

**Summary of Decisions of the Building Committee  
Building Committee II 20/2011 held on 17.5.2011**

(a) BCII 1 20/2011

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

Decision : From the authorization letters and LR record submitted by the AP, the committee noted that the applicant appointed by the other owners for submission of building plans for approval did not have 100% ownership or authorization of all the owners of the site, and that the submitted documents did not demonstrate 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.

(b) BCII 2 20/2011

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

Decision : From the authorization letters and LR record submitted by the AP, the committee noted that the applicant appointed by the other owners for submission of building plans for approval did not have 100% ownership or authorization of all the owners of the site, and that the submitted documents did not demonstrate 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.

(c) BCII 3 20/2011

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

Decision : From the assignment and Agreement for Sale and Purchase submitted by the AP, the committee noted that the applicant did not have 100% ownership of the site and that the submitted documents did not demonstrate 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.

(d) BCII 4 20/2011

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

Decision : Noting from the land exchange document and LR record that the applicant had acquired 100% ownership of the lots to be surrendered, the name of the owner tallied with that shown on Form BA 5, and that the applicant was the grantee of the land forming the site and that the basic terms offer had been accepted, the committee accepted the proof of realistic prospect of control of the land forming the site.

(e) BCII 5 20/2011

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 applicant was the lessee of the land, and that the name of the lessee tallied with that shown on Form BA 4 and Form BA 5, the committee accepted the proof of ownership of the site.

(f) BCII 6 20/2011

Issue : Plans submitted by two APs in respect of building works involving different sites with part of which are at the same site.

Decision : Having considered the submission history of various sites and the AP's justifications, the committee agreed not to refuse the plans under B(A)R 15.

(g) BCII 7 20/2011

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 the registered owner of the lot, and the name of the owner tallied with that shown on Form BA 4, the committee accepted the proof of ownership of the site.

(h) BCII 8 20/2011

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 applicants had acquired 100% ownership of the site, and the names of the owner tallied with that shown on Form BA 4, the committee accepted the proof of ownership of the site.

(i) BCII 9 20/2011

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 applicants had acquired 100% ownership of the site, and the names of the owner tallied with that shown on Form BA 4, the committee accepted the proof of ownership of the site.

(j) BCII 10 20/2011

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

Decision : For a development site comprising a number of private lots, the committee noted from the assignment, Agreements for Sale and Purchase (“ASP”), Provisional ASP, and LR record submitted by the AP and the letter from the legal representative of the applicant (appointed by the owners as their agent in making application for approval of building plans) that the owners had acquired 100% ownership of some of the lots and entered into Provisional ASP with the owners of the remaining lots whereby non-revocable binding obligations were imposed between the parties for completion of the sale and purchase of the relevant units, and that the name of the owner tallied with that shown on Form BA 4. The committee accepted the proof of realistic prospect of control of the land forming the site.

(k) BCII 11 20/2011

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

Decision : Noting from the assignments, LR record and the probate issued by the court submitted by the AP that the applicant appointed by the executors for application to the BA for approval of building plans had acquired ownership of parts of the site, and that the executors had realistic prospect of control of the remaining parts of the site, the committee accepted the proof of realistic prospect of control of the land forming the site.

(l) BCII 12 20/2011

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 the registered owner of the lot, the committee accepted the proof of ownership of the site.

(m) BCII 13 20/2011

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

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

(n) BCII 14 20/2011

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

Decision : For a development site comprising a number of private lots and the adjoining government land, the committee noted that the applicant had acquired ownership of the private lots only, the proposed in-situ land exchange was not executed, and that the submitted documents did not demonstrate 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.

(o) BCII 15 20/2011

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

Decision : Noting that the AP did not submit the current version of Form BA 5 and any documentary proof to demonstrate that the applicant had the ownership or realistic prospect of control of the land forming the site, and the lot extension proposal was not yet approved by the Government, 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.

(p) BCII 16 20/2011

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

Decision : Noting that the AP did not submit any documentary proof to demonstrate that the applicant had the ownership 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.

(q) BCII 17 20/2011

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

Decision : Noting from the authorization letter submitted by the AP and the confirmation of legal representative that the owner had acquired 100% ownership of the site, and the applicant had been appointed by the owner as his agent for statutory submission, the committee accepted the proof of realistic prospect of control of the land forming the site.

(r) BCII 18 20/2011

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

Decision : Noting from the assignment and 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.

(s) BCII 19 20/2011

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

Decision : From the authorization letter, assignments, Agreement for Sale and Purchase (“ASP”) and Provisional ASP submitted by the AP, the committee noted that the applicant did not have 100% ownership of the site, and that the submitted documents did not demonstrate 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.

(t) BCII 20 20/2011

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

Decision : Noting from the documentary proof submitted by the AP that the applicants had acquired 100% ownership of the site, and the names of the owner tallied with that shown on Form BA 4, the committee accepted the proof of ownership of the site.

(u) BCII 21 20/2011

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

Decision : Noting from the assignment submitted by the AP that the applicant was the registered owner of the lot, and the name of the owner tallied with that shown on Form BA 5, the committee accepted the proof of ownership of the site.

(v) BCII 22 20/2011

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

Decision : Noting from the assignment submitted by the AP that the applicant was the registered owner of the lot, and the name of the owner tallied with that shown on Form BA 5, the committee accepted the proof of ownership of the site.

(w) BCII 23 20/2011

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 was the registered owner of the lot, and the name of the owner tallied with that shown on Form BA 5, the committee accepted the proof of ownership of the site.

(x) BCII 24 20/2011

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

Decision : Noting from the assignments submitted by the AP that the applicant was the registered owner of the lot, and the name of the owner tallied with that shown on Form BA 4, the committee accepted the proof of ownership of the site.

(y) BCII 25 20/2011

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

Decision : For a development site comprising a number of private lots, the committee noted from the Provisional Agreements for Sale and Purchases ("Provisional ASP") and LR record submitted by the AP that the applicant had entered into Provisional ASP with the owners of the site whereby legally binding contracts were constituted between the parties for completion of the sale and purchase of the relevant units, and that the name of the owner tallied with that shown on Form BA 4. The committee accepted the proof of realistic prospect of control of the land forming the site.