

Advisory Clauses

- (a) to note the comments of District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD) that the owner of the Premises through his agent applied to LandsD for a temporary waiver to permit shop and services use at the Premises. However, there is no guarantee that the waiver application will be approved. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. If such application is approved, it would be subject to such terms and conditions including, among others, the payment of 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 applicant is advised to engage an Authorised Person to ensure that any building works/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 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
 - (iv) attention of the applicant should be drawn that “no objection” to the application should not be constructed as an acceptance of any unauthorised building works (UBW) on the Premises under the BO. Enforcement action may be taken by the Building Authority 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 development; 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) the means of escape from the Premises should be separated from the industrial portion of the subject building;

- (iii) regarding matters related to fire resisting construction of the Premises, the applicant is reminded to comply with “Code of Practice for Fire Safety in Building” which is administered by the Building Authority; and
- (iv) the 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.