

Advisory clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Premises;
- (b) to note that a shorter compliance period is granted in order to monitor the fulfilment of the approval conditions. Should the applicant 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 of the Town Planning Board (the Board) to any further application;
- (c) to apply to the District Lands Officer/Kowloon East, Lands Department (LandsD) for waiver/lease modification to give effect to the proposal. However, there is no guarantee that the waiver/lease modification would be approved. If the application for 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 considered appropriate to be imposed by LandsD. Approval by the Board shall not prejudice the government's right to take enforcement action against any breach identified at the subject premises;
- (d) to note the comments of the Director of Fire Services that Fire service installations and equipment shall be provided to the satisfaction of 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 "Code of Practice for Fire Safety in Buildings" which is administered by Building Department (BD). Applicant's attention should be drawn to the 'Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises' if the application is approved".
- (e) to note the comments of the Chief Building Surveyor/Kowloon, BD that all building works/ alterations and addition (A&A) works/ change of use are subject to compliance with the Building Ordinance (BO). The applicant is advised to appoint an Authorized Person to ensure any building works/ A&A works/ change of use are in compliance with BO. Exit route have a clear width of not less than 1050mm should be provided within the premises and kept clear of any obstructions at all times. For unauthorized building works (UBW) erected on private land/buildings, 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 application site under the BO. The applicant should note the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers PNAP APP-47 that the BA has no powers to give retrospective approval or consent for any UBW. Detailed comments under the BO can only be provided at the building plan submission stage; and
- (f) to note the comments of the Commissioner for Transport that he has the rights to impose, alter or cancel any car parking, loading/unloading facilities and/or any no-stopping restrictions, on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development.