

Recommended Advisory Clauses

- (a) the planning permission is for minor relaxation of the plot ratio (PR) of the proposed development from 9.5 to 11.4. The claim for bonus PR should be dealt with under building plan submission stage and should not be taken as approved under the subject planning application;
- (b) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines, and any gross floor area (GFA) concession of the proposed development will be granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) direct to obtain the necessary approval;
- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that under the Buildings Ordinance (BO), no person shall commence or carry out any building works without having first obtained approval and consent from the BA before commencement of works on leased land unless they are exempted under s.41 of the BO, or fall within minor works under the Building (Minor Works) Regulation. Authorized Person must be appointed to coordinate all new building works in accordance with BO. For Unauthorized Building Works (UBW) erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO. Permitted non-domestic PR and site coverage under the BO should be assessed in accordance with B(P)R 20, 21 and 22. The sustainable building design requirements (building separation, building set back and site coverage of greenery) in Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 and APP-152 would be applicable to the building plan submission if GFA concessions for non-mandatory areas/greenery features are to be applied;
- (d) to note the comments of the District Lands Officer/Tsuen Wan & Kwai Tsing and the Chief Estate Surveyor/Development Control, Lands Department (LandsD) that the proposed I-O development contravenes the existing lease conditions and the lot owners shall apply for a lease modification for the proposed development. However, there is no guarantee that the lease modification would be approved and if the application is eventually approved by LandsD in the capacity as landlord at his sole discretion, it will be subject to those terms

and conditions, including, inter alia, payment of full premium and administrative fee as may be imposed by LandsD. Among the conditions under the 2018 Industrial Buildings revitalisation measure for redevelopment, the lease modification letter shall be executed no later than three years from date of Town Planning Board's approval letter and the proposed redevelopment shall be completed within five years from date of the lease modification letter;

- (e) to note the comments of the Director of Environmental Protection to strictly comply with the relevant pollution control legislation to avoid or minimise any impact to the environment during construction of the development. The applicant should refer to the Recommended Pollution Control Clauses (RPCC), which are generally good engineering practice to minimise inconvenience and environmental nuisance to nearby sensitive receivers during construction. A full set of the RPCC is available at the EPD website (https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html). The applicant is reminded to comply with the legislative requirements and prevailing guidelines on proper management of waste generated from the construction and operation of the development; and
- (f) to note the comments of the Director of Fire Service that the arrangement of emergency vehicular access shall comply with the Code of Practice for Fire Safety in Buildings which is administered by BD.