

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the subject premises;
- (b) to note the comments of the District Lands Office/Kowloon West, Lands Department (DLO/KW, LandsD) that the shop and services use under application at the Premises does not comply with the Conditions of Sale No. UB4268 dated 1.4.1948 as varied or modified by Conditions of Exchange (and Modification) No. 4481 dated 28.8.1950 nor the No-objection Letter dated 30.9.1982. If the planning application is approved, the applicant has to apply to LandsD for a waiver or No-objection Letter for the use under application. However, there is no guarantee that the approval will be given. If the application is approved by LandsD acting in the capacity as the private landlord at its sole discretion, it will be subject to payment of fee/premium and imposition of other terms as may be appropriate;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) that:
 - (i) the approved use of the Premises is workshop;
 - (ii) the applicant is advised to engage an Authorized Person (AP) to ensure that any alterations/change in use are implemented in compliance with the Buildings Ordinance (BO);
 - (iii) under s.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 s.41 of the BO, or fall within Minor Works under the Building (Minor Works) Regulation;
 - (iv) detailed comments under the BO would be provided at the building plan submission stage;
 - (v) attention of the applicant should be drawn that no objection to the application should not be construed 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 BD's enforcement policy against UBW as and when necessary; and
- (d) 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.