

**Appendix II of
RNTPC Paper No. A/ST/992**

**Previous Applications at
Unit F1-F2, 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/780	F1	Shop and Services (Real Estate Agency)~	18.52	6.7.2012 (revoked)	(a), (b), (c)
2.	A/ST/801	F2 (Part)	Proposed Shop and Services (Retail Shop)@	10.35	21.12.2012 (expired)	(a), (d), (e), (f)
3.	A/ST/823	F1 (Part)	Shop and Services (Real Estate Agency)@	12	16.8.2013 (expired)	(a), (d), (e), (f)

~ A/ST/780 was revoked due to the non-compliance with approval condition by the specified date.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 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 Town Planning Board
- (c) 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.
- (d) 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.
- (e) 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.
- (f) If any of the above planning conditions (d) or (e) 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/992**

**Similar Applications for 'Shop and Services' Uses at
G/F of On Wah Industrial Building,
41-43 Au Pui Wan Street, Fo Tan, Sha Tin, New Territories**

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

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/718	K2	Shop and Services (Retail Shop)~	12.9	29.4.2011 (revoked)	(a), (b), (c), (d)
2.	A/ST/720	F (Part)	Shop and Services (Money Exchange)~	20	12.5.2011 (revoked)	(a), (b), (c), (d)
3.	A/ST/724	A1-A3	Shop and Services (Showroom and Retail Shop)~	36.7	10.6.2011 (revoked)	(a), (b), (c), (d)
4.	A/ST/736	K1 (Part)	Shop and Services (Retail Shop) [@]	3.2	18.2.2011 (expired)	(a), (b), (c), (d)
5.	A/ST/753	K2	Shop and Services (Retail Shop) [@]	12.9	22.7.2011 (expired)	(a), (e), (f), (g)
6.	A/ST/755	F3	Shop and Services (Money Exchange) [@]	20	5.8.2011 (expired)	(a), (e), (f), (g)
7.	A/ST/759	A1-A3	Shop and Services (Showroom and Retail Shop) [@]	36.7	2.9.2011 (expired)	(a), (e), (f), (g)
8.	A/ST/771	K (Part)	Shop and Services (Retail Shop) [@]	13	10.2.2012 (expired)	(a), (j), (k)
9.	A/ST/848	F3	Renewal of Planning Approval for Temporary Shop and Services (Money Exchange) [@]	20	25.7.2014 (expired)	(a), (j), (k)
10.	A/ST/957	K (Part)	Shop and Services (Retail Shop)	15	6.7.2018	(a), (j), (k)
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)						
11.	A/ST/942	A5	Shop and Services (Fast Food Shop)*~	24.16	6.4.2018 (revoked)	(a), (j), (k)
12.	A/ST/967	A5	Shop and Services (Fast Food Shop)*~	24.16	18.7.2019 (revoked)	(h), (i), (l)

[@] 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/942 and A/ST/967 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 3 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 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.
- (k) If the above planning condition (j) 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.
- (l) Approved on a temporary basis for a period of five years.

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 note the comments of the District Lands Officer/Shah Tin, Lands Department (DLO/ST, LandsD) that owner of the premises should apply for a waiver from LandsD to implement the proposal. However, there is no guarantee that the waiver application will be approved. 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 applied use shall comply with the requirements under the Buildings Ordinance. For instance, the shop shall be separated from the 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) adequate access facilities for persons with disability should be provided. Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008 are relevant;
 - (iii) if subdivision of the unit / premise is involved, it should comply with the provisions of Buildings Ordinance/ Building (Minor Works) Regulations. The applicant should engage a registered building professional under the Buildings Ordinance to co-ordinate the building works, if any; and
 - (iv) the applicant is advised to engage an authorized person to co-ordinate the building works, if any; and
- (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) the applicant should comply with the “Code of Practice for Fire Safety in Buildings” which is administered by the Building Authority; and
 - (iii) 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”.