

**Recommended Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the application premises;
- (b) to note that should the application fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration may not be given by the Metro Planning Committee to any further application;
- (c) to apply to the District Lands Officer/Kowloon East, Lands Department for lease modification or waiver for the proposed ‘Shop and Services (Fast Food Shop)’ use at the application premises;
- (d) to note the comments of the Director of Fire Services that the ‘Shop and Services (Fast Food Shop)’ use under application shall only be licensed as “food factory” or “factory canteen”, and to comply with the “Code of Practice for Fire Safety in Buildings” which is administered by the Building Authority (BA);
- (e) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) to appoint an Authorized Person to assess the feasibility of the proposed alterations and additions works/change of use and whether building plans are required to be submitted to demonstrate compliance with the current provisions of the Buildings Ordinance (BO), in particular:
  - (i) the applicant is required to observe the licensing requirements imposed by the relevant licensing authority;
  - (ii) for unauthorized building works (UBW) erected on private land/buildings, enforcement action may be taken by the BA 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 existing building works or UBW on the application premises under the BO; and
  - (iii) the applicant should also note the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-47 that the BA has no powers to give retrospective approval or consent for UBW.