

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-HTF/1202

Applicant : Winmax (Hong Kong) Electric Company Limited represented by RHL Surveyors Limited

Site : Lot 384 RP in D.D. 128, Ha Tsuen, Yuen Long, New Territories

Site Area : About 4,403m²

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12

Zoning : “Agriculture” (“AGR”)

Application : Proposed Temporary Godown for Electronic Product Recycling with Ancillary Office and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary godown for electronic product recycling with ancillary office and associated filling of land for a period of three years at the application site (the Site) zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years and filling of land within “AGR” zone require planning permission from the Town Planning Board (the Board). The Site has been formed and hard paved and is currently largely vacant (**Plans A-2 to A-4c**).
- 1.2 According to the applicant, the application seeks to facilitate the relocation of an existing godown operation occupying an area of about 2,000m² at Lots 1488 S.A and 1489 RP in D.D.119 affected by the land resumption and clearance exercise under the Second Phase Development of the Yuen Long South New Development Area (YLS NDA). The original premises of the applicant has already been resumed by the Government in May 2025. Thus, there is an imminent need for the applicant to secure a relocation site for the affected operation.
- 1.3 The Site is accessible from Deep Bay Road via a strip of Government land (GL) to its north (**Drawing A-2** and **Plan A-2**). According to the applicant’s submission, the Site is mainly for godown use (storage of electronic product for

recycling) with four proposed temporary structures, including two single-storey structures (with height of about 6m and floor area of about 1,200m² and 400m² respectively) for storage of electronic product for recycling and two single-storey converted containers (with height of about 2.6m and floor area of 29.28m² each) for office use (with toilets). According to the applicant, the proposed structures will be fully enclosed for storage and dismantling of electronic products for recycling. No other further processing such as dissolving or decontaminating the recycled electronic product would be carried out at the Site. Three parking spaces for private car and three loading/unloading spaces for light goods vehicle will be provided, and no medium or heavy goods vehicle will be used. The applicant also seeks planning permission to regularise the land filling works that had been undertaken at the Site. As shown on the land filling plan at **Drawing A-4**, the entire Site (i.e. about 4,403m²) has been filled with concrete of about 0.3m to 0.4m in depth. The operation hours are from 8:30am to 5:30pm from Mondays to Fridays (weekdays only). The location plans, proposed layout plan and land filling plan submitted by the applicant are at **Drawings A-1 to A-4** respectively.

1.4 The major development parameters of the current application are summarised as follows:

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|---|---|
| Site Area | about 4,403m ² |
| Extent of Filling of Land | about 4,403m ² (i.e. the entire Site, with a depth of about 0.3m to 0.4m) |
| Total Floor Area | about 1,658.56m ² |
| No. of Structures | 4 (for godown and office) |
| Height of Structures | about 2.6m to 6m (1 storey) |
| Parking and Loading/Unloading Spaces | 3 for private cars (5m x 2.5m each) 3 for light goods vehicles (7m x 3.5m each) |

1.5 In support of the application, the applicant submitted the following documents:

- Application Form with attachments received on (**Appendix I**) 11.11.2025
- Supplementary Information (SI) received on (**Appendix Ia**) 14.11.2025
- Further Information (FI) received on 19.12.2025* (**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, SI and FI at **Appendices I to Ib** respectively. They can be summarised as follows:

- (a) the current application is to facilitate relocation of an existing operation which is affected by the Second Phase Development of the YLS NDA. The applicant has conducted site search to identify a suitable site for relocation of the affected operation. While the Site is larger than the original premises (with an area of about 2,000m²), the proposed covered area and scale of development is similar to the original premises. Besides, the Site is considered the most suitable in view of operational need and to provide manoeuvring circle within the Site to minimise traffic impact on the surrounding road network;
- (b) the Site is flat and has been paved. No excavation works, tree felling, filling of pond and blockage of water supply is proposed;
- (c) the proposed use only involves storage and dismantling of electronic products (routers, antennae, desktop computer, phones and video game console) for recycling and no further processing to dissolve or decontaminate the recycled electronic product would be carried out;
- (d) the Site could be easily reinstated as the proposed use is temporary in nature and thus would not jeopardise the long-term planning intention of the “AGR” zone;
- (e) no adverse traffic, environmental, ecological and archaeological impacts are anticipated; and
- (f) similar applications have been approved within the same “AGR” zone.

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

The applicant is not the “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 the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

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

5. Previous Application

- 5.1 The Site was involved in five previous applications (No. A/YL-HT/414, 458, 471, 884 and A/YL-HTF/1092) for various temporary uses. Details of the previous applications are summarised at **Appendix II** and the locations are shown on **Plan A-1**.
- 5.2 The Site is involved in a previous application (No. A/YL-HT/414) covering a much larger area for temporary racing circuit use rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2005. The

considerations of this previous application are not relevant to the current application which is for a different use.

5.3 The other four applications (No. A/YL-HT/458, 471 and 884 and A/YL-HTF/1092) for temporary warehouse uses were rejected by the Committee/Board upon review between 2006 and 2019 mainly on the grounds that no strong justification was provided for a departure from the planning intention; there was insufficient information to demonstrate that the development would not have adverse environmental/traffic/landscape impacts on the surrounding areas and approval of the application would set an undesirable precedent.

6. Similar Applications

There are six similar applications involving various temporary recycling collection centre/warehouse/storage uses with/without filling of land within the same “AGR” zone in the past five years and they were all approved by the Committee between 2021 and 2025 mainly on considerations that the applied use was not incompatible with the surrounding areas; concerned government departments generally had no objection to the application and/or the technical concerns could be addressed by approval conditions. Application No. A/YL-HTF/1158 had also obtained policy support from the Secretary for Development (SDEV) as it was for accommodating brownfield operations affected by the development of the Hung Shui Kiu/Ha Tsuen NDA. Details of these similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) formed, hard paved and currently largely vacant;
- (b) accessible from Deep Bay Road via a strip of GL; and
- (c) located within the Fu Tei Au Site of Archaeological Interest.

7.2 The surrounding areas are predominated by vacant/unused land, open storage yards, storage and intermixed with pond, car parking, residential dwelling and tree groups. To the east is the Shenzhen Bay Bridge. To the immediate west and south of the Site are temporary open storage yards for accommodating affected business operations covered by valid planning permission under applications No. A/YL-HTF/1166 and 1179 respectively currently under implementation.

8. Planning Intention

8.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is

also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

8.2 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the subject “AGR” zone.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government bureau/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 are provided in **Appendices III and IV** respectively.

9.2 The following government bureau supports the application:

Policy Aspect

9.2.1 Comments of the SDEV:

- (a) the application is to facilitate the relocation of an existing brownfield operation of godown for electronic product recycling (located at Lots 1487 (Part), 1488 S.A (Part), 1488 RP (Part), 1489 (Part), 1402 (Part) and 1403 (Part) in DD 119), which is affected by YLS NDA development;
- (b) the Site will accommodate the affected operation. According to the applicant, a site search was conducted with a view to identifying a suitable site for re-establishment of the affected business operation. The Site is considered the most suitable for the relocation. While the site area is larger than the site area of the original premises, the applicant has explained that a larger site is considered necessary to meet their operational needs; and
- (c) subject to no adverse comments on land use compatibility and technical aspects from relevant departments, the application is supported from the policy perspective.

9.3 The following government department does not support the application:

Agriculture and Nature Conservation

9.3.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) the Site falls within the “AGR” zone and is generally vacant. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.

As the Site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective; and

(b) he has no objection from nature conservation perspective and his advisory comments are at **Appendix IV**.

10. Public Comments Received During the Statutory Publication Period

On 18.11.2025, the application was published for public inspection. During the statutory public inspection period, three public comments from World Wild Fund Hong Kong, Kadoorie Farm & Botanic Garden and an individual were received (**Appendix V**) objecting to the application mainly on the grounds that the proposed use is not in line with the planning intention of the “AGR” zone; the Site was the subject of a previous rejected application in 2019; and this is a suspected ‘Destroy first, develop later’ case.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary godown for electronic product recycling with ancillary office and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP. According to the applicant, the proposed structures will be fully enclosed for storage and dismantling of electronic products for recycling. While the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from the agricultural perspective, the Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation and land resumption/clearance programme is currently being reviewed under the relevant investigation study and subject to change. 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 be advised not to carry out any substantial works therein. Taking into consideration the planning assessments below and with the policy support from SDEV, there is no objection to the proposed use with associated filling of land on a temporary basis for a period of three years.

11.2 According to the applicant, the application is to facilitate the relocation of an existing business operation affected by the Second Phase Development of the YLS NDA. The original premises of the operator has already been resumed by the Government and therefore there is an imminent need for the applicant to secure a relocation site for the affected operation. The applicant also states that it has conducted a site search and the Site is identified as the most suitable relocation site. While the Site with an area of about 4,403m² is larger than the original premises (with an area of about 2,000m²), the applicant explains that the proposed covered area and scale of development is similar to the original premises, and the increase of site area is mainly for operational need and minimising traffic impact on the surrounding road network by providing a manoeuvring circle within the Site. To facilitate the relocation of brownfield

operators displaced by the YLS NDA Development, SDEV supports the application from policy perspective.

- 11.3 The applicant also proposes to regularise the filling of land with concrete of about 0.3m to 0.4m in depth for the entire Site. Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.4 The surrounding areas are predominated by vacant/unused land, open storage yards, storage and intermixed with pond, car parking, residential dwelling and tree groups. The proposed use is considered not entirely incompatible with the surrounding areas. The Chief Town Planner/Urban Design & Landscape of Planning Department has no adverse comment on the application from landscape planning point of view.
- 11.5 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services have no objection to or no adverse comment on the application from traffic and fire safety perspectives respectively. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to follow the latest ‘Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise possible environmental nuisance on surrounding areas.
- 11.6 Regarding the four rejected previous applications at the Site for warehouse use, although they were rejected by the Committee/Board upon review between 2006 and 2019 as detailed in paragraph 5.3 above, the current application is different from the rejected applications in that relevant government departments generally have no adverse comment from environmental, traffic and landscape perspectives and policy support is given by SDEV. Moreover, with the approved temporary open storage yards under applications No. A/YL-HTF/1166 and 1179 (also for relocation of affected brownfield operations) in the immediate west and south of the Site, the land use context of the Site and its surrounding area have been changed in recently years.
- 11.7 The Committee has approved six similar applications involving recyclable collection centre/warehouse uses with/without filling of land within the same “AGR” zone between 2021 and 2025. Approval of this application is generally not in conflict with the previous decisions of the Committee.
- 11.8 Regarding the public comments objecting to the application as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.7 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 9.1.2029. 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 the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 9.7.2026;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9 months** from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 9.10.2026;
- (c) in relation to (b) above, the implemented drainage facilities 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 the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 9.7.2026;
- (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 9.10.2026;
- (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;
- (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; and
- (h) upon expiry of the planning permission, the reinstatement of the application site, including the removal of fill materials and hard paving, and grassing of the application site to the satisfaction of the Director of Planning or of the Town Planning Board.

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 with associated filling of land is not in line with the planning intention of the "AGR" zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. 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

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| Appendix I | Application Form with Attachments received on 11.11.2025 |
| Appendix Ia | SI received on 14.11.2025 |
| Appendix Ib | FI received on 19.12.2025 |
| Appendix II | Previous and Similar Applications |
| Appendix III | Government Departments' General Comments |
| Appendix IV | Recommended Advisory Clauses |
| Appendix V | Public Comments |
| Drawings A-1 to A-2 | Location Plan |
| Drawing A-3 | Proposed Layout Plan |
| Drawing A-4 | Land Filling Plan |
| Plan A-1 | Location Plan |
| Plan A-2 | Site Plan |
| Plan A-3 | Aerial Photo |
| Plans A-4a to A-4c | Site Photos |

**PLANNING DEPARTMENT
JANUARY 2026**