

**Appendix II of
RNTPC Paper No. A/ST/978**

**Previous Application at
Unit B2 (Portion), G/F, Block 2, Kin Ho Industrial Building**

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/225	B2	Building Material Shop [#]	53	23.10.1992	Nil

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

**Appendix III of
RNTPC Paper No. A/ST/978**

**Similar Applications for 'Shop and Services' Use at
G/F, Blocks 1 and 2 of Kin Ho Industrial Building,
14-24 Au Pui Wan Street, Fo Tan, Sha Tin, N.T.**

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

No.	Application No.	Application Premises (Unit)	Applied Use	Floor Area (About) (m ²)	Date of Consideration	Approval Condition(s)
Uses applicable for the maximum permissible limit of 460m ² for aggregate commercial floor area on the G/F of an industrial building (with sprinkler system)						
1.	A/ST/719	Block 1 C5 (Portion)	Shop and Services [~]	33	29.10.2010 (revoked)	(a), (b), (c), (d)
2.	A/ST/722	Block 1 C4 (Portion)	Shop and Services (Real Estate Agency) [~]	18.13	10.12.2010 (revoked)	(a), (b), (c), (d)
3.	A/ST/756	Block 1 C5 (Portion)	Temporary Shop and Services (Real Estate Agency and Retail Shop) for a period of 5 years [~]	33	5.8.2011 (revoked)	(a), (e), (f), (g)
4.	A/ST/758	Block 1 C4 (Portion)	Shop and Services (Real Estate Agency) [@]	20.6	19.8.2011 (expired)	(a), (e), (f), (g)
5.	A/ST/772	Block 1 C2	Shop and Services (Pharmacy, Retail Store) [~]	68.76	10.2.2012 (revoked)	(a), (h), (i)
6.	A/ST/778	Block 1 C5 (Portion)	Temporary Shop and Services (Real Estate Agency and Retail Shop) for a period of 5 years [@]	33	18.5.2012 (expired)	(a), (e), (f), (g)
7.	A/ST/831	Block 1 C2	Shop and Services (Pharmacy and Retail Shop) and Wholesale Trade (Pharmacy) [~]	68.76	22.11.2013 (revoked)	(a), (e), (f), (g)
8.	A/ST/849	Block 1 C4 (Portion)	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years [@]	20.6	8.8.2014 (expired)	(a), (h), (i)
9.	A/ST/855	Block 1 C2	Shop and Services (Pharmacy and Retail Shop) and Wholesale Trade (Pharmacy) [@]	69.29	28.11.2014 (expired)	(a), (e), (f), (g)
10.	A/ST/872	Block 1 C5 (Portion)	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency, Retail Shop) for a Period of 3 Years [@]	33	17.4.2015 (expired)	(a), (b), (c), (d)
11.	A/ST/926	Block 1 C4 (Portion)	Renewal of Planning Approval for Temporary "Shop and Services (Real Estate Agency)" for a Period of 3 Years [~]	20.6	28.7.2017 (revoked)	(a), (h), (i)

No.	Application No.	Application Premises (Unit)	Applied Use	Floor Area (About) (m ²)	Date of Consideration	Approval Condition(s)
12.	A/ST/949	Block 2 B1 (Portion)	Proposed Shop and Services (Retail Shop)	51	18.5.2018	(a), (j), (k)
13.	A/ST/951	Block 1 C5 (Portion)	Renewal of Planning Approval for Temporary 'Shop and Services (Real Estate Agency and Retail Shop)' for a Period of 3 Years	33	18.5.2018	(a), (h), (i)
Total :				84m²	(Only A/ST/949 and A/ST/951 are covered by valid planning permissions)	
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/781	Block 1 C3	Temporary Shop and Services (Fast Food Shop) for a period of three years~	48	6.7.2012 (revoked)	(a), (h), (i)
15.	A/ST/824	Block 1 C3	Temporary Shop and Services (Fast Food Shop) for a period of three years~	48	16.8.2013 (revoked)	(a), (e), (f), (g)
16.	A/ST/845	Block 1 C3	Temporary Shop and Services (Fast Food Shop) for a period of three years~	48	22.8.2014 (revoked)	(a), (h), (i)
17.	A/ST/899	Block 1 C3	Temporary 'Shop and Services (Fast Food Shop)' for a period of three years~	48	15.7.2016 (revoked)	(a), (e), (f), (g)

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

[~] A/ST/719, A/ST/722, A/ST/756, A/ST/772, A/ST/781, A/ST/824, A/ST/831, A/ST/845, A/ST/899 and A/ST/926 were revoked due to the non-compliance with approval condition by the specified date.

Approval Conditions

- (a) Approved 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 submission and implementation of the fire safety measures before operation of the use to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (k) If the above planning condition is not complied with before the operation of the use, 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 for a waiver from LandsD to implement this proposal. 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; and
- (d) 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. 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 licence application, where appropriate 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) 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 Buildings Ordinance to co-ordinate the buildings works, if any; and
 - (iv) the applicant is also advised to engage an authorised person to co-ordinate the building 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 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.