

Advisory Clauses

- (a) to apply to the Lands Department (LandsD) for a waiver or no-objection letter to permit the proposed ‘shop and services’ use and proposed ‘shop and services (fast food and local provision store)’ use. However, there is no guarantee that the applications will be approved. Such applications, if received by LandsD, will be considered by LandsD acting in capacity as the landlord at its sole discretion. If such applications are approved, they would be subject to such terms and conditions including, among others, the payment of premium/waiver fee and administrative fee as may be imposed by LandsD;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) that:
 - (i) the applicants are advised to engage an Authorised Person to ensure that any alterations and additions/change in use are implemented in compliance with the Buildings Ordinance (BO);
 - (ii) under section 14(1) of the BO, no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority (BA) before commencement of works unless they are exempted under section 41 of the BO, or fall within minor works under the Building (Minor Works) Regulation;
 - (iii) detailed comments under the BO would be provided at the building plan submission stage and/or the food business license application stage;
 - (iv) attention of the applicants should be drawn that “no objection” to the applications should not be constructed as an acceptance of any unauthorized building work (UBW) on the Premises under the BO. Enforcement action may be taken by the BA to effect their removal in accordance with the BD’s enforcement policy against UBW as and when necessary;
- (c) to note the comments of the Commissioner for Transport (C for T) that C for T 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 developments; and
- (d) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans;
 - (ii) regarding matters related to fire resisting construction of the Premises, the applicants are reminded to comply with “Code of Practice for Fire Safety in Building” which is administered by the BA;

- (iii) the applicants' 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 applications are approved; and

For application No. A/K5/807 only

- (iv) the proposed fast food shop should be licensed as food factory or factory canteen.