RNTPC Paper No. A/NE-FTA/288
For Consideration by the
Rural and New Town Planning
Committee on 20.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-FTA/288

Applicant : Yetroy Investment Limited

Site : Lots 169 (Part), 187 S.A (Part) and 188 (Part) in D.D. 52 and Adjoining Government Land (GL), Fu Tei Au, Sheung Shui

Site Area : About 3,931m^2 (including GL of about 1,508m^2, or about 38% of the Site)

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/18

Zonings : (i) "Other Specified Uses" annotated "Port Back-up Uses" ("OU(PBU)") (about 96.6%)

(ii) "Green Belt" ("GB") (about 2.2%)[1]

(iii) "Agriculture" ("AGR") (about 1.2%)[1]

Application : Proposed Temporary Recyclable Collection Centre and Open Storage of Metalware with Ancillary Workshop and Associated Filling of Land for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary recyclable collection centre and open storage of metalware with ancillary workshop and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned "OU(PBU)" (**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 requires planning permission from the Town Planning Board (the Board). The Site is largely hard-paved with some trees, partly fenced-off, and partly occupied by some miscellaneous items (**Plans A-4a** to **A-4c**).

1.2 The Site is accessible via a local track to the immediate south leading to Man Kam To Road (**Plans A-1** and **A-2**). According to the applicant, the proposed uses consist of a

[1] Very minor portions of the Site fall within areas zoned "AGR" (about 47m^2 or 1.2% of the Site) and "GB" (about 86m^2 or 2.2% of the Site) on the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18, which can be regarded as minor boundary adjustment in accordance with the covering Notes of the OZP, and are not included in the planning assessment.

total area of about 1,423m^2 (about 36% of the Site) for open storage of metal recyclable materials, and eight one-storey temporary structures with building height of not more than 6m and a total floor area of about 990m^2 for recycling activities involving sorting, packing and baling of recyclable materials, ancillary workshop, open shed for storage, office/traffic warden room, store room, meter room and portable toilets. Four parking spaces for private cars (5m (L) x 2.5m (W) each) and four loading/unloading (L/UL) spaces for medium or heavy goods vehicles (11m (L) x 3.5m (W) each) will be provided at the Site. An ingress/egress with 12m in width is proposed at the southern boundary of the Site, while another ingress/egress with 6m in width for government department/authorised vehicle only is proposed at the northern boundary of the Site. Noting that the Site is overlooked by a steep natural hillside to the northwest, a strip of land along northwestern part of the Site is designated as a 6m-wide 'no-build' zone for emergency vehicular access only. 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 submitted by the applicant is shown in **Drawing A-1**.

1.3 According to the traffic management measures proposed by the applicant, sufficient manoeuvring space, parking and L/UL spaces will be provided within the Site to avoid vehicles queuing back onto the local road; traffic signs will be installed at the ingress/egress and staff will be deployed to manage vehicles entering/exiting the Site, ensure pedestrian safety and prevent illegal parking. While no old and valuable trees or protected species are identified within the Site, the applicant proposes to retain or transplant the existing trees (eight trees of common species) at the eastern portion of the Site. Screen planting will be provided at a small strip of land along the northern boundary of the Site as a landscape buffer (**Drawing A-1**). According to the environmental mitigation measures proposed by the applicant, workshop activities will be carried out within enclosed structures and the recyclable materials will be covered by canvas to minimise dust impacts. In addition, fencing will be erected at least 3m away from the top of the bank of the existing watercourse to the west of the Site. The applicant also proposes filling of land of about 3,883m^2 (about 98.8% of the Site) at a depth of about 0.2m to 1.2m and excavation of land of about 48m^2 (about 1.2% of the Site) at a depth of about 0.6m for site formation purpose[2] (**Drawing A-2**).

1.4 In support of the application, the applicant has submitted the following documents:

(a)	Application Form with attachments received on 29.9.2026	(**Appendix I**)
(b)	Supplementary Information (SI) received on 5.10.2026	(**Appendix Ia**)
(c)	Further Information (FI) received on 4.11.2026*	(**Appendix Ib**)
(d)	FI received on 6.11.2026*	(**Appendix Ic**)
(e)	FI received on 11.11.2026*	(**Appendix Id**)
(f)	FI received on 16.11.2026*	(**Appendix Ie**)

** 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 FIs at **Appendices I** to **Ie**, as summarised below:

[2] There is no land filling or excavation clause under the subject "OU(PBU)" zone, and planning permission from the Board is not required.

(a) the proposed uses are considered in line with the planning intention of the "OU(PBU)" zone;

(b) the Site falls within Category 1 areas under the Town Planning Board Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G), which are areas considered suitable for open storage and port back-up uses;

(c) the Site is far away from sensitive receivers and the surrounding areas are rural in character and intermixed with logistics centres and open storage yards. The proposed uses are not incompatible with the surrounding land uses which are predominantly occupied by open storage yards and warehouses;

(d) as the Site is located in close proximity to the boundary control point, the proposed uses could meet the demand for cross-boundary trade, optimise the use of land resources, drive economic activities and bring job opportunities;

(e) the proposed uses align with the Government's "Waste Blueprint for Hong Kong 2035";

(f) the proposed uses would not induce adverse traffic, environmental, fire safety, drainage and visual impacts. Should the application be approved, the applicant will strictly comply with all environmental protection/pollution control ordinances and guidelines at all times during the planning approval period; and submit drainage and fire service installations (FSIs) proposals to alleviate possible adverse impact arising from the proposed uses; and

(g) the Lands Department (LandsD) has arranged demolition of the suspected unauthorised structures within the Site by late November 2026. Should the application be approved, the applicant will submit an application for Short Term Waiver (STW) for structures to be erected and Short Term Tenancy (STT) for occupation of GL within the Site.

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 a notice to Sheung Shui District Rural Committee. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, the "Owner's Consent / Notification" Requirements are not applicable.

4. Town Planning Board Guidelines

TPB PG-No. 13G promulgated by the Board on 14.4.2023 is relevant to this application. The Site falls within Category 1 areas under TPG PG-No. 13G. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

The Site is not subject to any active enforcement action.

6. Previous Applications

6.1 Part of the Site is the subject of four previous applications (No. A/NE-FTA/70, 93, 235 and 261) submitted by different applicants/same applicant as the current application for various uses. Amongst them, applications No. A/NE-FTA/235 and 261 for proposed temporary warehouse and dangerous goods godown submitted by different applicants/same applicant as the current application were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 27.10.2023 and 15.8.2025 respectively. Their considerations are not applicable to the current application which involves a different use.

6.2 The remaining applications No. A/NE-FTA/70 and 93 were submitted by different applicants for proposed temporary open storage use, which were approved with conditions by the Committee on 11.11.2005 and 5.6.2009 respectively mainly on the considerations that the application generally complied with the then TPB PG-No. 13E in that the majority of the Site fell within Category 1 areas and no major adverse departmental comments were received, and the concerns of the relevant government departments could be addressed through the implementation of approval conditions. The planning permissions were subsequently revoked on 11.11.2006 and 5.9.2009 respectively due to non-compliance with approval conditions relating to submission/implementation of drainage, vehicular access, landscape or FSIs proposals.

6.3 Details of the previous applications are summarised at **Appendix III** and their locations are shown in **Plan A-1**.

7. Similar Application

There is no similar application for recyclable collection centre or open storage within the same "OU(PBU)" zone on the OZP in the past five years.

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

8.1 The Site is:

(a) largely hard-paved with some trees, partly fenced-off, and partly occupied by some miscellaneous items; and

(b) accessible via a local track to the immediate south leading to Man Kam To Road.

8.2 The surrounding areas are rural in character comprising warehouses and logistics centres (with valid planning permissions under applications No. A/NE-FTA/252, 266 and 272), open storages/storage yards, domestic structures, vacant land and tree clusters. Domestic structures can be found in the vicinity with the nearest located at about 40m to the south of the Site. The southern part of the Site encroaches upon a 15m-wide waterworks reserve. A watercourse runs at about 3m to 5m to the west of the Site. To the immediate north of the Site is a wooded area intermixed with storage yards and temporary structures zoned "GB".

9. Planning Intention

The planning intention of the "OU(PBU)" zone is primarily for accommodating the anticipated increasing cross-boundary freight traffic, especially the parking of container vehicles, including container trailers and tractors, and other port back-up uses.

10. Comments from Relevant Government Departments

10.1 Apart from the government departments as set out in paragraphs 10.2 and 10.3 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices IV** and **V** respectively.

10.2 The following government departments object to/do not support the application:

Land Administration

10.2.1 Comments of the District Lands Officer/LandsD (DLO/N, LandsD):

(a) he objects to the application;

(b) the Site comprises Old Schedule Agricultural Lots and adjoining GL. The private lots are 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. The proposed vehicle access (ingress/egress) of the Site is required to pass through GL but no right of access via GL is granted to the Site;

(c) the following irregularity covered by the subject planning application has been detected by his office:

Unlawful occupation of GL adjoining Lot 188 in D.D. 52 with unauthorised structure covered by the planning application

the GL within the Site (about 1,508m^2 as mentioned in the Application Form) has been illegally occupied with unauthorised structures without permission. Any occupation of GL without the Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28) (the LMP Ordinance). His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

(d) should the application be approved, the lots owner shall apply to his office for STW to permit the structures erected within the said private lots and STT to permit the occupation of the GL. The applications for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of back-dated waiver fee/rent and administrative fee as considered appropriate by LandsD. Besides, given the proposed uses are

temporary in nature, only erection of temporary structures will be considered; and

(e) his advisory comments are at **Appendix V**.

Environment

10.2.2 Comments of the Director of Environmental Protection (DEP):

(a) he is unable to lend support to the application from environmental planning perspective as the proposed uses involve the use of heavy vehicles and domestic structures are located within 100m from the site boundary (**Plan A-2**);

(b) there was one non-substantiated environmental complaint, which was related to suspected illegal discharge of oily residue in 2023 pertaining to the Site received in the past three years; and

(c) his advisory comments are at **Appendix V**.

10.3 The following government department provides views on the application:

Traffic

10.3.1 Comments of the Commissioner for Transport (C for T):

(a) she has no adverse comment on the application from traffic engineering perspective;

(b) taking into consideration road safety and road management, should the application be approved, it is suggested that approval conditions be imposed requiring the submission and implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation, and maintenance of the traffic management measures; and

(c) her advisory comments are at **Appendix V**.

11. Public Comments Received During Statutory Publication Period

On 9.10.2026, the application was published for public inspection. During the statutory public inspection period, two public comments were received (**Appendix VI**). An individual objects to the application mainly on the grounds that the Site involves encroachment onto "GB' and "AGR" zones without details or justifications. The remaining comment from a member of the North District Council indicates no comment on the application.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary recyclable collection centre and open storage of metalware with ancillary workshop and associated filling of land for a period of three years at the Site which is zoned "OU(PBU)" on the OZP (**Plan A-1**). Though the proposed

uses are considered not entirely in line with the planning intention of the "OU(PBU)" zone, which is primarily for accommodating the anticipated increasing cross-boundary freight traffic, especially the parking of container vehicles, including container trailers and tractors, and other port back-up uses, there is no known proposal for the intended uses at the Site. Approval of the application for the proposed uses on a temporary basis for a period of three years would not frustrate the long-term planning intention of the "OU(PBU)" zone. Taking into account the planning assessments below, there is no objection to the proposed uses on a temporary basis of three years.

12.2 The Site, which is largely hard-paved with some trees, partly fenced-off, and partly occupied by some miscellaneous items, is situated in an area of rural character comprising warehouses, logistics centres, open storages/storage yards, domestic structures, vacant land and tree clusters (**Plans A-2** to **A-4c**). The Site is located in a cluster of warehouses and logistics centres covered by valid planning permissions (applications No. A/NE-FTA/252, 266 and 272) (**Plan A-2**). The proposed uses are considered not incompatible with the surrounding land uses. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective.

12.3 While DEP is unable to lend support to the application as the proposed uses involve the use of heavy vehicles and environmental nuisance on the sensitive receivers (i.e. domestic structures) in the vicinity of the Site is expected (**Plan A-2**), no substantiated environmental complaint pertaining to the Site was received in the past three years. Should the application be approved, the applicant will be advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise the possible environmental nuisance on the surrounding areas.

12.4 While C for T has no adverse comment on the application from traffic engineering perspective, she recommends imposing approval conditions on the submission and implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation, and maintenance of the traffic management measures, taking into consideration road safety and road management. Other concerned government departments consulted, including the 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 concerned government departments, appropriate approval conditions are recommended in paragraph 13.2 below. Regarding DLO/N, LandsD's concerns on the unauthorised structures and unlawful occupation of GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

12.5 The Site falls within Category 1 areas under the TPB PG-No. 13G. The application generally complies with the TPB PG-No. 13G in that no major adverse departmental comments have been received on the application and the concerns of the relevant government departments can be addressed through implementation of approval conditions.

12.6 The Site is the subject of two previously approved applications (No. A/NE-FTA/70 and 93) submitted by different applicants for temporary open storage use (**Plan A-1**) as mentioned in paragraph 6.2 above. The planning circumstances of the current application are similar to those of the approved applications. Approval of the current application is in line with the Committee's previous decisions.

12.7 Regarding the public comments mentioned in paragraph 11 above, the government departments' comments and the planning assessments above are relevant. As for the concern over the encroachment onto the adjoining "AGR" and "GB" zones, the areas involved are considered minor in nature, as mentioned in footnote 1 above, which can be regarded as minor boundary adjustment in accordance with the covering Notes of the OZP.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, PlanD 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 20.11.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

(a) the submission and implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

(b) in relation to (a) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;

(c) 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 20.5.2027;

(d) in relation to (c) 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 20.8.2027;

(e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

(f) 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 20.5.2027;

(g) in relation to (f) 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 20.8.2027;

(h) if the above planning condition (a) is not complied with before the commencement of any operation, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

(i) if any of the above planning condition (b) or (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

(j) if any of the above planning condition (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**.

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

the proposed uses are not in line with the planning intention of the "OU(PBU)" zone which is primarily for accommodating the anticipated increasing cross-boundary freight traffic, especially the parking of container vehicles, including container trailers and tractors, and other port back-up uses. There is no strong planning justification in the submission for a departure from such 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 the 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

Appendix I	Application Form with attachments received on 29.9.2026
Appendix Ia	SI received on 5.10.2026
Appendix Ib	FI received on 4.11.2026
Appendix Ic	FI received on 6.11.2026
Appendix Id	FI received on 11.11.2026
Appendix Ie	FI received on 16.11.2026
Appendix II	Relevant Extracts of TPB PG-No. 13G
Appendix III	Previous 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-1	Location Plan
Plan A-2	Site Plan

Plans A-3a and A-3b Aerial Photos
Plans A-4a to A-4c Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026