

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Kowloon West, Lands Department (LandsD) that if the application is approved by the Board, the owner of the premises has to apply to LandsD for a waiver or no objection letter to permit the proposed shop and services (fast food counter) use (“the waiver/NOL application”). However, there is no guarantee that the waiver/NOL application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of waiver fee/premium and administrative fee as may be imposed by LandsD;
- (b) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) the applicant is advised to engage an Authorized Person (AP) to ensure that any alterations and additions / change of 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 s.41 of the BO, or fall within Minor Works under the Building (Minor Works) Regulation;
 - (iii) the provision of adequate means of escape should be provided in accordance with the Building (Planning) Regulation 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code);
 - (iv) fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and the FS Code should be provided;
 - (v) access and facilities for persons with a disability should be provided in accordance with Building (Planning) Regulations 72 and Design Manual: Barrier Free Access 2008;
 - (vi) sanitary fitments should be provided in compliance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation; and
 - (vii) detailed comments under the BO would be provided at the building plan submission / licence application stage;
- (c) to note the comments of the Commissioner for Transport (C for T) that he has the right 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 that the subject fast food counter shall only be licensed and operated as 'food factory' or as 'factory canteen'. The subject proposal licensed and operated as a 'general restaurant' or 'light refreshment restaurant' will not be accepted. 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.