

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/604

- Applicant** : Fine Rise Corporation Limited represented by Allgain Land Planning Limited
- Site** : Lot 47 (Part) in D.D. 128 and adjoining Government Land (GL), Ha Tsuen, Yuen Long
- Site Area** : About 1,460m² (including GL of about 60m² or 4%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/3
(currently in force)
- Approved HSK and HT OZP No. S/HSK/2
(at the time of submission)
[the zonings remain unchanged on the OZP No. S/HSK/3]
- Zoning** : (i) area shown as 'Road' (79.5%); and
(ii) "Government, Institution or Community" ("G/IC") (about 20.5%)
[Restricted to a maximum building height of 8 storeys]
- Application** : Proposed Temporary Recyclable Collection Centre (Electronic Parts) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary recyclable collection centre (electronic parts) for a period of three years at the application site (the Site) falling with an area largely shown as 'Road' and partly zoned "G/IC" on the OZP (**Plan A-1**). According to the Notes of the OZP, 'Recyclable Collection Centre' is a Column 1 use under the "G/IC" zone and is always permitted, while all uses or developments within the area shown as 'Road' require planning permission from the Town Planning Board (the Board). The Site is largely vacant and partly occupied by a temporary structure for vehicle repair workshop without valid planning application (**Plan A-2**).

- 1.2 The Site is accessible from Ping Ha Road via a local track with the ingress/egress point at the eastern part of the Site (**Drawing A-1** and **Plan A-2**). According to the applicant, there will be a single-storey temporary structure (not more than 9m in height) with a floor area of about 900m² for recyclable collection centre of electronic parts. The proposed use involves storage and sorting of electronic parts and there will be no washing, melting, burning or other workshop activities to be carried out at the Site. One loading/unloading space for light goods vehicle (LGV) (7m x 3.5m) will be provided (**Drawing A-2**). The operation hours are from 8:00 a.m. to 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the site location with vehicular access, layout, drainage and fire service installations (FSIs) proposals submitted by the applicant are at **Drawings A-1** to **A-4** respectively.
- 1.3 The Site was involved in a previous planning application No. A/HSK/489 for proposed temporary recyclable collection centre (electronic parts) for a period of three years which was approved by the Rural and New Town Planning Committee (the Committee) of the Board on 24.11.2023 (details at paragraph 5 below). Compared with the last approved application, the current application is submitted by the same applicant for the same use with the same layout.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 10.3.2026 (**Appendix I**)
 - (b) Further Information (FI) received on 12.5.2026* (**Appendix Ia**)
 - (c) FI received on 11.6.2026# (**Appendix Ib**)
- *accepted and exempted from publication and recounting requirements*
- #accepted but not exempted from publication and recounting requirements*
- 1.5 On 8.5.2026, the Committee agreed to defer making a decision on the application for two months 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 FIs at **Appendices I** to **Ib**. They can be summarised as follows:

- (a) the planning permission of the previous application was revoked as the applicant failed to submit and implement the drainage and FSIs proposals by the specified time limit. To support the current application, the applicant has submitted drainage and FSIs proposals and undertakes to comply with all the approval conditions to be stipulated;
- (b) the proposed use is not incompatible with the surrounding areas which are mainly occupied by temporary recyclable collection centre, warehouses and port back-up uses that are existing uses or covered by valid planning permissions;
- (c) the proposed use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones. Also, land resumption has not been taken place at the Site; and

(d) no adverse sewerage, traffic and environment impacts are anticipated.

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 the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “Owner’s Consent/Notification” Requirements under TPB PG-No.31B are not applicable.

4. Background

The Site is currently not subject to planning enforcement action.

5. Previous Application

The Site was involved in a previous planning application No. A/HSK/489 for proposed temporary recyclable collection centre (electronic parts) submitted by the same applicant, which was approved by the Committee on 24.11.2023 on the considerations that the temporary use was not incompatible with the surrounding land uses; there were no major adverse comments from concerned government departments and approval of the application on a temporary basis would not jeopardise the long-term development of the Site. However, the planning permission was subsequently revoked on 24.5.2025 due to non-compliance with time-limited approval conditions regarding the submission and implementation of drainage and FSI proposals. Details of the previous application are summarised in **Appendix II** and its location is shown on **Plan A-1**.

6. Similar Application

There is no similar application within the same area shown as ‘Road’ in the past five years.

7. The Site and Its Surrounding Areas (Plans A-1 to A-2)

7.1 The Site is:

- (a) accessible from Ping Ha Road via a local track; and
- (b) largely vacant and partly occupied by a temporary structure for vehicle repair workshop without valid planning permission.

7.2 The surrounding areas are predominantly occupied by storage/open storage yards, warehouses and vehicle repair workshop intermixed with vacant land and unused land. Some of these uses are covered by valid planning permission.

8. Planning Intention

The concerned area shown as ‘Road’ is reserved for a local access road.

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 are provided in **Appendices III** and **IV** respectively.

9.2 The following government department has reservation on the application:

Land Administration

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

- (a) he has reservation on the application;
- (b) the Site comprises GL and Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) the following irregularities covered by the subject planning application have been detected by his office:

Unlawful occupation of GL with unauthorised structure(s) covered by the planning application

- (i) the GL within the Site has been fenced off/unlawfully occupied with unauthorised structure(s) without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice;

Unauthorised structure(s) within the said private lot included by the planning application

- (ii) there is/are unauthorised structure(s) on Lot 47 in D.D. 128 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) his advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Periods

On 17.3.2026 and 23.6.2026, the application and FI were published for public inspection. During the statutory public inspection periods, one public comment from an individual was received (**Appendix V**) objecting to the application mainly on the grounds that the previous planning permission was revoked due to non-compliance of time-limited approval conditions.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary recyclable collection centre (electronic parts) for a period of three years at the Site largely shown as ‘Road (about 79.5%) and partly zoned “G/IC” (about 20.5%) on the OZP. According to the Notes of the OZP, ‘Recyclable Collection Centre’ use is always permitted within the “G/IC” zone while planning permission is required for such use within the area shown as ‘Road’. Whilst the proposed use is not in line with the planning intention of the area for road use, the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD), Commissioner for Transport and Chief Highway Engineer/New Territories West, Highways Department have no adverse comment on the application. PM(W), CEDD advises that the Site falls within the study area of Lau Fau Shan Development and the implementation programme and land resumption/clearance programme are currently being reviewed under the investigation and subject to change. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. 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 implementation of government 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 storage/open storage yards, warehouses and vehicle repair workshop intermixed with vacant land and unused land, with some of these uses covered by valid planning permissions (**Plan A-2**).
- 11.3 Other relevant government departments consulted including the Director of Environmental Protection, Director of Fire Services (D of FS) and Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD), have no objection to or no adverse comment on the application from environmental, fire safety and drainage aspects respectively. To address the technical requirements of concerned departments, relevant 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 potential environmental nuisance on the surrounding areas.
- 11.4 The Site is the subject of a previous application submitted by the same applicant for the same use which was approved by the Committee in 2023, and the planning permission was subsequently revoked in May 2025 due to non-compliance with approval conditions regarding submission and implementation of FSIs and drainage proposals. In support of the current application, the applicant has submitted FSIs and drainage proposals, and D of FS and CE/MN, DSD have no objection to the application. In this regard, sympathetic consideration 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.
- 11.5 Regarding the public comment objecting to the application as summarised in paragraph 10.1 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above, and having taken into account the public comment mentioned in paragraph 10, 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 **24.7.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) 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 **24.1.2027**;
- (b) in relation to (a) 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 **24.4.2027**;
- (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 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 **24.1.2027**;
- (e) in relation to (d) 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 **24.4.2027**;
- (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 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 is not in line with the planning intention of the area for road use. There is no strong 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 10.3.2026
Appendix Ia	FI received on 12.5.2026
Appendix Ib	FI received on 11.6.2026
Appendix II	Previous Application
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Location Plan with Vehicular Access
Drawing A-2	Layout Plan
Drawing A-3	Drainage Proposal
Drawing A-4	FSIs Proposal
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4b	Site Photos

**PLANNING DEPARTMENT
JULY 2026**