

**Appendix II of  
RNTPC Paper No. A/ST/973**

**Previous Application at  
Unit 7C, Level L1, Wah Yiu Industrial Centre,  
30-32 Au Pui Wan Street, Fo Tan, Sha Tin, New Territories**

**Application 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/257	7 (Part)	Local Provisions Store*#	7	19.2.1993 <b>(lapsed)</b>	Nil
2.	A/ST/475	7 (Part)	Local Provisions Store*#	10	30.10.1998 <b>(lapsed)</b>	Nil
3.	A/ST/677	7C	Fast Food Counter*@	13.26	13.3.2009 <b>(revoked)</b>	(a), (b), (c), (d)
4.	A/ST/697	7C	Fast Food Counter*@	13.26	23.4.2010 <b>(revoked)</b>	(a), (e), (f), (g)
5.	A/ST/728	7C	Shop and Services (Fast Food Shop)*~	13.26	23.12.2010 <b>(expired)</b>	(a), (h), (i), (j)

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

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

@ A/ST/677 and A/ST/697 were revoked due to the non-compliance with approval condition by the specified date.

~ 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 13.9.2009.
- (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 13.12.2009.
- (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 23.7.2010.
- (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 23.10.2010.
- (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 23.3.2011.
- (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 23.6.2011.
- (j) If 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/973**

**Similar Applications for Shop and Services at  
Level L1 of Wah Yiu Industrial Centre**

Applications Approved by the RNTPC/TPB in the Past 10 Years and Applications with Valid Permanent Approval Granted by the RNTPC/TPB

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)						
1.	A/ST/588	9B	Wholesale Centre (Stationery)	25	9.1.2004	Nil
2.	A/ST/705	6 (Portion A)	Shop and Services (Showroom and Retail Shop)~	19	25.6.2010 <b>(revoked)</b>	(a),(b),(c),(d)
3.	A/ST/716	6 (Portion B) (Part)	Shop and Services (Retail Shop)~	24.46	15.10.2010 <b>(revoked)</b>	(a),(b),(c),(d)
4.	A/ST/739	6 (Portion A)	Shop and Services (Showroom and Retail Shop) <sup>@</sup>	19	18.3.2011 <b>(expired)</b>	(a),(e),(f),(g)
5.	A/ST/953	6 (Portion C)	Shop and Services (Real Estate Agency)	8.42	1.6.2018	(a),(h),(i)
<b>Total:</b>				<b>33.42m<sup>2</sup></b> (A/ST/588 and A/ST/953 are covered by valid planning permissions)		
Uses <b>NOT</b> applicable for the maximum permissible limit of 460 m <sup>2</sup> for aggregate commercial floor area on the ground floor of an industrial building (with sprinkler system)						
6.	A/ST/682	10 (Part)	Proposed Shop and Services (Fast Food Shop)~	17.84	10.7.2009 <b>(revoked)</b>	(a),(b),(c),(d)
7.	A/ST/702	10 (Part)	Shop and Services (Fast Food Shop) <sup>@</sup>	17.84	30.7.2010 <b>(expired)</b>	(a),(j),(k)
8.	A/ST/932	10 (Part)	Shop and Services (Fast Food Shop)~	20	22.9.2017 <b>(revoked)</b>	(a),(h),(i)

~ A/ST/682, A/ST/705, A/ST/716 and A/ST/932 were revoked due to the non-compliance with approval condition by the specified date.

@ The planning permission was valid on a temporary basis of 3 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 Town Planning Board.
- (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 Town Planning Board.

- (d) If any of the above planning conditions (b) or (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.
- (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 Town Planning Board.
- (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 Town Planning Board.
- (g) If any of the above planning conditions (e) or (f) 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 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) 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 implementation 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 Town Planning Board.
- (k) If any of 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.

**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 Buildings Ordinance. For instance, the shop shall be separated from adjoining workshops by fire barriers with Fire Resistance Rating of 120 minutes. Building safety requirements will be formulated upon receipt of food premises license application, where appropriate 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 provisions of Buildings Ordinance/ Building (Minor Works) Regulation. The applicant should engage a registered building professional under the Buildings Ordinance to co-ordinate the building works, if any; and
  - (iii) the applicant is advised to engage an authorised person to co-ordinate the buildings works, if any.
- (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.