

**Appendix II of  
RNTPC Paper No. A/ST/970**

**Previous Applications at  
Portion C of Workshop B1, LG/F, Valiant Industrial Centre,  
2-12 Au Pui Wan Street, Fo Tan, Sha Tin, New Territories**

**Applications Approved by the RNTPC**

No.	Application No.	Application Premises (Unit)	Applied Use	Floor Area (m <sup>2</sup> ) (About)	Date of Consideration	Approval Condition
1.	A/ST/742	B1 (Part)	Temporary Shop and Services (Money Exchange) for a Period of 3 Years <sup>~</sup>	19.91	15.4.2011 <b>(revoked)</b>	(a), (b), (c), (d)
2.	A/ST/793	B1 (Part)	Temporary Shop and Services (Money Exchange) for a Period of 3 Years <sup>~</sup>	19.91	5.10.2012 <b>(revoked)</b>	(a), (e), (f), (g)
3	A/ST/878	B1 (Part)	Shop and Services (Money Exchange) <sup>@</sup>	26	5.6.2015 <b>(expired)</b>	(a), (h), (i), (j)

<sup>~</sup> A/ST/742 and A/ST/793 were revoked due to the non-compliance with approval conditions by the specified date.

<sup>@</sup> The planning permission was valid on a temporary basis of three years and had already expired.

**Approval Conditions**

- (a) Approved on a temporary basis for a period of three years.
- (b) The submission 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 TPB by 15.10.2011.
- (c) The implementation of the fire safety measures within 9 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 15.1.2012.
- (d) If 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 the fire safety measures within 3 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 5.1.2013.
- (f) The 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 TPB by 5.4.2013.
- (g) If 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 of the fire safety measures within 3 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 5.9.2015.

- (i) The 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 TPB by 5.12.2015.
- (j) If any of the above planning conditions (h) or (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.

**Appendix III of  
RNTPC Paper No. A/ST/970**

**Similar Applications for Shop and Services at LG/F & G/F of Valiant Industrial Centre**

**Applications Approved by the RNTPC/TPB in the Past 10 Years**

No.	Application No.	Application Premises	Applied Use	Floor Area (m <sup>2</sup> ) (About)	Date of Consideration	Approval Condition
Uses applicable for the maximum permissible limit of 460 m <sup>2</sup> for aggregate commercial floor area on the G/F of an industrial building (with sprinkler system)						
<i>Lower Ground Floor</i>						
1.	A/ST/695	G2	Proposed Shop and Services <sup>~</sup>	40.69	5.3.2010 <b>(revoked)</b>	(a), (b), (c), (d)
2.	A/ST/713	G2	Proposed Shop and Services <sup>@</sup>	51.45	24.9.2010 <b>(expired)</b>	(a), (e), (f), (g)
3.	A/ST/741	G3	Shop and Services (Retail Shop) <sup>@</sup>	130.28	15.4.2011 <b>(expired)</b>	(a), (b), (c), (d)
4.	A/ST/745	G1 (Part)	Shop and Services (Retail Shop) <sup>@</sup>	29.7	6.5.2011 <b>(expired)</b>	(a), (b), (c), (d)
5.	A/ST/748	C1	Shop and Services (Retail Shop) <sup>~</sup>	20	3.6.2011 <b>(revoked)</b>	(a), (b), (c), (d)
6.	A/ST/750	B1 (B2)	Temporary Shop and Services (Retail Shop) for a Period of 2 Years <sup>~</sup>	22.5	3.6.2011 <b>(revoked)</b>	(a), (b), (c), (d)
7.	A/ST/806	B3 (Portion)	Shop and Services (Beauty Treatment and Food Reflexology) <sup>~</sup>	88.4	25.1.2013 <b>(revoked)</b>	(a), (h), (i)
8.	A/ST/821	A5 and A8	Proposed Shop and Services <sup>~</sup>	36.4	19.7.2013 <b>(revoked)</b>	(a), (h), (i)
9.	A/ST/834	G3	Shop and Services (Retail Shop) <sup>@</sup>	130.28	17.1.2014 <b>(expired)</b>	(a), (h), (i)
10.	A/ST/846	G2	Proposed Shop and Services <sup>@</sup>	51.45	13.6.2014 <b>(expired)</b>	(a), (h), (i)
11.	A/ST/879	A5 and A8	Shop and Services <sup>@</sup>	39.1	19.6.2015 <b>(expired)</b>	(a), (e), (f), (g)
12.	A/ST/919	G2	Renewal of Planning Approval for Temporary Shop and Services for a Period of Five Years	<b>51.45</b>	28.4.2017	(a), (j), (k)
<i>Ground Floor</i>						
13.	A/ST/712	R3	Shop and Services (Real Estate Agency) <sup>~</sup>	23	24.9.2010 <b>(revoked)</b>	(a), (b), (c), (d)
14.	A/ST/754	R1 (Part)	Shop and Services (Retail Shop) <sup>~</sup>	15.8	22.7.2011 <b>(revoked)</b>	(a), (b), (c), (d)
15.	A/ST/762	R3C	Shop and Services (Real Estate Agency) <sup>@</sup>	78	2.9.2011 <b>(expired)</b>	(a), (e), (f), (g)
16.	A/ST/774	R3-A	Proposed Shop and Services (Cake Shop) <sup>~</sup>	25.9	24.2.2012 <b>(revoked)</b>	(a), (h), (i)
17.	A/ST/817	R3-A	Proposed Shop and Services (Cake Shop) <sup>~</sup>	25.9	3.5.2013 <b>(revoked)</b>	(a), (e), (f), (g)

No.	Application No.	Application Premises	Applied Use	Floor Area (m <sup>2</sup> ) (About)	Date of Consideration	Approval Condition
<b>Total :</b>				<b>51.45m<sup>2</sup></b> (Only A/ST/919 is covered by valid planning permission)		
Uses <b>NOT</b> applicable for the maximum permissible limit of 460 m <sup>2</sup> for aggregate commercial floor area on the G/F of an industrial building (with sprinkler system)						
<i>Lower Ground Floor</i>						
18.	A/ST/701	R	Proposed Shop and Services (Bank)~	716.58	28.5.2010 <b>(revoked)</b>	(a), (b), (c), (d)
19.	A/ST/733	H1	Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years~	24.79	14.1.2011 <b>(revoked)</b>	(a), (b), (c), (d)
20.	A/ST/738	R2	Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years~	30.3	4.3.2011 <b>(revoked)</b>	(a), (b), (c), (d)
21.	A/ST/749	C2	Shop and Services (Fast Food Shop)~	20	3.6.2011 <b>(revoked)</b>	(a), (b), (c), (d)
22.	A/ST/763	H1	Temporary Shop and Services (Fast Food Shop) for a Period of 5 Years <sup>@</sup>	4.94	2.9.2011 <b>(expired)</b>	(a), (e), (f), (g)
23.	A/ST/776	C2	Shop and Services (Fast Food Shop)~	20	20.4.2012 <b>(revoked)</b>	(a), (h), (i)
24.	A/ST/799	B1 (Portion)	Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years~	22	21.12.2012 <b>(revoked)</b>	(a), (h), (i)
25.	A/ST/829	B (Part of Portion)	Proposed Temporary Shop and Services (Fast Food Shop) for a Period of 5 Years~	7.2	8.11.2013 <b>(revoked)</b>	(a), (e), (f), (g)
26.	A/ST/856	B3 (Portion)	Proposed Temporary Shop and Services (Fast Food Shop) for a Period of 5 Years~	61.5	26.9.2014 <b>(revoked)</b>	(a), (l), (m)
27.	A/ST/868	C8 (Portion)	Proposed Shop and Services (Fast Food Shop)~	15.15	27.3.2015 <b>(revoked)</b>	(a), (e), (f), (g)
28.	A/ST/869	C7	Proposed Shop and Services (Fast Food Shop)~	19.5	27.3.2015 <b>(revoked)</b>	(a), (e), (f), (g)
29.	A/ST/895	B3 (Portion)	Temporary Shop and Services (Fast Food Shop) for a Period of 5 Years <sup>@</sup>	61.5	19.2.2016 <b>(expired)</b>	(a), (e), (f), (g)
30.	A/ST/898	C7	Proposed Shop and Services (Fast Food Shop)	19.5	10.6.2016	(a), (e), (f), (g)
31.	A/ST/934	C8	Shop and Services (Fast Food Shop)	15.153	22.12.2017	(a), (n), (o)
<i>Ground Floor</i>						
32.	A/ST/929	R3 (Part)	Shop and Services (Fast Food Shop)~	25.26	28.7.2017 <b>(revoked)</b>	(a), (b), (c), (d)

- # The applied uses ceases operation or there is a change of use of use of the premises under application. Hence, the planning permission granted has lapsed.
- @ The planning permission was valid on a temporary basis of three years and had already expired.
- ~ A/ST/695, A/ST/701, A/ST/712, A/ST/733, A/ST/738, A/ST/748, A/ST/749, A/ST/750, A/ST/754, A/ST/774, A/ST/776, A/ST/799, A/ST/806, A/ST/817, A/ST/821, A/ST/829, A/ST/856, A/ST/868, A/ST/869 and A/ST/929 were revoked due to the non-compliance with approval condition by the specified date.

### Approval Conditions

- (a) Approved for a period of three years. For A/ST/750, it was approved for a period of two years.
- (b) The submission of the fire safety measures within six months from the date of approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (c) The implementation of the fire safety measures within nine months from the date of 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) (as stated above) 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.
- (e) The submission of the fire safety measures within three months from the date of approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (f) The implementation of the fire safety measures within six months from the date of 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) (as stated above) 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.
- (h) The submission and implementation of the fire safety measures within six 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) (as stated above) 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.
- (j) The submission and implementation of the proposal for provision of fire service installations and equipment within six months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (k) If the above planning condition (j) 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.
- (l) The provision of fire service installations within 9 months from the date of approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (m) If the above planning condition (l) 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.
- (n) The implementation of the fire service installations proposal within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.

- (o) If the above planning condition (n) 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.

**Applications Rejected by the RNTPC/TPB in the Past 10 Years**

No.	Application No.	Application Premises	Applied Use	Floor Area (m <sup>2</sup> ) (About)	Date of Consideration	Rejected Reasons
<i>Lower Ground Floor</i>						
1.	A/ST/779	A	Proposed Shop and Services (Retail Shop and Fast Food Shop)	680.03	1.6.2012	R1
2.	A/ST/808	A	Proposed Shop and Services	427.77	1.3.2013 <b>(Rejected upon review)</b>	R1, R2

- R1 The proposed development did not comply with the Town Planning Board Guidelines for Development within “Industrial” zone (TPB PG-No.25B) as there was insufficient information to demonstrate that there was a genuine need for the proposed use in the area and the proposed use would not have adverse impact on fire safety.
- R2 There is no information in the submission to demonstrate that inclusion and operation of the proposed commercial use would not adversely affect the traffic conditions in the local road network.

**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) 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;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:
  - (i) the use shall be complied with the requirements under the Building Ordinance. 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;
  - (ii) the subdivision of the unit/ premises should comply with the provision of Building Ordinance/ Building (Minor Works) Regulation. The applicant should engage a registered building professional under the Building Ordinance to co-ordinate the building works, if any; and
  - (iii) 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.
- (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 is available for the application premises;
  - (iii) regarding matters related to fire resisting construction of the application premises, the applicant is reminded 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.