

**Advisory Clauses**

- (a) to apply to Lands Department (LandsD) for an Offensive Trade Licence to permit the proposed eating place uses under the Lease. However, there is no guarantee that such Licence application will be approved and if approved by LandsD, acting in its capacity as the landlord at its discretion, it will be subject to such terms and conditions, including payment of appropriate fee, as imposed by LandsD;
- (b) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (BD) regarding that:
  - (i) the proposal shall in all aspects comply with the Building Ordinance and its allied regulations;
  - (ii) adequate mean of escape should be provided to the subject premises and the floor above in accordance with Building (Planning) Regulation 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code). Required staircases from the upper floors should be continued at G/F as to separate from the remainder of the building as per required under Clause B9.1 of FS Code and widths of the exit routes provided as per Subsections B7, B8 and B9 of FS Code;
  - (iii) the subject premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Building 2011;
  - (iv) 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
  - (v) detailed comments under the Buildings Ordinance will be given at the building plans submission stage;
- (c) to note the comments of the Chief Architect/Central Management Division 2, Architectural Services Department regarding that openable window with natural lighting and ventilation complying Building (Planning) Regulation Section 36 shall be provided for female toilet;
- (d) to note the comments of Director of Leisure and Cultural Services regarding that:
  - (i) no adverse impact, both physically and visually, should be caused to the building (including other floors of the building), as well as the graded buildings in the vicinity and the ambience of the cluster of grading buildings; and
  - (ii) the applicant is required to consult Antiquities and Monuments Office on their detailed works proposal on the proposed use of the ground floor prior to the commencement of works;
- (e) to note the comments of the Director of Environmental Protection regarding the need to observe the noise criteria in the Hong Kong Planning Standards and Guidelines and the

Noise Control Ordinance to minimise the noise impact, and the Air Pollution Control Ordinance to minimise the potential cooking fume nuisance generated by the proposed use;

- (f) to note the comments of the Director of Leisure and Cultural Services (Antiquities and Monuments Office (AMO)) that to consult AMO on the detailed works proposal on the proposed use of the ground floor prior to the commencement of works;
- (g) to note the comments of the Director of Food and Environmental Hygiene regarding that:
  - (i) the operation of any eating place should be under a food licence issued by the Food and Environmental Hygiene Department (FEHD). If the operator intends to operate a food business in the territory, a relevant food licence (such as a general restaurant/light refreshment restaurant licence) should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). The application for restaurant licence, if acceptable by FEHD, will be referred to relevant government departments, such as BD, Fire Services Department and Planning Department for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements; and
  - (ii) any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public Entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement. A place of public entertainment licence should be obtained from FEHD whatever the general public is admitted with or without payment. The application for PPE licence, if acceptable by FEHD, will be referred to relevant government departments, such as BD, Fire Services Department and Police for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;
- (h) to note the comments of the Director of Fire Services regarding that:
  - (i) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
  - (ii) the applicant is advised to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by BD.