

**Recommended Advisory Clause**

- (a) the approval should be for the life-time of the building. The additional plot ratio granted under the approved scheme shall not be taken as forming part of the 'existing building' upon future redevelopment of the site;
  
- (b) to note the comments of the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department that the proposal does not comply with the special conditions mentioned in New Grant No. 5424. The owner of the Lot will need to apply to the Lands Department ("LandsD") for a temporary waiver in accordance with Lands Department Practice Note Nos. 3/2012, 3/2012A and 3/2012B at nil waiver fee for the change of use of part of the existing building as data centre for the life time of the existing building or until expiry or termination of the New Grant of the Lot, whichever is the earlier ("Data Centre Waiver"). However, the Data Centre Waiver will primarily waive the Government's right to enforce the user restriction in the New Grant. To effect the proposal, the owner will have to submit separate lease modification for other terms contained in the New Grant (i.e. the PR restriction and parking and L/UL requirements) which will be processed by LandsD separately. The lease modification may take such form and contain such conditions as LandsD may consider appropriate for the case including, among others, payment of a premium. The proposal will only be considered upon receipt of formal application from the lot owner. There is no guarantee that the application, if received by LandsD, will be approved and he reserve his comment on such. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions as LandsD may consider appropriate; and
  
- (c) to note the comments of the Commissioner for Transport that (i) sufficient space within the Site should be provided for manoeuvring of vehicles; and (ii) no vehicle is allowed to queue back to or reserve onto/from public road at any time during the planning approval period.