

Summary of Decisions of the Building Committee
Building Committee I 35/2008 held on 9.9.2008

(a) MAI 1 35/2008

Issue : Issue of Occupation Permit prior to the execution of Agreement to Surrender.

Decision : The committee noted that the owner had already settled the premium and that the relevant lease modification would be executed by LandsD. The committee also noted that an Agreement to Surrender would not be required in the circumstances as per DLO's advice. In the circumstance, the committee agreed that an Agreement to Surrender needed not be required prior to the issue of O.P.

(b) MAI 2 35/2008

Issue : Inclusion of the ROW in site area.

Decision : Having considered the lease document and the existing site situation, the committee reaffirmed the previous decision that the ROW was a street and should be excluded from site area under B(P)Reg 23(2)(a).

(c) BCI 1 35/2008

Issue : Exclusion of the area covered by green balconies from GFA calculation.

Decision : The committee, having noted that the covered flat roof was open on at least two sides and that the 8% cap restriction set out under the JPN would not be exceeded, agreed to exclude the areas from GFA calculation.

(d) BCI 2 35/2008

Issue : Non-provision of a service lane.

Decision : The committee noted that there was no existing lane in the vicinity and that a lane pattern would unlikely be created in future. Hence, the committee accepted the non-provision of a service lane for the proposed development.

(e) BCI 3 35/2008

Issue : Measurement of the height of a building for a site abutting two streets with level difference of about 15m.

Decision : The AP proposed to measure the building height from the higher rather than from the lower street. The committee noted that the site factually abutted the two streets and the proposed development would abut on the lower street. The committee did not identify valid justifications for accepting the measurement of the building from the higher street.

(f) BCI 4 35/2008

Issue : Site classification for a corner site abutting on public streets.

Decision : The committee agreed that the site, being a corner site with 70% of the site boundary abutting the specified streets, exhibited the characteristics of a Class C site. Hence, the committee agreed that the site was a “Class C” site.

(g) BCI 5 35/2008

Issue : Application for hotel concession under B(P)Reg 23A.

Decision : The committee, having noted the proposal was generally in compliance with the criteria set out in PNAP 111, agreed to grant hotel concession under B(P)Reg 23A subject to no adverse comments from TD.

(h) BCI 6 35/2008

Issue : Application for hotel concession under B(P)Reg 23A for a hotel conversion project.

Decision : The committee, having noted the proposal was generally in compliance with the criteria set out in PNAP 111, agreed to grant hotel concession under B(P)Reg 23A subject to satisfactory provision of a centralized A/C system.

(i) BCI 7 35/2008

Issue : Application for excessive non-domestic site coverage in accordance with PNAP 280.

Decision : Noting that the proposal was in compliance with the requirements set out in PNAP 280 and having noted no adverse comments from outside departments, the committee agreed to grant a modification to permit excessive site coverage.

(j) BCI 8 35/2008

Issue : Concession of non-domestic use into hotel use for premises approved under the former “volume” regulations.

Decision : The committee, having noted the proposal was generally in compliance with the criteria set out in PNAP 111, raised no objection to the proposed conversion.

(k) BCI 9 35/2008

Issue : Formal appeal against disapproval of a building plans on contravention of OZP.

Decision : Having considered all relevant factors, the committee agreed to contest the appeal.

(l) BCI 10 35/2008

Issue : (i) Inclusion of the service lane into site area for a residential redevelopment.

(ii) Amalgamation of the sites with previous surrendered area included in site area.

Decision : (i) The committee, having noted that the lane was not a required one under the BO, agreed to the inclusion of the lane in site area in line with PNAP 179.

(ii) The committee agreed that the current site area should be adopted for the purpose of assessing the permitted plot ratio and site coverage and that the total development on the site should comply with the current regulations.

(m) BCI 11 35/2008

Issue : Application for hotel concession under B(P)Reg 23A.

Decision : The committee, having noted the proposal was generally in compliance with the criteria set out in PNAP 111, agreed to grant hotel concession under B(P)Reg 23A subject to satisfactory provision of a centralized A/C system.