

**Appendix II of
RNTPC Paper No. A/ST/957**

**Previous Applications at
Unit K, G/F, On Wah Industrial Building,
41-43 Au Pui Wan Street, Fo Tan, Sha Tin, N.T.**

Application Approved by the RNTPC

No.	Application No.	Application Premises (Unit)	Applied Use	Floor Area (m ²) (About)	Date of Consideration	Approval Condition
1.	A/ST/170	K (Part)	Local Provisions Store* [@]	28	9.11.1990 (expired)	(a)
2.	A/ST/288	K (Part)	Local Provisions Store* [#]	28	19.11.1993 (lapsed)	Nil
3.	A/ST/621	K (Part)	Temporary Real Estate Agency [@]	10	29.4.2005 (expired)	(a), (b)
4.	A/ST/771	K (Part)	Retail Shop [@]	13	10.2.2012 (expired)	(a), (c), (d)

The applied use ceases operation or there is a change of use of the Premises under application. Hence, the planning permission granted has lapsed.

[@] The planning permission was valid on a temporary basis of 3 years and had already expired.

* The floor area will not be counted up to the aggregate commercial floor area based on the TPB-PG No. 25D.

Approval Conditions

- (a) Approved on a temporary basis for a period of three years.
- (b) The provision of fire resistance wall, means of escape and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (c) The submission and implementation of the fire safety measures within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 10.8.2012.
- (d) If the above planning condition (c) was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

**Appendix III of
RNTPC Paper No. A/ST/57**

**Similar Applications for 'Shop and Services' Uses at
G/F of On Wah Industrial Building**

Applications Approved by the RNTPC/TPB

No.	Application No.	Application Premises (Unit)	Applied Use	Floor Area (m ²) (About)	Date of Consideration	Approval Condition
Uses applicable for the maximum permissible limit of 460 m ² for aggregate commercial floor area on the G/F of an industrial building (with sprinkler system)						
1.	A/ST/69	F	Retail Shop [#]	70	16.11.1984 (lapsed)	Nil
2.	A/ST/88	I	Metal Hardware Shop [#]	60	20.12.1985 (lapsed)	Nil
3.	A/ST/718	K2	Retail Shop [~]	12.9	29.10.2010 (revoked)	(a), (b), (c), (d)
4.	A/ST/720	F (Part)	Money Exchange [~]	20	12.11.2010 (revoked)	(a), (b), (c), (d)
5.	A/ST/724	A1-A3	Showroom and Retail Shop [~]	36.7	10.12.2010 (revoked)	(a), (b), (c), (d)
6.	A/ST/736	K1 (Part)	Retail Shop [@]	3.2	18.2.2011 (expired)	(a), (b), (c), (d)
7.	A/ST/753	K2	Retail Shop [@]	12.9	22.7.2011 (expired)	(a), (e), (f), (g)
8.	A/ST/755	F3	Money Exchange [@]	20	5.8.2011 (expired)	(a), (e), (f), (g)
9.	A/ST/759	A1-A3	Showroom and Retail Shop [@]	36.7	2.9.2011 (expired)	(a), (e), (f), (g)
10.	A/ST/780	F1	Real Estate Agency [~]	18.52	6.7.2012 (revoked)	(a), (h), (i)
11.	A/ST/801	F2 (Part)	Retail Shop [@]	10.35	21.12.2012 (expired)	(a), (b), (c), (d)
12.	A/ST/823	F1 (Part)	Real Estate Agency [@]	12	16.8.2013 (expired)	(a), (b), (c), (d)
13.	A/ST/848	F3	Temporary Money Exchange [@]	20	25.7.2014 (expired)	(a), (h), (i)
Total:				NIL		
Uses NOT applicable for the maximum permissible limit of 460 m ² for aggregate commercial floor area on the G/F of an industrial building (with sprinkler system)						
14.	A/ST/620	A5	Fast Food Shop ^{*#}	24	18.3.2005 (lapsed)	(j)

No.	Application No.	Application Premises (Unit)	Applied Use	Floor Area (m ²) (About)	Date of Consideration	Approval Condition
15.	A/ST/679	A4	Local Provisions Store*~	26	8.5.2009 (revoked)	(a), (b), (c), (d)
16.	A/ST/699	A4	Fast Food Shop*~	26	7.5.2010 (revoked)	(a), (e), (f), (g)
17.	A/ST/942	A5	Shop and Services (Fast Food Shop)*	24.16	6.4.2018	(a), (h), (i)

The applied uses ceases operation or there is a change of use of the premises under application. Hence, the planning permission granted has lapsed.

@ The planning permission was valid on a temporary basis of 3 years and had already expired.

~ A/ST/718, A/ST/720, A/ST/724, A/ST/780, A/ST/679 and A/ST/699 were revoked due to the non-compliance with approval condition by the specified date.

* The floor area will not be counted up to the aggregate commercial floor area based on the TPB-PG No. 25D.

Approval Conditions

- (a) Approved on a temporary basis for a period of three years.
- (b) The submission of fire safety measures within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (c) The implementation of fire safety measures within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (d) If any of the above planning conditions (b) or (c) was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.
- (e) The submission of fire safety measures within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (f) The implementation of fire safety measures within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (g) If any of the above planning conditions (e) or (f) was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.
- (h) The submission and implementation of the fire safety measures within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (i) If the above planning condition (h) was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.
- (j) The provision of fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Application rejected by the RNTPC/TPB

No.	Application No.	Application Premises (Unit)	Applied Use	Floor Area (m ²) (About)	Date of Consideration	Rejected Reasons
1.	A/ST/160	C (Part)	Real Estate Agency	15	20.4.1990	R1

Rejected Reasons

R1 There is no justification for the proposed real estate agency shop, being a commercial use unrelated to any industrial operations in the Fo Tan industrial area, to be located in an industrial building, and that purpose designed commercial floor space for the proposed use would be available shortly.

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application premises;
- (b) a temporary approval of three 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 Premises will not be jeopardized;
- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:
 - (i) the use shall comply with the requirements under the Buildings Ordinance without adverse effect to the means of escape of the existing adjoining premises;
 - (ii) adequate access and facilities for persons with a disability should be provided. Building (Planning) Regulation 72 and Design Manual Barrier Free Access 2008 are relevant;
 - (iii) the subdivision of the unit/premises should comply with the provisions of Buildings Ordinance/Building (Minor Works) Regulations. The applicant should engage a registered building professional under Buildings Ordinance to co-ordinate the buildings works, if any; and
 - (iv) the applicant is advised to engage an authorised person to co-ordinate the building works, if any.
- (d) 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 subject unit;
 - (iii) regarding matters in relation to fire resisting construction of the application premises, the applicant is advised to comply with the 'Code of Practice for Fire Safety in Buildings' which is administered by the Building Authority; and
 - (iv) the applicant should pay attention to the 'Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises' if the application is approved.