

**Previous Applications at
Workshop G3 (Portion), LG/F, Valiant Industrial Centre,
2-12 Au Pui Wan Street, Fo Tan, Sha Tin, N.T.**

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/741	G3	Shop and Services (Retail Shop)	130.28	15.4.2011 (expired)	(a), (b), (c), (d)
2.	A/ST/834	G3	Shop and Services (Retail Shop)	130.28	17.1.2014 (expired)	(a), (e), (f)

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 the 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 the approval to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (d) If the above planning conditions (b) or (c) was 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 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.
- (f) If the above planning condition (e) 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/987**

**Similar Applications for Shop and Services at
LG/F & G/F of Valiant Industrial Centre,
2-12 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	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)						
<i>Lower Ground Floor</i>						
1.	A/ST/742	B1 (Part)	Temporary Shop and Services (Money Exchange) for a Period of 3 Years~	19.91	15.4.2011 (revoked)	(a), (b), (c), (d)
2.	A/ST/745	G1 (Part)	Shop and Services (Retail Shop) [®]	29.7	6.5.2011 (expired)	(a), (b), (c), (d)
3.	A/ST/748	C1	Shop and Services (Retail Shop)~	20	3.6.2011 (revoked)	(a), (b), (c), (d)
4.	A/ST/750	B1 (B2)	Temporary Shop and Services (Retail Shop) for a Period of 2 Years~	22.5	3.6.2011 (revoked)	(a), (b), (c), (d)
5.	A/ST/793	B1 (Part)	Temporary Shop and Services (Money Exchange) for a Period of 3 Years~	19.91	5.10.2012 (revoked)	(a), (e), (f), (g)
6.	A/ST/806	B3 (Portion)	Shop and Services (Beauty Treatment and Food Reflexology)~	88.4	25.1.2013 (revoked)	(a), (h), (i)
7.	A/ST/821	A5 and A8	Proposed Shop and Services~	36.4	19.7.2013 (revoked)	(a), (h), (i)
8.	A/ST/846	G2	Shop and Services [®]	51.45	13.6.2014 (expired)	(a), (h), (i)
9.	A/ST/878	B1-C	Shop and Services (Money Exchange) [®]	19.91	5.6.2015 (expired)	(a), (e), (f), (g)
10.	A/ST/879	A5 and A8	Shop and Services [®]	39.1	19.6.2015 (expired)	(a), (e), (f), (g)
11.	A/ST/919	G2	Shop and Services [®]	51.45	28.4.2017 (expired)	(a), (l), (m)
12.	A/ST/970	B1-C	Shop and Services (Money Exchange)	25.732	3.5.2019	(a), (h), (i)
13.	A/ST/983	G2	Shop and Services	51.45	15.5.2020	(a), (j), (k)
<i>Ground Floor</i>						
14.	A/ST/754	R1 (Part)	Shop and Services (Retail Shop)~	15.8	22.7.2011 (revoked)	(a), (b), (c), (d)
15.	A/ST/762	R3C	Shop and Services (Real Estate Agency) [®]	78	2.9.2011 (expired)	(a), (e), (f), (g)

No.	Application No.	Application Premises	Applied Use	Floor Area (m ²) (About)	Date of Consideration	Approval Condition
16.	A/ST/774	R3-A	Proposed Shop and Services (Cake Shop)~	25.9	24.2.2012 (revoked)	(a), (h), (i)
17.	A/ST/817	R3-A	Proposed Shop and Services (Cake Shop)~	25.9	3.5.2013 (revoked)	(a), (e), (f), (g)
Total :				77.182m² (Only A/ST/970 and 983 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)						
<i>Lower Ground Floor</i>						
18.	A/ST/733	H1	Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years~	24.79	14.1.2011 (revoked)	(a), (b), (c), (d)
19.	A/ST/738	R2	Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years~	30.3	4.3.2011 (revoked)	(a), (b), (c), (d)
20.	A/ST/749	C2	Shop and Services (Fast Food Shop)~	20	3.6.2011 (revoked)	(a), (b), (c), (d)
21.	A/ST/763	H1	Temporary Shop and Services (Fast Food Shop) for a Period of 5 Years [@]	4.94	2.9.2011 (expired)	(a), (e), (f), (g)
22.	A/ST/776	C2	Shop and Services (Fast Food Shop)~	20	20.4.2012 (revoked)	(a), (h), (i)
23.	A/ST/799	B1 (Portion)	Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years~	22	21.12.2012 (revoked)	(a), (h), (i)
24.	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 (revoked)	(a), (e), (f), (g)
25.	A/ST/856	B3 (Portion)	Proposed Temporary Shop and Services (Fast Food Shop) for a Period of 5 Years~	61.5	26.9.2014 (revoked)	(a), (n), (o)
26.	A/ST/868	C8 (Portion)	Proposed Shop and Services (Fast Food Shop)~	15.15	27.3.2015 (revoked)	(a), (e), (f), (g)
27.	A/ST/869	C7	Proposed Shop and Services (Fast Food Shop)~	19.5	27.3.2015 (revoked)	(a), (e), (f), (g)
28.	A/ST/895	B3 (Portion)	Temporary Shop and Services (Fast Food Shop) for a Period of 5 Years [@]	61.5	19.2.2016 (expired)	(a), (e), (f), (g)
29.	A/ST/898	C7	Proposed Shop and Services (Fast Food Shop) [@]	19.5	10.6.2016 (expired)	(a), (e), (f), (g)
30.	A/ST/934	C8	Shop and Services (Fast Food Shop)	15.153	22.12.2017	(a), (p), (q)

No.	Application No.	Application Premises	Applied Use	Floor Area (m ²) (About)	Date of Consideration	Approval Condition
<i>Ground Floor</i>						
31.	A/ST/929	R3 (Part)	Shop and Services (Fast Food Shop)~	25.26	28.7.2017 (revoked)	(a), (b), (c), (d)

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

~ A/ST/733, A/ST/738, A/ST/742, A/ST/748, A/ST/749, A/ST/750, A/ST/754, A/ST/774, A/ST776, A/ST/793, A/ST/799, A/ST/806, A/ST/817, A/ST/821, A/ST/829, A/ST856, 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. For A/ST/970, it was approved for a period of five 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 submission and implementation of the fire safety measures 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.
- (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 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.
- (o) If the above planning condition (o) 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.
- (p) 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.
- (q) If the above planning condition (p) 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 ²) (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 (Rejected upon review)	R1, R2

- R1 The proposed development did not comply with the Town Planning Board Guidelines No.25D in that the aggregate commercial floor area of the existing industrial building will exceed the maximum permissible limit of 460m². The proposal is unacceptable from fire safety point of view.
- 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 Premises will not be jeopardised;
- (c) 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 premises of industrial use 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) 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) 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 also advised to engage an authorized person to co-ordinate the building works, if any;
- (d) 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 Buildings Department; and
 - (iii) the applicant should comply with the “Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises”;
- (e) to note the comments of the Director of Food and Environmental Hygiene that:
 - (i) the applicant should obtain a suitable food business licence if the subject fast food shop is proposed to serve members of the public;

- (ii) the operation of the subject fast food shop should not cause sanitary nuisance to its surrounding environment;
- (iii) the management(s), owner(s), and operator(s) of the subject fast food shop should properly remove / arrange to remove and dispose of the waste / refuse including waste water generated from its operation at their own expenses; and
- (iv) the activities of the subject fast food shop and removal of water / refuse should not cause any environmental nuisance to the surroundings.