

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/595**

- Applicant** : Get Rich E&M Engineering Limited represented by Allgain Land Planning Limited
- Site** : Lot 1097 RP (Part) in D.D. 125 and Adjoining Government Land (GL), Hung Shui Kiu, Yuen Long
- Site Area** : About 1,660m<sup>2</sup> (including GL of about 740m<sup>2</sup> or 44.6%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zoning** : “Open Space” (“O”)
- Application** : Proposed Temporary Shop and Services (Retail Shop for Hardware Groceries and Construction Materials) with Ancillary Facilities for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary shop and services (retail shop for hardware groceries and construction materials) with ancillary facilities for a period of three years at the application site (the Site) which is zoned “O” on the OZP (**Plan A-1**). According to the Notes of the OZP for “O” zone, ‘Shop and Services’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently used for open storage of construction materials and machineries without valid planning permission.
- 1.2 The Site is accessible from Sik Kong Wai Road via a local track (**Plan A-2 and Drawing A-1**) with the ingress/egress point at the western part of the Site. According to the applicant, three temporary structures (one to two storeys, not more than 8m in height) with a total floor area of about 520m<sup>2</sup> are proposed for shop and services and site office. Two loading/unloading spaces for light goods vehicles (each of 7m x 3.5m) will be provided (**Drawing A-2**). The operation hours are from 9:00 a.m. to 7:00 p.m. daily including public holidays. Plans showing the access leading to the Site, site layout and landscape proposal submitted by the applicant are at **Drawings A-1 to A-3** respectively.

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

- (a) Application Form with attachments received on 13.1.2026 (Appendix I)
- (b) Further Information (FI) received on 13.2.2026 (Appendix Ia)

*[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 at **Appendix I**. They can be summarised as follows:

- (a) the proposed use is to provide shop and services for nearby residents. It is temporary in nature and would not jeopardise the planning intention of the concerned zone;
- (b) the proposed use is small in scale and not incompatible with the surrounding areas which are mainly occupied by residential dwellings;
- (c) no operation will be carried out at night and hence the proposed use would have insignificant environmental and noise impacts. Insignificant traffic, drainage and landscape impacts are anticipated; and
- (d) the applicant will strictly comply with all environmental protection/pollution control ordinances and follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise the potential environmental nuisance.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notice and sending notice to Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements under TPB PG-No. 31B are not applicable to the GL portion.

## **4. Background**

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

## **5. Previous Application**

There is no previous application within the Site.

## **6. Similar Application**

There is no similar application within the same “O” zone on the OZP in the past five years.

## **7. The Site and Its Surrounding Areas (Plans A-1 to A-4b)**

7.1 The Site is:

- (a) accessible from Sik Kong Wai Road via a local track; and
- (b) currently used for open storage of construction materials and machineries without valid planning permission.

7.2 The surrounding areas are predominantly occupied by residential dwellings, open storage yards, logistics use, vehicle parks and storage facilities intermixed with agricultural and vacant land. To its east is the village cluster of Sik Kong Wai.

## **8. Planning Intention**

The planning intention of the “O” zone is primarily for provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

## **9. Comments from Relevant Government Departments**

All 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 are provided in **Appendices II and III** respectively.

## **10. Public Comment Received During Statutory Publication Period**

On 20.1.2026, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix IV**) objecting to the application mainly on the grounds that the proposed use was not in line with the planning intention of the “O” zone and no information was provided on tree felling.

## **11. Planning Considerations and Assessments**

11.1 The application is for proposed temporary shop and services (retail shop for hardware groceries and construction materials) with ancillary facilities for a period of three years at the Site which is zoned “O” on the OZP. Whilst the proposed use is not in line with the planning intention of the “O” zone, the proposal could help meet the demand for providing shop and services in the area. The Director of Leisure and Cultural Services advises that there is no plan to develop the Site into public open space in the upcoming three years. The Project Manager (West) of Civil Engineering and Development Department also advises that the Site falls within the Remaining Phase Development of Hung Shui Kiu/Ha Tsuen New Development Area and land resumption/clearance programme are currently being reviewed and subject to change. Approval of the application on temporary basis of three years would not jeopardise the long-term planning intention of the “O” zone. Nonetheless, should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.

- 11.2 The proposed use is considered not incompatible with the surrounding areas which are predominantly occupied by residential dwellings, open storage yards, logistics use, vehicle parks and storage facilities intermixed with agricultural and vacant land (**Plan A-2**), with some of these uses covered by valid planning permissions.
- 11.3 Relevant government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment from environmental, traffic, fire safety and drainage perspectives respectively. Noting that the Site is situated in an area of miscellaneous rural fringe landscapes characterised by temporary structures, farmland, village houses and tree clusters, and the village houses are located to the southeast of the Site, the Chief Town Planner/ Urban Design and Landscape Section, Planning Department (CTP/UD&L, PlanD) considers that more tree plantings should be proposed to provide an effective planting buffer to mitigate the landscape impact of the proposed use. In this regard, approval conditions on the submission and implementation of a revised landscape proposal are recommended as requested by CTP/UD&L, PlanD. To address the technical requirements of the other concerned departments, relevant approval conditions are also recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to follow the latest “CoP” to minimise any potential environmental nuisances on the surrounding areas.
- 11.4 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraph 11.1 to 11.3 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 comment mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Rural and New Town Planning Committee (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 **13.3.2029**. 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 **13.9.2026**;
- (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 **13.12.2026**;
- (c) in relation to (b) above, the implemented drainage facilities on the 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 **13.9.2026**;

- (e) in relation to (d) above, the implementation of the fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **13.12.2026**;
- (f) the submission of a revised landscape proposal within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **13.9.2026**;
- (g) in relation to (f) above, the implementation of the revised landscape proposal within **9** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by **13.12.2026**;
- (h) 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
- (i) if any of the above planning condition (a), (b), (d), (e), (f) or (g) 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 III**.

- 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 "O" zone which is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as 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**  
**Appendix Ia**

Application Form received on 13.1.2026  
FI received on 13.2.2026

<b>Appendix II</b>	Government Departments' General Comments
<b>Appendix III</b>	Recommended Advisory Clauses
<b>Appendix IV</b>	Public Comment
<b>Drawing A-1</b>	Location Plan with Vehicular Access
<b>Drawing A-2</b>	Site Layout Plan
<b>Drawing A-3</b>	Landscape Proposal
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
MARCH 2026**