JING WAH  
 BUILDING, 10 SAM CHUK STREET,  
 SAN PO KONG.

PROJECT NO.: BCD-CJ568

TITLE:  
 GROUND AND 1ST FLOOR PLAN

DRAWING NO.: AA-02

REV.: D

SCALE: 1:100 (A1)

DRAWN: SUM DATE: JUL 2022

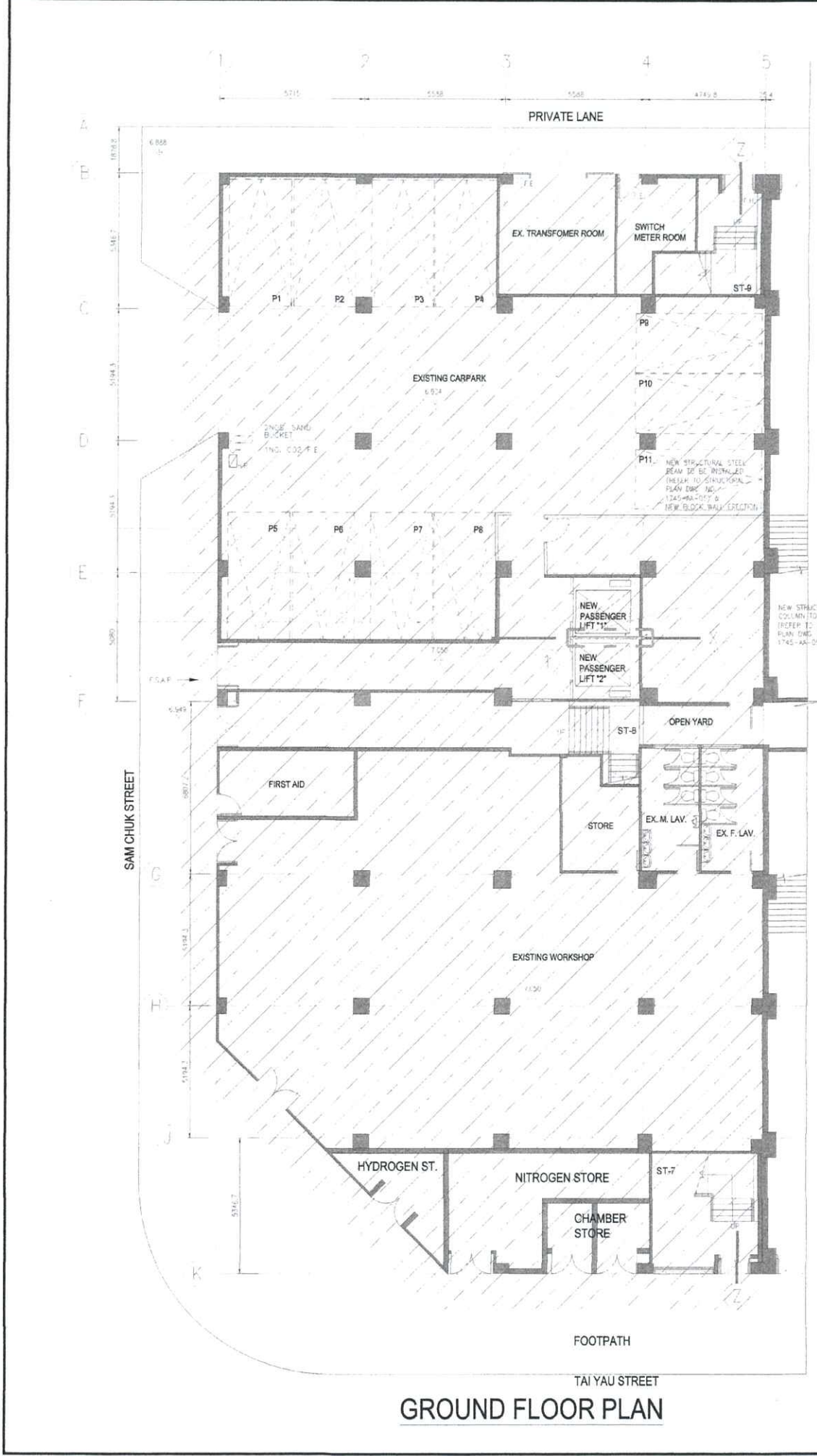
CHECKED: AI APPROVED: AL

This Drawing is Prepared Under the Supervision of

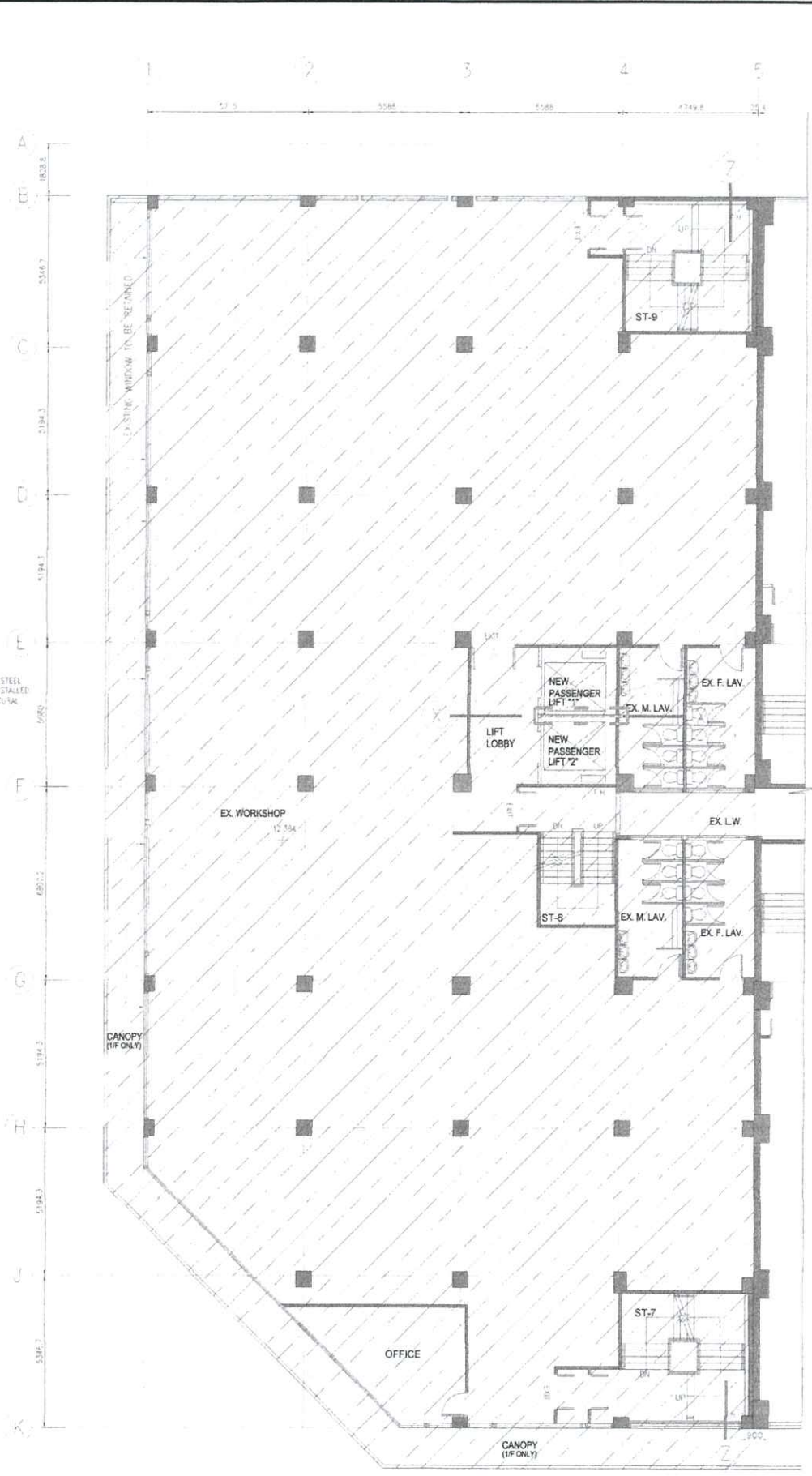
*[Signature]*  
 LAM WAI KEUNG  
 P.R.S. No. 2  
 Registered Professional Surveyor (B.S.)  
 Authorized Person

COMPUTER REF:

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



GROUND FLOOR PLAN



1ST FLOOR PLAN

NEW STRUCTURAL STEEL BEAM TO BE INSTALLED (REFER TO STRUCTURAL PLAN DWG. NO. 745-AA-02 & NEW BLOCK WALL ERECTION)

NEW STRUCTURAL STEEL COLUMN TO BE INSTALLED (REFER TO STRUCTURAL PLAN DWG. NO. 745-AA-02)

Note: This plan has been prepared on a limited check basis under the controlled processing system as promulgated in P&AP ADM-10. The duties of the authorized person, registered structural engineer and/or registered geotechnical engineer concerned as specified under section 4(3)(b) and the provision of section 14(2)(c) of the Buildings Ordinance are of particular relevance in this regard.

