

**Appendix II of
RNTPC Paper No. A/ST/967**

**Previous Applications at
Unit A5, G/F, On Wah Industrial Building,
41-43 Au Pui Wan Street, Fo Tan, Sha Tin, N.T.**

Applications 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/620	A5	Shop and Services (Fast Food Shop)*#	24	18.3.2005 (lapsed)	(a)
2.	A/ST/942	A5	Shop and Services (Fast Food Shop)*~	24.16	6.4.2018 (revoked)	(b), (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.

~ A/ST/942 was revoked due to the non-compliance with approval condition by the specified date.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) The provision of fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (b) Approved on a temporary basis for a period of three years;
- (c) The submission and implementation of the fire safety measures within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.10.2018; and
- (d) If the above planning condition (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

**Appendix III of
RNTPC Paper No. A/ST/967**

**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/621	K (Part)	Temporary Shop and Services (Estate Agency) for a Period of 5 Years [@]	10	29.4.2005 (expired)	(a), (b)
4.	A/ST/718	K2	Shop and Services (Retail Shop) [~]	12.9	29.10.2010 (revoked)	(a), (c), (d), (e)
5.	A/ST/720	F (Part)	Shop and Services (Money Exchange) [~]	20	12.11.2010 (revoked)	(a), (c), (d), (e)
6.	A/ST/724	A1-A3	Shop and Services (Showroom and Retail Shop) [~]	36.7	10.12.2010 (revoked)	(a), (c), (d), (e)
7.	A/ST/736	K1 (Part)	Shop and Services (Retail Shop) [@]	3.2	18.2.2011 (expired)	(a), (c), (d), (e)
8.	A/ST/753	K2	Shop and Services (Retail Shop) [@]	12.9	22.7.2011 (expired)	(a), (f), (g), (h)
9.	A/ST/755	F3	Shop and Services (Money Exchange) [@]	20	5.8.2011 (expired)	(a), (f), (g), (h)
10.	A/ST/759	A1-A3	Shop and Services (Showroom and Retail Shop) [@]	36.7	2.9.2011 (expired)	(a), (f), (g), (h)
11.	A/ST/771	K (Part)	Shop and Services (Retail Shop) [@]	13	10.2.2012 (expired)	(a), (i), (j)
12.	A/ST/780	F1	Shop and Services (Real Estate Agency) [~]	18.52	6.7.2012 (revoked)	(a), (i), (j)
13.	A/ST/801	F2 (Part)	Proposed Shop and Services (Retail Shop) [@]	10.35	21.12.2012 (expired)	(a), (c), (d), (e)
14.	A/ST/823	F1 (Part)	Shop and Services (Real Estate Agency) [@]	12	16.8.2013 (expired)	(a), (c), (d), (e)
15.	A/ST/848	F3	Renewal of Planning Approval for Temporary Shop and Services (Money Exchange) [@]	20	25.7.2014 (expired)	(a), (i), (j)

No.	Application No.	Application Premises (Unit)	Applied Use	Floor Area (m ²) (About)	Date of Consideration	Approval Condition
16.	A/ST/957	K (Part)	Shop and Services (Retail Shop)	15	6.7.2018	(a), (i), (j)
Total:				15 m²	(Only A/ST/957 is covered by valid planning permission)	
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)						
17.	A/ST/170	K (Part)	Local Provisions Store* [@]	28	09.11.1990 (expired)	(a)
18.	A/ST/288	K (Part)	Local Provisions Store* [#]	28	19.11.1993 (lapsed)	Nil
19.	A/ST/679	A4	Shop and Services (Local Provisions Store)* [~]	26	8.5.2009 (revoked)	(a), (c), (d), (e)
20.	A/ST/699	A4	Shop and Services (Fast Food Shop)* [~]	26	7.5.2010 (revoked)	(a), (f), (g), (h)

[#] 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/679, A/ST/699, A/ST/718, A/ST/720, A/ST/724 and A/ST/780 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 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 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.
- (d) 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.
- (e) If any of the above planning conditions (c) or (d) 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.
- (f) 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.
- (g) 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.

- (h) If any of the above planning conditions (f) or (g) 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.
- (i) 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.
- (j) If the above planning condition (i) 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.

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 five 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 application premises will not be jeopardized;
- (c) shorter compliance period is imposed to monitor the progress of compliance. Should the applicant fail to comply with the approval condition resulting in the revocation of the planning permission, sympathetic consideration will not be given by the Committee to any further application;
- (d) to apply to the District Lands Officer/Shah Tin, Lands Department (DLO/ST, LandsD) for a waiver to permit the applied use. Such application, if received, will be considered by LandsD acting in its capacity as the landlord at its sole discretion and any approval given will be subject to such terms and conditions including, inter alia, payment of waiver fee and administrative fee as may be imposed by LandsD.
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:
 - (i) the subdivision of the unit/ premises should comply with the provisions of Buildings Ordinance/ Building (Minor Works) Regulations. For instance, the shop shall be separated from adjoining workshops by fire barriers with Fire Resistance Rating of 120 minutes, and the means of escape of the existing adjoining premises shall not be adversely affected. The applicant should engage a registered building professional under the Buildings Ordinance to co-ordinate the building works, if any; and
 - (ii) if the use under application is subject to the issue of a licence, the applicant should be reminded that any existing structures at the application premises intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.
- (f) to note the comments of the Director of Fire Services that:
 - (i) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from licensing authority; and
 - (ii) the applicant should comply with the “Code of Practice for Fire Safety in Buildings” which is administered by the Building Authority.