

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-TT/776**

- Applicant** : Rodney Environmental Protection (China) Co. Ltd. represented by Metro Planning & Development Company Limited
- Site** : Various Lots in D.D. 118, Yuen Long
- Site Area** : 1,250m<sup>2</sup> (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Open Storage of Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary open storage of construction materials with ancillary facilities and associated filling of land for a period of three years at the application site (the Site) which is zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years and filling of land within the “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is largely vacant with some containers (**Plan A-4**).
- 1.2 According to the applicant, the current application is to facilitate the relocation of the open storage business at Lots 1478 (Part), 1479 (Part) and 1481 in D.D. 119 in Kung Um Road, Yuen Long which will be resumed by the Government for the implementation of the Yuen Long South New Development Area (YLS NDA). The applicant has conducted a thorough site selection process before identifying the Site as the most suitable site for relocation. The size of the Site (i.e. about 1,250m<sup>2</sup>) is comparable to its original operation (i.e. about 1,338m<sup>2</sup>).
- 1.3 The Site is accessible via a local track leading from Tai Shu Ha Road West with an ingress/egress point at the north (**Drawing A-1** and **Plan A-2**). According to the applicant, the proposal consists of an area of about 650m<sup>2</sup> (52% of the site area) for open storage of construction materials and three one-storey structures (not more than 3m to 6m in height) for open shed, site office and toilet with a total floor area

of not more than 230m<sup>2</sup>. One parking space for private car (5m x 2.5m) and one loading/unloading space for light goods vehicle (7m x 3.5m) would be provided within the Site. The applicant also proposes to regularise the filling of land which has already been undertaken for the entire site (i.e. 1,250m<sup>2</sup> with concrete in depth of about 0.2m) (**Drawing A-3**). No workshop activities would be carried out on the Site. The operation hours are from 9:00 a.m. to 5:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the vehicular access, site layout, land filling area and drainage facilities submitted by the applicant are at **Drawings A-1** to **A-4** respectively.

- 1.4 The Site was involved in a previous application (No. A/YL-TT/617) for proposed open storage of mobile toilets for a period of three years and associated filling of land approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2023 (**Plan A-1**) (details at paragraph 6 below). Compared with the last approved application, the current application is submitted by a different applicant at the same site with a similar layout and the same development parameters but different storage items.
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 16.3.2026 (**Appendix I**)
  - (b) Further Information (FI) received on 27.4.2026\* (**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 at **Appendix I**. They can be summarised as follows:

- (a) the applicant has spent efforts on identifying the Site for relocating the affected business operation in Kung Um Road, Yuen Long;
- (b) a previous application for similar use has been approved by the Committee at the Site;
- (c) the proposed use is not incompatible with the surrounding areas. Similar applications within the same “AGR” zone for the open storage use were approved by the Committee;
- (d) as the Site is undulated and uneven in topography, filling of land is required for open storage use;
- (e) the applicant will follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise any potential environmental impacts;
- (f) the application is temporary in nature and approval of the application would not frustrate the long-term planning intention of the “AGR” zone. The Site has been vacant for a long period of time and has not been rehabilitated for agricultural activities; and

(g) no adverse traffic, drainage, environmental and visual 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 publishing notices in local newspapers and sending notice to the Shap Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

**4. Town Planning Board Guidelines**

The Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13G) is relevant to the application. The Site falls within Category 3 areas under TPB PG-No. 13G. Relevant extract of the Guidelines is at **Appendix II**.

**5. Background**

The site office and storage use on the Site would be subject to planning enforcement action.

**6. Previous Application**

The Site was involved in a previous application No. A/YL-TT/617 for proposed open storage of mobile toilet for a period of three years and associated filling of land which was approved with conditions by the Committee on 8.12.2023 mainly on the considerations that the temporary use would not jeopardise the long-term planning intention of the “AGR” zone; being not incompatible with the surrounding uses; having policy support of the Secretary for Development (SDEV); the proposal generally complied with TPB PG-No. 13G; and the departmental comments could be addressed by implementation of approval conditions. However, the planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval conditions related to submission and implementation of a revised drainage proposal. Details of this previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

**7. Similar Applications**

7.1 There are five similar applications (No. A/YL-TT/583, 590, 642, 675 and 695) for proposed temporary open storage and vehicle repair workshop/public vehicle park with associated filling of land within the same “AGR” zone in the past five years. Details of these similar applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.

*Rejected application*

7.2 Application No. A/YL-TT/590 for proposed temporary public vehicle park and open storage of agricultural and construction machinery and materials for a period

of three years with associated filling of land was rejected by the Committee in 2023 mainly on the grounds that there was no strong planning justification for a departure from the planning intention; the proposed open storage use was not in line with TPB PG-No. 13G; and the applicant failed to demonstrate that the land filling was essential for the proposed use.

Approved applications

- 7.3 Applications No. A/YL-TT/583, 642, 675 and 695 for temporary open storage and workshop for a period of three years and associated filling of land within the same “AGR” zone were approved with conditions by the Committee between 2023 and 2025 mainly on similar considerations as those mentioned in paragraph 6 above, and applications No. A/YL-TT/583, 675 and 695 had policy support from SDEV.

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

8.1 The Site is:

- (a) currently largely vacant with some containers; and
- (b) accessible via a local track leading from Tai Shu Ha Road West.

8.2 The surrounding areas are rural in character comprising predominantly unused land and agricultural land, intermixed with a vehicle repair workshop (covered by valid planning permission under planning application No. A/YL-TT/695), open storage/storage yards (one is covered by valid planning permission under planning application No. A/YL-TT/675), storage facilities, residential structures, graves and an orchard.

**9. Planning Intention**

9.1 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.

9.2 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.

**10. Comments from Relevant Government Bureau/Departments**

10.1 Apart from the government bureau and department as set out in paragraphs 10.2 and 10.3 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 are provided in **Appendices IV** and **V** respectively.

10.2 The following government bureau supports the application:

### **Policy Aspect**

#### 10.2.1 Comments of the SDEV:

- (a) the application is to facilitate relocation of an open storage business at Lots 1478 (Part), 1479 (Part) and 1481 in D.D. 119, which has been affected by the Second Phase development of YLS NDA. 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 which is of comparable size with the business affected by the Government; and
- (b) in view of the above and subject to no adverse comment on land use compatibility and technical aspects from relevant departments, the application is supported from the policy perspective.

#### 10.3 The following government department does not support the application:

### **Agriculture and Nature Conservation**

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

- (a) the Site falls within the “AGR” zone and is generally vacant with some structures. There are active agricultural activities 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 and plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective;
- (b) no adverse comment from nature conservation point of view; and
- (c) to note his advisory comments as detailed in **Appendix V**.

## **11. Public Comment Received During the Statutory Publication Period**

On 24.3.2026, the application was published for public inspection. During the statutory publication period, a public comment from an individual was received (**Appendix VI**) objecting to the application mainly on the ground that the arable land should be preserved for long-term interests of the community.

## **12. Planning Considerations and Assessments**

12.1 The application is for proposed temporary open storage of construction materials with ancillary facilities and associated filling of land for a period of three years at the Site which is zoned “AGR” on the OZP. The proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective mainly on consideration that the Site possesses potential for agricultural rehabilitation. Nevertheless, according to the applicant, the application is to facilitate the relocation of business operation affected by the YLS NDA. The Site (i.e. about 1,250m<sup>2</sup>) is of a comparable size to its affected business operation (i.e. about 1,338m<sup>2</sup>), and the Site is considered most

suitable for relocation after a thorough site search process by the applicant. To facilitate relocation of the business operation affected by the YLS NDA and provide operating space for displaced brownfield operations still needed by the community, SDEV supports the application from the policy perspective. Taking into account the above and the planning assessments below, there is no objection to the application on a temporary basis for a period of three years.

- 12.2 The application also involves regularisation of filling of land already undertaken for the entire site (i.e. 1,250m<sup>2</sup>) with concrete of not more than 0.2m in depth. 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 (CE/MN, DSD) 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 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.
- 12.3 The proposed use is considered not incompatible with the surrounding areas comprising predominantly unused land and agricultural land, intermixed with a vehicle repair workshop, open storage/storage yards, storage facilities, residential structures, graves and an orchard (**Plan A-2**).
- 12.4 The Site falls within Category 3 areas under the TPB PG-No. 13G. The application generally complies with TPB PG-No.13G in that except DAFC, 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. Should the application be approved, relevant approval conditions are recommended in paragraph 13.2 below to address the technical requirements of concerned government departments. The applicant will also be advised to follow the latest “CoP” to minimise potential environmental nuisances on the surrounding areas.
- 12.5 The Committee has approved a previous application (No. A/YL-TT/617) for proposed open storage of mobile toilet for a period of three years and associated filling of land at the Site in 2023. However, the planning permission was subsequently revoked in 2025 due to non-compliance with time-limited approval conditions related to submission and implementation of a revised drainage proposal. The current application is submitted by a different applicant with a similar layout at the same site as compared with the last application. In the support of current application, the applicant has submitted a drainage proposal and there is no in-principle objection by CE/MN, DSD. Should the application be approved, the applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission, and sympathetic consideration may not be given to any further applications.
- 12.6 Although a similar application was rejected in 2023 as detailed in paragraph 7.2 above, the planning circumstances of the current application are different in that the application generally complies with TPB PG-No.13G and concerned departments have no objection to the applied filing of land and policy support is given by SDEV. Besides, four similar applications at the same “AGR” zone were approved by the

Committee in the past five years. Approval of the current application is generally in line with the previous decisions of the Committee.

- 12.7 Regarding the public comments as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.6 above are relevant.

### **13. Planning Department's Views**

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11 above, the Planning Department has no objection to the application.

- 13.2 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 8.5.2029. 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 8.11.2026;
- (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 8.2.2027;
- (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 planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 8.11.2026;
- (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 8.2.2027;
- (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;
- (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 at **Appendix V**.

- 13.3 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 "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

**14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

**15. Attachments**

<b>Appendix I</b>	Application Form with attachments received on 16.3.2026
<b>Appendix Ia</b>	FI received on 27.4.2026
<b>Appendix II</b>	Relevant Extract of TPB PG-No. 13G
<b>Appendix III</b>	Previous and Similar Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Appendix VI</b>	Public Comment
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Layout Plan
<b>Drawing A-3</b>	Land Filling Plan
<b>Drawing A-4</b>	Drainage Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2026**