

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-PK/308

Applicant : Green Union Organic Farm Limited represented by Allgain Land Planning Limited

Site : Lot 61RP in D.D. 217, Pak Kong, Sai Kung, New Territories

Site Area : About 220m²

Lease : Old Schedule Agricultural Lots held under Block Government Lease

Plan : Approved Pak Kong and Sha Kok Mei Outline Zoning Plan (OZP) No. S/SK-PK/11

Zoning : “Recreation” (“REC”)

Application : Proposed Temporary Shop and Services for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary shop and services for a period of three years at the application site (the Site), which falls within an area zoned “REC” on the approved Pak Kong and Sha Kok Mei OZP No. S/SK-PK/11 (**Plan A-1**). According to the Notes of the OZP, ‘Shop and Services’ is a Column 2 use of the “REC” zone which requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and fenced by corrugated metal sheet, and is largely vacant with two converted containers and miscellaneous objects deposited on it (**Plans A-4a and A-4b**).
- 1.2 The Site is accessible via a local track connected to Pak Kong Road to its northeast with an ingress/egress at its northwest boundary (**Plans A-2 and A-3**). According to the applicant, the proposed shops and services involve a one-storey temporary structure (not exceeding 5m in height) with a total floor area of about 120m² (**Drawing A-3**), which is for real estate agency and grocery store serving the nearby residents. One loading/unloading (L/UL) space for van-type vehicle is proposed within the Site. The operation hours will be 9:00 a.m. to 8:00 p.m. daily including public holidays. The location plan, site plan and layout plan submitted by the applicant are at **Drawings A-1 to A-3**.

- 1.3 The major development parameters of the proposed development are summarised as follows:

Site Area	About 220m ²
Total Floor Area	About 120m ²
Plot Ratio	0.55
Site Coverage	About 55%
No. of Structure	1
Building Height/ No. of Storey	Not exceeding 5m / 1 storey
No. of L/UL Space	1 (for van-type vehicle (5m x 2.5m))

- 1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application form with attachments received on 25.8.2025 **(Appendix I)**
 - (b) Further Information (FI) received on 9.10.2025* **(Appendix Ia)**
 - (c) FI received on 16.10.2025* **(Appendix Ib)**
- *accepted and exempted from publication and recounting requirements*

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the application form with attachments and FIs at **Appendices Ia** and **Ib**. They can be summarised as follows:

- (a) the proposed use which comprises one-storey temporary structure is small in scale and is not incompatible with the surrounding land uses. The proposed use would not involve warehouse or open storage area;
- (b) it is temporary in nature and would not contravene the long-term planning intention of the “REC” zone;
- (c) the proposed shop and services is intended for real estate agency and grocery store aims to serve the nearby residents with only 2 to 3 staff working inside;
- (d) the proposed uses would not cause any adverse impact or nuisance to the surrounding areas in environmental, drainage, traffic, landscape and visual aspects;
- (e) the applicant is committed to observe relevant regulations as imposed by the Government and to reinstate the Site upon expiry of the planning permission;
- (f) loading/unloading activities will be carried out within the Site;
- (g) staff can make use of the portable toilet within the Site, which will be cleaned regularly by cleansing company;
- (h) there are similar applications for temporary shop and services near the Site in the

“REC” zone approved by the Board; and

- (i) no occupation of Government Land (GL) would be involved within the Site upon approval.

3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is currently not subject to any active planning enforcement action.

5. **Previous Application**

There is no previous application at the Site.

6. **Similar Application**

6.1 There are two similar applications for temporary shop and services uses within “REC” zone of the OZP in the past five years. The two applications (No. A/SK-PK/294 and 296) were approved with conditions by the Committee on 5.4.2024 and 20.9.2024 respectively mainly on the considerations that the approval of the applications on a temporary basis would not jeopardise the long-term development of the area; the proposed uses were not incompatible with the surrounding landscape character; and the technical concerns could be addressed by relevant approval conditions and adverse impacts were not envisaged.

6.2 Another application (No. A/SK-PK/309) for the same use within the same “REC” zone in the vicinity (**Plans A-1 and A-2**) will be considered by the Committee at this meeting.

6.3 Details of the applications are summarised in **Appendix II** and their locations are shown on **Plans A-1 and A-2**.

7. **The Site and Its Surrounding Areas** (**Plans A-1 and A-2**, aerial photo on **Plan A-3**, and site photos on **Plans A-4a and A-4b**)

7.1 The Site is:

- (a) hard-paved, fenced by corrugated metal, and currently largely vacant with two converted containers and miscellaneous objects; and
- (b) accessible via a local track connecting to Pak Kong Road to the northeast.

- 7.2 The surrounding areas are in rural fringe character comprising mainly temporary structures for domestic, plant nursery, vehicle repairing workshop, open storage and warehouses to the east, south and north of the Site. Hong Kong Golf and Tennis Academy is about 100m to the ~~east~~ west across a stream, while Pak Kong Village and Tai Chung Hau Village are about 250m to the northwest and southwest of the Site respectively.

8. Planning Intention

The planning intention of the “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the recommended advisory clauses provided in **Appendices III and IV** respectively.

- 9.2 The following government department has adverse comment on the application:

Land Administration

- 9.2.1 Comments of the District Lands Officer/Sai Kung (DLO/SK), LandsD:

- (a) he has adverse comment on the application;
- (b) the Site comprises one Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected within the prior approval of the Government;
- (c) fence wall was found erected in the vicinity of the Site on private agricultural land and adjoining GL. Any occupation of GL without Government’s prior approval is not allowed. Land control will be taken in accordance with the prevailing guidelines and priority setting; and
- (d) advisory comments are detailed at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 5.9.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received from an individual and the Indigenous Inhabitant Representative of Pak Kong Village objecting to the application

mainly on the grounds that the purpose of the proposed shop and services is not justified as there is no residences nearby; no parking space would be provided at the Site and would cause illegal parking on nearby road; the proposed development without any toilet facilities would cause environmental and hygiene problems; the proposed use would cause further encroachment on “REC” zone; and there are existing illegal structures in the vicinity (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary shop and services for a period of three years at the Site which falls within an area zoned “REC” zone on the OZP (**Plan A-1**). Although the proposed use is not in line with the planning intention of the “REC” zone, there is no known proposal for permanent recreational development at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area.
- 11.2 The proposed development only comprises a one-storey (5m) temporary structure with GFA of 120m² as real estate agency and grocery store for serving the nearby residents. The proposed use is considered not incompatible with the surrounding areas which are in rural in character predominated by temporary structures for domestic, plant nursery, warehouses, vehicle repairing workshops and open yard for construction machinery with Pak Kong Village, Tai Chung Hau Village and Hong Kong Golf and Tennis Academy to the further northwest, southwest and **east west** respectively. The Chief Town Planner/Urban Design and Landscape, Planning Department considers that the proposed use is not incompatible with the surrounding landscape character and setting.
- 11.3 Concerned government departments including the Commissioner for Transport, the Director of Environmental Protection, Chief Engineer/Mainland South, Drainage Services Department, the Director of Fire Services and the Director of Food, Environmental and Hygiene have no objection to/adverse comments on the application from traffic, environmental, drainage, fire safety and environmental hygiene aspects respectively. Relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Regarding the comments of DLO/SK on possible illegal occupation of GL, the applicant clarifies that the Site would be fenced off along the site boundary upon approval and no occupation of GL would be involved (**Appendix Ia**). The applicant will apply for short term waiver with LandsD for the proposed structure within the lot.
- 11.4 There are two similar applications for temporary shop and services uses within the “REC” zone in the past five year, which were approved by the Committee in 2024 as stated in paragraph 6 above. Approval of the current application is generally in line with the Committee’s previous decisions.
- 11.5 Regarding the public comments as stated in paragraph 10 above, the departmental comments and planning assessments above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 24.10.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 24.4.2026;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 24.7.2026;
- (c) in relation to (b) above, the implemented drainage facilities on the application site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.4.2026;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.7.2026;
- (f) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (a), (b), (d) or (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.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use is not in line with the planning intention of the "Recreation" zone, which is primarily for recreational developments for the use of the general public. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application form with attachments received on 25.8.2025
Appendix Ia	FI received on 9.10.2025
Appendix Ib	FI received on 16.10.2025
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Location Plan
Drawing A-2	Site Plan
Drawing A-3	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2025**