

**Summary of Decisions of the Building Committee
Building Committee II 8/2011 held on 22.2.2011**

(a) BCII 1 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, the committee accepted the proof of ownership of the site.

(b) BCII 2 8/2011

Issue : Excessive travel distance for footbridge projecting over street.

Decision : Having studied the case, the committee agreed that the proposal should be substantiated by alternative / fire engineering approach.

(c) BCII 3 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, and that the name of the owner tallied with that shown on Form BA4, the committee accepted the proof of ownership of the site.

(d) BCII 4 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : From the LR record submitted by the AP, the committee noted that the applicant acquired 23 out of 34 units of the existing buildings on the land forming the site. Noting the submitted document did not demonstrate that the applicant had 100% ownership of or realistic prospect of control of the land forming the site to support the proposed development for compliance with the BO, the committee did not accept the proof of realistic prospect of control of the land forming the site, and agreed that the plans be disapproved.

(e) BCII 5 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the lease document submitted by the AP that the grantee had agreed to the proposed works to be carried out by the applicant, the committee accepted the proof of realistic prospect of control of the land forming the site.

(f) BCII 6 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, and that the name of the owner tallied with that shown on Form BA5, the committee accepted the proof of ownership of the site.

(g) BCII 7 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, and that the name of the owner tallied with that shown on Form BA4, the committee accepted the proof of ownership of the site.

(h) BCII 8 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, and that the name of the owner tallied with that shown on Form BA5, the committee accepted the proof of ownership of the site.

(i) BCII 9 8/2011

Issue : Non-provision of EVA for a recreational block in a residential development.

Decision : The committee, having noted the site constraint and the advice of FSD, accepted the non-provision of EVA subject to the provision of enhanced fire safety measures and acceptance of the same by FSD.

(j) BCII 10 8/2011

Issue : (i) PPE establishment mixed with other uses in the same building.

- (ii) MOE arrangement of PPE establishment in an academic building.

Decision : (i) & (ii) Noting that the site was abutting on two thoroughfares and that the proposal was generally in compliance with the requirements of MOE and FRC, the committee agreed in principle to the granting of modification to permit the proposed PPE establishment to be located in a building with other uses, and its exit routes be shared with the others of the same building subject to acceptance of the same by FSD.

(k) BCII 11 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : For a development site involving a land exchange, the committee noted that the land exchange was not yet completed and that the submitted document did not demonstrate that the applicant had realistic prospect of control of the land forming the site to support the proposed development for compliance with the BO. The committee did not accept the proof of realistic prospect of control of the land forming the site, and agreed that the plans be disapproved.

(l) BCII 12 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, and that the name of the owner tallied with that shown on Form BA5, the committee accepted the proof of ownership of the site.

(m) BCII 13 8/2011

Issue : (i) Non-provision of EVA for a residential development.
(ii) Proof of ownership or realistic prospect of control of the land forming the site.

Decision : (i) The committee, having noted the site constraint, accepted the non-provision of EVA subject to acceptance of the same by FSD.
(ii) Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, the committee accepted the proof of ownership of the site.

(n) BCII 14 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, the committee accepted the proof of ownership of the site.

(o) BCII 15 8/2011

Issue : Flushing volume of flushing cisterns.

Decision : Noting the acceptance of WSD, the committee agreed in principle to the granting of modification for the use of valve-type syphonic flushing cisterns with flushing volume of less than 9 litres in line with PNAP APP-99.

(p) BCII 16 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, the committee accepted the proof of ownership of the site.

(q) BCII 17 8/2011

Issue : (i) Proof of ownership or realistic prospect of control of the land forming the site.

(ii) New submission of plans after appeal.

Decision : (i) Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, the committee accepted the proof of ownership of the site.

(ii) Having studied the plans and considered all relevant factors, the committee agreed that the proposal was a new submission.

(r) BCII 18 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record submitted by the AP that the applicant had acquired 100% ownership of the site, and that the name of the owner tallied with that shown on Form BA4, the committee accepted the proof of ownership of the site.

(s) BCII 19 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : From the document submitted by the AP, the committee noted that the documentary proof of ownership was incomplete and insufficient to demonstrate that the applicant had the ownership of or realistic prospect of control of the land forming the site. The committee did not accept the proof of ownership and realistic prospect of control of the land forming the site, and agreed that the plans be disapproved.

(t) BCII 20 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : From the document submitted by the AP, the committee noted that the applicant acquired 2 out of 46 units of the existing buildings on the land forming the site. Noting the submitted document did not demonstrate that the applicant had 100% ownership of or realistic prospect of control of the land forming the site to support the proposed development for compliance with the BO, the committee agreed that the proof of realistic prospect of control of the land forming the site was not acceptable and the plans were disapproved.

(u) BCII 21 8/2011

Issue : Proof of ownership or realistic prospect of control of the land forming the site.

Decision : Noting from the LR record that the applicant was one of the 3 owners of the site, the other 2 owners would authorize the applicant to act on their behalf for the proposed development, and that all the 3 owners were sub-companies of a consortium, the committee agreed in principle to accept the proof of realistic prospect of control of the land forming the site.