

*Advisory clauses*

- (a) the permission only covers the portion of ground floor under application and excludes the cockloft partly above part of the application premises; should the cockloft form part of the business of the approved 'Shop and Services' use at the application premises or be used for other commercial uses, a fresh planning application is required to be submitted to the Town Planning Board;
- (b) to note the comments from the District Lands Officer/Kowloon East, Lands Department (LandsD) on the need to apply to the District Lands Office, Kowloon East for temporary waiver/lease modification to give effect to the proposal; however, there is no guarantee at this stage that the temporary waiver/lease modification would be approved; if the application for temporary waiver/lease modification is approved by LandsD in the capacity as landlord at his sole discretion, it will be subject to those terms and conditions including the payment of waiver fee/premium as appropriate as imposed by LandsD; and the applicant is required to demonstrate the dimensions and calculation of the floor area when the lease modification/waiver application is submitted;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that all building works/change in use are subject to compliance with the Buildings Ordinance (BO); the applicant is advised to appoint an Authorized Person to submit building plans for the proposed change in use and/or alterations and additions works to demonstrate compliance with the BO, in particular adequate means of escape should be provided to the subject premises and the remaining portion of G/F in accordance with Building (Planning) Regulation (B(P)R) 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code); the Premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and FS Code; access and facilities for persons with a disability including accessible toilet should be provided to the Premises and the remaining portion of G/F in accordance with B(P)R 72 and Design Manual: Barrier Free Access 2008; adequate sanitary fitments should be provided to the Premises and the remaining portion of G/F in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations; and structural justification should be provided if solid partition walls are to be erected within the Premises; detailed comments under BO can only be provided at the building plan submission stage; for unauthorised building works (UBW) erected on leased land/private buildings (if any), enforcement action may be taken by the Building Authority (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 UBW on the subject premises under the BO; and the applicant's attention is drawn to 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 any UBW; and

- (d) to note the comments of the Director of Fire Services that fire services installations and equipment shall be provided to the satisfaction of the Fire Services Department; detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; means of escape separated from the industrial portion should be available for the subject unit; regarding matters related to fire resisting construction of the premises, the applicant is reminded to comply with the FS Code which is administered by the BA; and the applicant's attention is drawn to the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises.