

Recommended Advisory Clauses

- (a) Prior planning permission should have been obtained before commencing the applied use at the subject premises.**
- (b) Should the applicant fail to comply with the approval conditions resulting in the revocation of the planning permission, sympathetic consideration may not be given by the Metro Planning Committee (the Committee) to any further application.**
- (c) A temporary approval of five years is given in order to allow the Committee to monitor the compliance of the approval conditions and the supply and demand of industrial floor space in the area to ensure that the long term planning intention of industrial use for the application premises will not jeopardised;
- (d) To note the comments of District Lands Officer/Tsuen Wan and Kwai Tsing of Lands Department that the proposed 'shop and services' use at the Premises is not acceptable under the New Grant. The owner of the Premises needs to apply to LandsD for a temporary waiver for 'shop and services' use. There is no guarantee that the application will be approved. The temporary waiver will be considered by LandsD acting in the capacity as landlord at its sole discretion. Any approval, if given, will be subject to such terms and conditions including, inter alia, payment of waiver fee and administrative fee as may be approved by LandsD;
- (e) To note the comments of the Chief Building Surveyor/ New Territories West of Buildings Department that (i) under the Building Ordinance (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, (ii) the Premises should be separated from the remainder of the building with adequate fire resistance rating, and (iii) access and facilities for persons with a disability should be provided in accordance with Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008; and
- (f) To note the comments of the Director of Fire Services that (i) detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans, (ii) the Code of Practice for Fire Safety in Buildings which is administered by the Building Authority should be complied with, and (iii) 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".