

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/ST/1050

<u>Applicant</u>	: 莊壯浩 represented by 王意歡
<u>Premises</u>	: Unit 4F (Portion), G/F, Fo Tan Industrial Centre, 26-28 Au Pui Wan Street, Fo Tan, Sha Tin
<u>Floor Area</u>	: About 28.36m ²
<u>Lease</u>	: Sha Tin Town Lot (STTL) No. 170 held under New Grant No. 11640 - restricted to industrial and/or godown purposes or for showrooms and facilities for the sale of motor vehicles, accessories and spare parts or motor vehicle repair workshops excluding any petrol filling station or offensive trade
<u>Plan</u>	: Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/39 (<i>at the time of submission</i>) Approved Sha Tin OZP No. S/ST/40 (<i>currently in force</i>)
<u>Zoning</u>	: “Industrial” (“I”) [no change on the current OZP]
<u>Application</u>	: Shop and Services (Money Exchange)

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application premises (the Premises) for shop and services (money exchange). The Premises is located on the G/F of an existing industrial building, known as Fo Tan Industrial Centre (the Building), falling within an area zoned “I” on the OZP (**Plan A-1**). According to the Notes of the OZP for “I” zone, ‘Shop and Services (not elsewhere specified) (ground floor only, except in wholesale conversion of an existing building and ancillary showroom which may be permitted on any floor)’¹ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Premises is currently used as the applied use without valid planning permission.

¹ ‘Shop and Services (Motor-vehicle Showroom on ground floor, Service Trades only)’ is always permitted within the “I” zone.

- 1.2 The Premises occupies portion of the Unit 4F on G/F of the Building with a total floor area of about 28.36m². As shown on **Plan A-2**, the Premises has direct frontage to Au Pui Wan Street. The floor plan and layout plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.
- 1.3 The Premises is the subject of two previous applications (No. A/ST/304 and 997) (**Plan A-2**) submitted by different applicants. Application No. A/ST/304 for 'Metal/Hardware Shop' was approved by the Rural and New Town Planning Committee (the Committee) in 1994, while application No. A/ST/997 for 'Shop and Services (Money Exchange)' was approved by the Committee on a temporary basis for a period of five years in 2021 and the planning permission lapsed on 30.4.2026. Details of the previous applications are set out in paragraph 5 below.
- 1.4 In support of the application, the applicant submitted the Application Form with attachments on 29.5.2026 (**Appendix I**).

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**, as summarised below:

- the applied use will not pose traffic impacts on the surrounding areas as there is provision of the parking, and loading and unloading spaces within the Building.

3. **Compliance with the "Owner's Consent/Notification" Requirements**

The applicant is not the "current land owner" of the Premises 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 obtaining consents of the current land owners. Detailed information would be deposited at the meeting for Member's inspection.

4. **Town Planning Board Guidelines**

The Town Planning Board Guidelines for Use/Development within "I" Zone (TPB PG-No. 25D) are relevant to the application. Relevant extract of the Guidelines is at **Appendix II**.

5. **Previous Applications**

- 5.1 The Premises is the subject of two previous applications (No. A/ST/304 and 997) submitted by different applicants. Application No. A/ST/304 for 'Metal/Hardware Shop' was approved by the Committee on a permanent basis on 4.2.1994, mainly on the considerations that the applied use was compatible to be accommodated within an industrial building than in a commercial building and the application generally complied with the relevant TPB Guidelines. As the Premises is no longer used for that approved use, the relevant planning permission has ceased to have effect.

- 5.2 Application No. A/ST/997 for ‘Shop and Services (Money Exchange)’ was approved by the Committee on a temporary basis for a period of five years on 30.4.2021, mainly on the considerations that the applied use was not incompatible with the industrial-related uses in the vicinity and was generally complied with TPB PG-No. 25D. Approval conditions related to fire safety aspects had been complied with. The planning permission lapsed on 30.4.2026.
- 5.3 Details of the previous applications are at **Appendix III** and their locations are shown on **Plan A-2**.

6. Similar Applications

- 6.1 The Building is located on a sloping ground. The G/F and 1/F of the Building, where commercial floor spaces are found, are abutting Au Pui Wan Street and Tsung Tau Ha Road. On the 1/F, there is no similar application. On the G/F, there are two similar applications (No. A/ST/208 and 213) approved by the Committee on a permanent basis in 1992, mainly on similar considerations as stated in paragraph 5.1 above. Details of the applications are summarised at **Appendix IV** and their locations are shown on **Plan A-2**.
- 6.2 These similar applications are still valid and should be counted towards the maximum permissible limit of 460m² for aggregate commercial floor area on the G/F of an industrial building (with sprinkler system) according to TPB PG-No. 25D:

No.	Application No.	Application Premises	Applied Use	Floor Area (About) (m ²)	Date of Approval
<i>G/F</i>					
1.	A/ST/208	3D	Metal/ Hardware Shop	101	24.7.1992
2.	A/ST/213	3B	Retail Shop Selling Electrical Accessories, Stationery and Packaging Materials	149	4.9.1992
Total:				250m²	

- 6.3 Should the Committee approve the current application, the total approved aggregate commercial floor area will be 278.36m², which is within the maximum permissible limit of 460m² on the G/F of an industrial building with sprinkler system.
- 6.4 There are 18 similar applications for various shop and services uses on the G/F of other industrial buildings within the same “I” zone approved by the Committee in the past five years, mainly on similar considerations as stated in paragraph 5.2 above. Details of the applications are at **Appendix IV** and their locations are shown on **Plan A-1**.

7. **The Premises and its Surrounding Areas (Plans A-1 to A-4b)**

7.1 The Premises is:

- (a) located on the G/F of the Building with direct street frontage to Au Pui Wan Street; and
- (b) currently used as the applied use without valid planning permission.

7.2 Based on the site inspection conducted on 5.6.2026, the existing main uses of the Building by floors are summarised below:

Floor	Current Uses
G/F (Plan A-3a)	The Premises , canteen, restaurant [#] , real estate agencies [@] , godowns, electrical accessories shop [^] , interior design companies [#] , renovation work [#] , engineering company [#] , crystal shop [#] , premises under renovation, and locked premises
1/F (Plan A-3b)	Storage, offices, and locked premises
2/F	Carpark
3/F-18/F	Storage/warehouses, offices and locked premises

[#] There is no record of planning approval granted for such use

[@] The planning approval for such use lapsed

[^] Covered by valid planning permission

7.3 The surrounding areas are predominantly high-rise industrial buildings in the Fo Tan Industrial Area.

8. **Planning Intention**

The planning intention of the “I” zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-orientated industries. Information technology and telecommunications industries and office related to industrial use are also always permitted in this zone.

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 recommended advisory clauses are provided in **Appendices V** and **VI** respectively.

Trade and Industry

9.2 Comments of the Director-General of Trade and Industry (DG of TI):

he indicates concern on the application for conversion of the Premises to ‘Shop and Services’ use on a permanent basis. Nevertheless, he would have no comment if the approval is on a temporary basis which will not jeopardise the long-term industrial-related uses of the Premises.

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

On 5.6.2026, the application was published for public inspection. During the statutory public inspection period, one comment from an individual was received (**Appendix VII**), indicating no comment on the application.

11. **Planning Considerations and Assessments**

- 11.1 The application is for ‘Shop and Services (Money Exchange)’ at the Premises located on the G/F of an existing industrial building zoned “I” on the OZP. While the planning intention of the “I” zone is to reserve land primarily for general industrial uses to ensure adequate supply of industrial floor space to meet demand from production-oriented industries, commercial uses in industrial buildings within the “I” zone may be permitted on application to the Board based on individual merits and the planning assessment criteria set out in TPB PG-No. 25D.
- 11.2 The Premises has a floor area of about 28.36m², which is located on the G/F of the Building with direct street frontage to Au Pui Wan Street (**Plan A-2**). In view of the operation nature and small scale of the applied use, it is considered not incompatible with other uses on the G/F of the Building, as well as the surrounding developments which are predominately industrial buildings.
- 11.3 According to the TPB PG-No. 25D, owing to fire safety concern, the Building is subject to a maximum permissible limit of 460m² for aggregate commercial floor area on G/F. The Director of Fire Services (D of FS) advises that the Building is protected with a sprinkler system and the applied use should be counted up to the aggregate commercial floor area. If the application is approved, the floor area of 28.36m² of the Premises will be included in the aggregate commercial floor area, which will not exceed the maximum permissible limit of 460m².
- 11.4 The applied use generally complies with the relevant considerations set out in TPB PG-No. 25D including the fire safety and traffic aspects. D of FS has no in-principle objection to the application subject to provision of fire service installations and equipment as recommended in paragraph 12.2 below. Concerned government departments consulted, including the Commissioner for Transport and Chief Building Surveyor/New Territories West of Buildings Department have no objection to/no adverse comment on the application from traffic and buildings aspects respectively.
- 11.5 The Premises is the subject of two previous applications for shop and services uses approved by the Committee as detailed in paragraphs 5.1 and 5.2 above. Besides, there are 20 approved similar applications within the Building and on the G/F of other industrial buildings within the same “I” zone as mentioned in paragraphs 6.1 and 6.4 above. The planning circumstances of the current application are similar to those of the approved applications. Approval of the current application is generally in line with the Committee’s previous decisions.
- 11.6 The applicant has applied to use the Premises for the shop and services (money exchange) on a permanent basis. Nevertheless, considering the comments from DG of TI, it is recommended to grant a temporary approval of five years in order not to jeopardise the long-term planning intention of industrial use for the Premises

and to allow the Committee to monitor the provision of industrial floor space in the area.

12. **Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 above, the Planning Department has no objection to the application on a temporary basis for a period of five years.
- 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 five years until 24.7.2031. The following approval conditions and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission and implementation of fire service installations and equipment within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.1.2027; and
- (b) if the above planning condition (a) 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 VI**.

- 12.3 There is no strong reason to recommend rejection of the application 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 the 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 II
Appendix III

Application Form received on 29.5.2026
 Relevant extract of TPB PG-No. 25D
 Previous applications

Appendix IV	Similar applications
Appendix V	Government departments' general comments
Appendix VI	Recommended advisory clauses
Appendix VII	Public comment
Drawing A-1	Floor Plan
Drawing A-2	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a and A-3b	Ground Floor Plan and First Floor Plan
Plans A-4a and A-4b	Site Photos

PLANNING DEPARTMENT
JULY 2026