

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Shah Tin, Lands Department (DLO/ST, LandsD) that the lessee of the lot under application shall not erect or construct any building or structure on the application site without first having obtained the approval from the Government. DLO/ST, LandsD reserves the right to take enforcement action against any breach of lease condition relating to the existing building on the lot.

- (b) to note the comments of the Chief Building Surveyor/New Territories (2) & Rail, Buildings Department that:
 - (i) for unauthorized building works (UBW), if any, erected on leased land, enforcement action may be taken by the Building Authority to affect their removal in accordance with this department'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, if any, on the subject site under the Buildings Ordinance; and
 - (ii) the application premises intended to be used for 'Eating Place' is required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.

- (c) to note the comments of the Director of Fire Services that:
 - (i) the arrangement of emergency vehicular access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Department; and
 - (ii) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans or formal application from licence authority.

- (d) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
 - (i) proper licence/permit issued by Food and Environmental Hygiene Department is required if there is any food business/catering service/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. Under the Food Business Regulation (Cap. 132X), a food business licence is required for the operation of the relevant type of food business listed in the Regulation; and
 - (ii) if the proposal involves any commercial/trading activities, no environmental nuisance should be generated from the site/to the surroundings. The applicant should handle on their own/at their expense for any waste generated from the commercial/trading activities.

- (e) to note the comments of the Director of Environmental Protection that the applicant is reminded to implement the necessary measures to control the emission of oily fumes and cooking odours in accordance with Environmental Protection Department's guidelines "Control of Oily Fume and Cooking Odour from Restaurants and Food Business", and also obtain the necessary licence for its wastewater discharge under the Water Pollution Control Ordinance.