

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/1055

- Applicant** : Plus Investment Limited represented by Mr WONG Sun-wo William
- Site** : Lots 64 S.A, 73 S.B ss.4, 76 S.B RP and 77 RP in D.D. 108, Pat Heung, Yuen Long, New Territories
- Site Area** : About 2,160m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
- Zoning** : “Residential (Group D)” (“R(D)”)
[restricted to a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m)]
- Application** : Temporary Recyclable Collection Centre (Waste Paper) with Ancillary Office and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary recyclable collection centre (waste paper) with ancillary office and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “R(D)” on the OZP (**Plan A-1a**). According to the Notes of the OZP for the “R(D)” zone, ‘Recyclable Collection Centre’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and used for the applied use without valid planning permission (**Plan A-4**).
- 1.2 The Site is accessible from Fan Kam Road via an ingress/egress at the northwestern corner of the Site (**Plan A-2**). According to the applicant, the applied use involves six single-storey structures with height ranging from 4.5m to 8m and a total floor area of about 790m² for four recyclable collection centres, an ancillary office and a fire service installations (FSIs) control room (**Drawing A-1**). The recycling process involving sorting and packing is conducted within the temporary structures. The outdoor area is designated for vehicular manoeuvring space and as a means of escape. No workshop activities, material breaking, burning, melting, washing or pulping, or open storage of any kind will be undertaken at the Site at all times. Soundproof fabric has been used on the structure(s) in the northeastern part of the

Site near the horse riding school to mitigate potential noise nuisance. To support the applied use, two parking spaces for private cars and two loading/unloading spaces for light goods vehicles are provided within the Site, and entry and parking of heavy goods vehicles at the Site are not allowed. The applicant also applies for regularisation of associated filling of land for the entire Site with concrete in a depth of about 0.15m, raising the site level to a range between +35.8mPD and +36mPD for site formation (**Drawing A-2**). No further land filling is required. The operation hours are between 8:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan and land filling plan submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

- 1.3 The Site, in part or in whole, is the subject of 12 previous applications for various uses (details at paragraph 5 below). The last application (No. A/YL-PH/806) submitted by the same applicant at the same site for similar use as the current application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 16.8.2019. The planning permission was subsequently revoked on 16.11.2021 due to non-compliance with approval conditions. Compared with the last approved application No. A/YL-PH/806, the current application involves a change of type of recyclable involved, revised layout, increase in number of structures, reduction in total floor area, as well as regularisation of the associated filling of land for the entire Site.
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with supporting documents received on 3.3.2025 and 9.3.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 25.6.2025* (**Appendix Ia**)
 - (c) FI received on 22.8.2025* (**Appendix Ib**)

** accepted and exempted from publication and recounting requirements*
- 1.5 On 2.5.2025 and 15.8.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FI at **Appendices I** to **Ib**, and can be summarised as follows:

- (a) The Site is the subject of an approved application (No. A/YL-PH/806) for temporary recyclable collection centre for garment and cloth with ancillary office. There has been similar applications for the same/similar applied use approved by the Committee in the vicinity of the Site.
- (b) The approval conditions in relation to proposed drainage facilities under the last application were not complied with in time as the relevant works could not be commenced due to difficulties in obtaining consent from the lot owners of the adjacent horse riding school. Since consent has now been obtained from the

concerned lot owners to proceed with the proposed drainage facilities and associated drainage connection works, a fresh application is submitted for the applied use.

- (c) Pulping processes will not be conducted at the Site for paper recycling, as they are not permitted within the “R(D)” zone and would result in a large volume of wastewater which could pollute the adjacent watercourse.
- (d) The applied use will not cause any adverse environmental, traffic and drainage impacts on the surrounding areas. Soundproof fabric has been used on the structure(s) in the northeastern part of the Site near the horse riding school to mitigate potential noise nuisance, and excessive noise from machinery will be minimised as far as practicable. Run-in/out, drainage and FSIs proposals have been submitted in support of the current application. Should the current application be approved, the applicant will apply for Short Term Waiver (STW) for the applied use and regularise the unauthorised structures at the Site.

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

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

4. Background

The Site is subject to planning enforcement action against unauthorized development (UD) involving storage and workshop uses (No. E/YL-PH/957) (**Plan A-2**). Enforcement Notice (EN) was issued on 10.4.2025 requiring discontinuation of the UD. Site inspections revealed that the UD has still continued upon expiry of the EN. Prosecution action is being considered.

5. Previous Applications

- 5.1 The Site, in part or in whole, is the subject of 12 previous applications for various uses. There are 11 applications (No. A/DPA/YL-PH/9 and 11, A/YL-PH/36, 141, 337, 414, 428, 475, 502, 679 and 784) for various uses, including low-rise residential/house developments, temporary horse riding school and shop and services uses, with one rejected and ten approved by the Committee between 1992 and 2018. Considerations of these previous applications are not relevant to the current application due to different uses involved.
- 5.2 The last application (No. A/YL-PH/806) for similar use at the same site submitted by the same applicant as the current application was approved with conditions by the Committee on 16.8.2019, mainly on the considerations that the temporary approval would not frustrate the long-term planning intention of the “R(D)” zone; the proposed use was not incompatible with the surrounding land uses; and the concerned government departments consulted in general had no adverse comment or their technical concerns could be addressed by relevant approval conditions. The

planning permission was revoked on 16.11.2021 due to non-compliance with approval conditions related to the submission and/or implementation of the run-in/out, drainage and FSI proposals. Compared with the last application, the current application involves changes as set out in paragraph 1.3 above.

- 5.3 Details of these previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1b**.

6. Similar Applications

There are four similar applications for various temporary uses for recycling materials or recyclable collection centre (including two with filling of land) within the same “R(D)” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2021 and 2023 mainly on the similar considerations as mentioned in paragraph 5.2 above. Details of these similar applications are summarised in **Appendix III** and the locations are shown on **Plan A-1a**.

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

- 7.1 The Site is:

- (a) accessible from Fan Kam Road via an ingress/egress at the northwestern corner of the Site; and
- (b) currently hard-paved and used for the applied use without planning permission.

- 7.2 The surrounding areas are rural in character comprising mainly open storage/storage yards intermixed with scattered residential structures, a horse riding school (i.e. the International Riding Centre), a warehouse, an activity venue with solar photovoltaic system, a car service area and woodland.

8. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

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, if any, are provided in **Appendices IV** and **V** respectively.

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

Land Administration

9.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) has adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lots 64 S.A, 73 S.B ss.4, 76 S.B RP and 77 RP all in D.D. 108 held under the Block Government Lease which contains restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) there is/are unauthorized structure(s) and uses on Lots 64 S.A, 73 S.B ss.4 and 76 S.B RP all in D.D. 108 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
- (d) if the planning application is approved, the lot owner(s) shall apply to his office for a STW to permit the structure(s) erected within the said private lots of the Site. The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered.

10. Public Comments Received During Statutory Publication Period

On 11.3.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received (**Appendix VI**). One comment from the president of a local recycling industry association, who also serves as a Member of the Yuen Long District Council, objected to the application, stating that the Site should be used for recycled paper pulping to support the production of new paper products, in view of the decreasing availability of recyclable waste paper. Another comment from an individual expressed concerns on the application, mainly on the grounds that the previous planning permission was revoked due to non-compliance with approval conditions, and therefore approval should not be granted to the current application.

11. Planning Considerations and Assessments

11.1 The application is for temporary recyclable collection centre (waste paper) with ancillary office and associated filling of land for a period of three years at the Site zoned “R(D)” (**Plan A-1a**). Whilst the applied use is not in line with the planning

intention of the “R(D)” zone, there is currently no known proposal for long-term development at the Site or in its vicinity within the “R(D)” zone, and approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “R(D)” zone. Taking into account the above and the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis for a period of three years.

- 11.2 Filling of land within the “R(D)” zone requires planning permission from the Board. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively.
- 11.3 The applied use is considered not incompatible with the surrounding areas which are rural in character comprising mainly open storage/storage yards intermixed with scattered residential structures, a horse riding school, a warehouse, an activity venue with solar photovoltaic system, a car service area and woodland. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) considers that significant adverse landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Commissioner for Transport, Chief Highway Engineer/New Territories West of Highways Department and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the Committee decide to approve the application, it is recommended to advise the applicant to follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’, the relevant statutory environmental requirements and practice notes to minimise the potential environmental nuisance on the surrounding land uses. The operation of the applied use will also be subject to the relevant waste disposal ordinance. Regarding DLO/YL, LandsD’s concerns on the unauthorized structures and uses within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 The Site is the subject of one previously approved application submitted by the same applicant for similar use which was approved with conditions by the Committee in August 2019, and the planning permission was subsequently revoked in November 2021 due to non-compliance with approval conditions. In support of the current application, the applicant has submitted run-in/out, drainage and FSIs proposals and concerned departments have no objection to or no adverse comments on the application. Sympathetic considerations may be given to the current application. Should the application be approved, the applicant will be advised that sympathetic consideration may not be given to any further applications should it fail to comply with any of the approval conditions again resulting in revocation of planning permission. Besides, there are four similar applications within the same “R(D)” zone in the vicinity of the Site approved by the Committee in the past five years as detailed in paragraph 6 above. Approving the current application is in line with the Committee’s previous decisions.

- 11.6 Regarding the public comments mentioned in paragraph 10 above, the departmental comments and planning assessments above are relevant. Regarding the comment received from the president of a local recycling industry association, the applicant's justification for not conducting pulping processes at the Site in paragraph 2(c) above is 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, 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 10.10.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a revised run-in/out proposal at Fan Kam Road within **6** months from the date of planning approval to the satisfaction of the Director of Highways and Commissioner for Transport or of the Town Planning Board by 10.4.2026;
- (b) in relation to (a) above, the implementation of the revised run-in/out proposal at Fan Kam Road within **9** months from the date of planning approval to the satisfaction of the Director of Highways and Commissioner for Transport or of the Town Planning Board by 10.7.2026;
- (c) the submission of a revised 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 10.4.2026;
- (d) in relation to (c) above, the implementation of the revised 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 10.7.2026;
- (e) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a revised 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 10.4.2026;
- (g) in relation to (f) above, the implementation of the revised 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 10.7.2026;

- (h) if the above planning condition (e) 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), (c), (d), (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 at **Appendix V**.

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

the applied use with associated filling of land is not in line with the planning intention of the "R(D)" zone, which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Board. 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 supporting documents received on 3.3.2025 and 9.3.2025
Appendix Ia	FI received on 25.6.2025
Appendix Ib	FI received on 22.8.2025
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments
Drawing A-1	Layout Plan

Drawing A-2	Land Filling Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2025**