

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/STT/27

<u>Applicant</u>	: Sun Ever Corporation Limited
<u>Site</u>	: Lot 464 (Part) in D.D. 102, Siu Hum Tsuen, Ngau Tam Mei, Yuen Long
<u>Site Area</u>	: About 938m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/2
<u>Zoning</u>	: “Other Specified Uses” annotated “Cultural and Community Uses with Supporting Uses and Facilities” (“OU(CCUSUF)”)
<u>Application</u>	: Temporary Rural Workshop (Recycling and Recovery of Plastic Products) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary rural workshop (recycling and recovery of plastic products) for a period of three years at the application site (the Site), which falls within an area zoned “OU(CCUSUF)” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by a temporary structure for the applied use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from a local access leading to Ka Lung Road (**Plan A-2**), with an ingress/egress at the eastern part of the Site. According to the applicant, the applied use involves one single-storey structure (with height not more than 9m) with a total floor area of about 938m² for rural workshop for processing and storage of recyclable plastic products, including water-filled barriers, road barriers and screen panels. The workshop activities, which involve shredding, crushing, melting and molding of plastic products, will be carried out inside the fully enclosed structure. Environmental mitigation measures to further minimise the potential noise, dust and odour nuisances are also proposed, including incorporation of soundproofing materials and industrial vacuum cleaner, and installation of activated carbon absorption system to filter and absorb potential odour generated from the melting process. No cleaning and washing activities will be carried out at the Site. No parking and loading/unloading (L/UL) space are provided within the Site. The operation hours are from 7:00 a.m to 7:00 p.m. from

Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicant is at **Drawing A-1**.

- 1.3 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 16.6.2025 and **(Appendix I)**
Supplementary Information (SI) received on 20.6.2025
 - (b) Further Information (FI) received on 4.8.2025* **(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, SI and FI at **Appendices I to Ia**, and can be summarised as follows:

- (a) There is a lack of companies specialising in recycling and recovery of large plastic products in Hong Kong. The applied use could promote waste reduction, recycling and sustainability.
- (b) The workshop activities will be carried out inside the fully enclosed structure at the Site. To further minimise the potential noise, dust and odour nuisances to the surrounding areas, soundproofing materials, industrial vacuum cleaner, and installation of activated carbon absorption system to filter and absorb potential odour generated from the melting process are proposed. No wastewater will be produced during the operation. Adverse environmental impacts on the surrounding areas are not anticipated.
- (c) The applicant commits to follow environmental mitigation measures as stipulated in the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') issued by the Environmental Protection Department to minimise the potential environmental impacts from the applied use.
- (d) While there is no parking spaces within the Site, L/UL activities will be carried out in an area right outside the Site, with agreement from the owner of the adjoining Lot, infrequently for a very short period of time in a day. After L/UL activities outside the Site, the works vehicles will be parked in a vehicle park near Kwu Tung Road. No adverse traffic impact is therefore anticipated.
- (e) The applicant acknowledged the long-term use of the Site and is willing to cooperate with relevant government departments and allow authorized person to conduct any necessary on-site investigations or inspections.

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 obtaining consent from the current land owner. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

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

5. Previous Application

There is no previous application covering the Site.

6. Similar Application

There is no similar application within the same “OU(CCUSUF)” zone on the OZP in the past five years.

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

7.1 The Site is:

- (a) currently occupied by a temporary structure for the applied use without valid planning permission; and
- (b) accessible from the east via a local access leading to Ka Lung Road.

7.2 The surrounding areas are rural in character and predominated by warehouses, logistics use, vehicle repairing workshop, residential structures and grassland.

8. Planning Intention

The planning intention of the “OU(CCUSUF)” zone is primarily for the provision of a cultural and community complex serving the needs of the local residents and/or a wider district, region or the territory. Retail, dining, recreational, entertainment and other uses and facilities in support of the complex may also be included and are always permitted.

9. Comments from Relevant Government Departments

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 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, if any, are provided in **Appendices II** and **III** respectively.

9.2 The following government department does not support the application:

Environment

9.2.1 Comments from the Director of Environmental Protection (DEP):

- (a) the applicant has proposed the following mitigation measures during the operation stage of the applied use:

- (i) noise: the operation will be conducted within a fully enclosed structure equipped with soundproofing materials to minimise the slight noise generated;
 - (ii) air quality: for potential dust impact, no dust is generated during the production process as the waste materials will be put into a sealed crusher. An industrial vacuum cleaner may be provided in the future. The applicant will install an activated carbon adsorption system to filter and absorb potential odour generated from the melting of raw material process; and
 - (iii) follow the environmental mitigation measures as stipulated in the 'CoP' to minimise the potential environmental impacts from the applied use;
- (b) it is noted from the application that the applicant will use private cars, light goods vehicles and medium goods vehicles in an area next to the Site, though not covered by the application, as L/UL spaces to support the operation under the application. It is understood that the applied use would involve traffic of heavy vehicle, and potentially dusty operations. There are residential structures within 100m buffer area of the Site (the nearest is around 67m to the south of the Site);
- (c) considering the above in (b), he does not support the application from environmental planning perspective. Nevertheless, should the planning application be approved, the applicant shall implement the environmental mitigation measures committed in the FI to minimise the potential environmental impacts from the applied use. The applicant is also advised to strictly observe all relevant pollution control ordinances, particularly air quality and noise, and put in place necessary precautionary/pollution control measures to prevent any pollution and disturbance to the nearby sensitive receivers as a result of the operation of the applied use;
- (d) no environmental complaint relating to the Site was recorded in the past three years; and
- (e) advisory comments are detailed at **Appendix III**.

9.3 The following government departments have specific comments on the application:

Long-term Development

9.3.1 Comments from the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD):

the Site falls within the boundary of Phase 2 Development of the San Tin Technopole (the Technopole). According to the latest tentative development programme, it is planned to commence land resumption for the Phase 2

Development progressively in early 2027. Therefore, land resumption involving the Site may commence in the coming three years.

9.3.2 Comments from the Director of Leisure and Cultural Services (DLCS):

- (a) he has no adverse comment on the application; and
- (b) it is noted that the Site reserved for the Cultural and Community Complex falls within Phase 2 of the development of the Technopole. There is no plan to develop the Cultural and Community Complex within the next three years.

10. Public Comment Received During Statutory Publication Period

On 24.6.2025, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual raising concern that the applied use is not in line with the development of the Technopole (**Appendix IV**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary rural workshop (recycling and recovery of plastic products) for a period of three years at the Site zoned “OU(CCUSUF)” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “OU(CCUSUF)” zone, on long-term development perspective, PM(N), CEDD advises that the Site is under Phase 2 Development of the Technopole where land resumption is planned to commence progressively in early 2027 and land resumption involving the Site may commence in the coming three years. On the other hand, DLCS has no objection to the application as there is no plan to develop the planned Cultural and Community Complex within the next three years. In this regard, the applied use on temporary basis will not affect the long-term planning intention of the Site. Should the Committee decide to approve the application, it is recommended to incorporate an advisory clause to remind the applicant that the Site may be resumed by the Government and the applied use may be terminated at any time during the planning approval period for implementation of Government projects. In view of the above and taking into account the planning assessments below, there is no objection to the current application for a period of three years.
- 11.2 The applied use is considered not incompatible with the surrounding areas which are rural in character and predominated by warehouses, logistics use, vehicle repairing workshop, residential structures and grassland (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective as the applied use is not incompatible with the surrounding landscape character and adverse landscape impact within the Site arising from the applied use is not anticipated.
- 11.3 Whilst DEP does not support the application as the applied use involves traffic of heavy vehicles and potentially dusty operations, and there are sensitive receivers in the vicinity of the Site, it is noted that the access to the Site from Ka Lung Road will not pass through any residential structures and no environmental complaint relating to the Site was recorded in the past three years. The applicant also commits to implement relevant

mitigation measures, such as the use of soundproofing materials, industrial vacuum cleaner, and activated carbon absorption system to minimise potential environmental impacts. To address DEP's concerns, the applicant will be advised to follow the revised 'CoP' and implement the committed environmental mitigation measures to minimise any potential environmental nuisance caused by the applied use. The operation of the applied use is also subject to the relevant pollution control ordinances.

- 11.4 Other relevant government departments consulted including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below.
- 11.5 Regarding the public comment as stated in paragraph 10 above, the planning considerations and departmental comments 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, PlanD 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 15.8.2028. 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 15.2.2026;
- (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 15.5.2026;
- (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 15.2.2026;
- (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 15.5.2026;
- (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 III**.

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

the applied use is not in line with the planning intention of the "Other Specified Uses" annotated "Cultural and Community Uses with Supporting Uses and Facilities" zone, which is for providing a cultural and community complex serving the needs of the local residents and/or a wider district, region or the territory. 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 received on 16.6.2025 and SI received on 20.6.2025
Appendix Ia	FI received on 4.8.2025
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comment
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos