

Recommended Advisory Clauses

- (a) A temporary approval of five years is given in order to allow the Metro Planning 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;

- (b) to note the comments of District Lands Officer/Tsuen Wan and Kwai Tsing of Lands Department that the proposed use at the Premises contravenes the existing lease conditions. The owner of the Premises needs to apply to Lands Department (LandsD) for a temporary waiver for shop and services use. The proposal will only be considered upon the receipt of formal application from the applicant. There is no guarantee that the application, if received by LandsD, will be approved and he reserved his comment on such. The application will be considered by LandsD acting in the capacity as landlord at its sole discretion. In the event that the application is approved, it will be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, charging of waiver fee and administrative fee;

- (c) to note the comments of the Chief Building Surveyor/ New Territories West of Buildings Department that (i) under the Buildings 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;

- (d) to note the comments of the Commissioner for Transport that all future loading/unloading activities arising from the application will be confined within the subject building and will not cause adverse effect on Tai Lin Pai Road and Wah Sing Street; and

- (e) 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) means of escape separated from the industrial portion should be available for the Premises, (iii) the Code of Practice for Fire Safety in Buildings which is administered by the Building Authority should be complied with, and (iv) 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.