

**Detailed Justifications for**  
**Temporary Place of Recreation, Sports or Culture (Hobby Farm)**  
**for a Period of 3 Years and Filling of Land on Lot 1902 S.A RP in D.D. 76, Leng Tsai Tsuen**

**The Application Site**

1. The Application Site (the Site) is located at the northeastern fringe of Leng Tsai Tsuen. It falls within an area mainly zoned “Agriculture” (“AGR”) (about 99%) with a minor portion zoned “Village Type Development” (“V”) (about 1%) on the Ta Kwu Ling Outline Zoning Plan (OZP) (Plan 1). According to the covering 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). Moreover, planning permission is also required for filling of land within “AGR” zone. The Site is currently fenced off, partly hard paved and used for design services.
2. Part of the Site is the subject of an enforcement case no. E/NE-TKL/488 about filling of land. Some actions have been taken to comply with the Reinstatement Notice. However, the Notice has not yet been fully complied with due to some doubts on its boundary.

**The Proposal**

3. The applicant seeks planning permission to use the Site for proposed temporary ‘place of recreation, sports or culture (hobby farm)’ for a period of 3 years and associated filling of land. The major development parameters of the current application are as follows:

<b>Site Area</b>	About 1,374.3m <sup>2</sup>
<b>Total Floor Area</b>	About 223.99m <sup>2</sup>
<b>Site Coverage</b>	About 16.29%
<b>No. and Height of Structures (Plan 3)</b>	<p style="text-align: center;">4</p> <ul style="list-style-type: none"> <li>- 1 converted container for ancillary office and reception (under a canopy of 3.3m high, 1 storey)</li> <li>- 1 temporary structure for agricultural education room and activities room (3.4m high, 1 storey)</li> <li>- 1 temporary structure for ancillary storage (including farm tools, farming materials, seed storage and farm products), toilet and changing room (3.9m high, 1 storey)</li> </ul>
<b>No. of Parking Space</b>	3 for private car (5m x 2.5m) (1 for staff and 2 for visitors)
<b>Loading/unloading Bay</b>	1 for van-type LGV (5m x 2.5m)
<b>Operation Hours</b>	10:00 a.m. to 5:00 p.m. daily, including Sundays and public holidays

The applicant also proposes to regularize the land filling works carried out at the Site for site formation of structures and to meet the operational need of the hobby farm, such as parking and vehicle manoeuvring. The hard paved area involved 689m<sup>2</sup> (about 50% of site) of filling of concrete of not more than 0.2m (about) (**Plan 3**).

#### Drainage

Proper drainage facilities including 225mm/300mm U-channels and catchpits would be provided (**Plan 4**) to ensure that no adverse drainage impact would be generated within the Site and to adjacent areas. The drainage system would be properly maintained at all times during the approval period. Detailed drainage proposal would be submitted to CE/MN, DSD for consideration upon approval of the application.

#### Operation Mode

- (a) The proposed development aims to promote hobby organic farming among the applicant's relatives and friends. On weekends and public holidays it will also be opened to the public on payment of an entrance fee and advance booking. Farm products will be shared with the participants for free after harvesting.
- (b) The proposed development is operated from 10:00 a.m to 5:00 p.m. daily, including Sundays and public holidays. It is estimated to attract a maximum of 10 visitors per day. 2 nos. of staff will work at the Site. Office and reception will be provided at the container structure (CT) to support the daily operation of the hobby farm.
- (c) Farm areas will be subdivided into smaller portions for visitors to practice organic farming. Basic farming knowledge is taught at structure S1 proposed for 'agriculture education room' where visitors would also be briefed about the importance of seed saving and the harm of GM food, pesticides and chemical fertilizers. Visitors will then be directed to the activities room or designated farm areas for hobby farming activities.
- (d) The vehicular access to the Site is via a local track leading from Sha Tau Kok Road (**Plan 2**). There will be three parking spaces for private car (one for staff and two for visitors) and one loading/unloading bay for van-type light goods vehicle, all measured 5m x 2.5m (**Plan 3**). The estimated traffic generation/attraction rate is at **Appendix 1**. No medium or heavy goods vehicles will be allowed to be parked or enter the Site.

#### Compliance with the "Owner's Consent/Notification Requirements

4. The applicant is the "current land owner". Ownership proof obtained from the Land Registry has been submitted

#### Justifications

5. The justifications are summarized as follows:

- (a) Due to the outbreak of COVID-19 in recent years, the demand for local recreational organic/hobby farming have increased and the proposed use can help meet the huge demand for such activities and promote sustainable organic farming in Hong Kong. It is also in line with the government policy on agriculture by encouraging members of the public to participate in agriculture and greening.
- (b) Large amount of space will be reserved as farmland and amenity/fruit planting areas for the use of visitors. About half of the Site will be used as farming area (42%) and planting areas (8%). The farming activity is similar to the always permitted agricultural use. The proposed development on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone.
- (c) The proposed development is generally not incompatible with the surrounding uses, including village houses, cultivated/fallow agricultural land and temporary structures.
- (d) Similar application (A/NE-TKL/741) for temporary place of recreation, sports or culture (hobby farm) and associated filling of land also within “AGR” zone was approved by RNTPC on 16.2.2024.
- (e) The Site is accessible by public transport within five-minute walk from the nearest minibus/bus stop at Sha Tau Kok Road. Advanced booking is required for the visit and so traffic flow could be managed in an efficient manner. Most of the customers would arrive on foot and traffic generated by the proposed development is not significant, as revealed in **Appendix 1**. Besides, sufficient manoeuvring space will be provided within the Site and no queuing and reverse movement of vehicles onto/from public roads is allowed. Hence, no adverse traffic impact is envisaged.
- (f) The proposed use is clean in nature. No advertisement boards with neon light devices would be installed. No public announcement system or any form of audio amplification system will be used at the Site. No night-time operation or workshop activities would take place during the planning approval period.
- (g) The applicant will follow the ‘Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites’ issued by EPD to minimize possible environmental impacts and nuisance to the surrounding area.
- (h) Sewage discharge from the Site would be directed to a proposed septic tank, which will be designed and constructed with reference to the Practice Note for Professional Person (ProPECC). Besides, no herbicide, pesticide and chemical fertilizers will be applied in the farming areas. There will be insignificant environmental, drainage and sewage impacts arising from the development.

- (i) Two existing trees within the Site (one Longan and one Elephant's Ear) would be retained and peripheral amenity/fruit planting areas would be provided to enhance the landscape setting (**Plan 3**). Significant adverse landscape impact arising from the proposed development is not envisaged.
- (j) To avoid any possible environmental nuisance generated by the development, the applicant would agree to the imposition of approval conditions restricting the operation hours, workshop activities and the use of public announcement system. Any non-compliance with the approval conditions would be subject to revocation of the planning permission.
- (k) Fire services installation (FSI) and detailed drainage proposals would be submitted and implemented should the application be approved by the Board. The applicant will also apply for a Short Term Waiver for the structures to DLO/YL, LandsD.

#### Filling of Land

- (l) The application is to regularize the existing hard paved area and no new filling of land is proposed. Hence, it will not cause adverse drainage and environmental impacts on the adjacent areas. The hard paved area can provide a clean environment for visitors and avoid soil erosion. The paved area would also stabilize the structures, provide manoeuvring and parking spaces for vehicles and facilitate drainage works. The proposed structures are for the use of visitors and ancillary facilities such as office, reception, agricultural education room, activities room and storage. The area for structure and paved area is kept to a minimum for operational need. The paving will be removed upon expiry of the planning approval and the Site will be reinstated to a condition suitable for agricultural use.
6. To conclude, the proposed development is compatible with adjoining land uses, and no traffic, environmental, drainage, visual and landscape impacts are envisaged. In view that it can promote sustainable organic farming in Hong Kong and is in line with the Government policy on agriculture, favourable consideration may be given to the application.

**Estimated Traffic Generation**

1. The vehicular access to the Site is via a local track leading from Sha Tau Kok Road. The ingress/egress point is 5m wide. As the Site is within 5-minute walk from Sha Tau Kok Road and the proposed hobby farm is mainly to serve residents in the locality, most of the customers would arrive on foot and traffic generated by the proposed development is not significant.
2. The proposed parking spaces and loading/unloading bay at the Site would only be opened to visitors with prior appointment.
3. There will be three parking spaces for private cars (1 for staff and 2 for visitors) and one loading/unloading bay for van-type light goods vehicle, all measured 5m x 2.5m. As the volume of farm products and the size of farming materials will be small, they shall be able to be transported by a van-type LGV. The estimated traffic generation/attraction rate is shown as follows:

Type of Vehicle	Average Traffic Generation Rate (pcu/hr)	Average Traffic Attraction Rate (pcu/hr)	Traffic Generation Rate at <u>Peak Hours</u> (pcu/hr)	Traffic Attraction Rate at <u>Peak Hours</u> (pcu/hr)
Private car	0.3	0.3	0	0
Van-type Light Goods Vehicle	0.15	0.15	0	0
Total	0.45	0.45	0	0

Note:

- a) The operation hours of the proposed development are revised to 10:00 a.m. to 5:00 p.m. daily, including Sundays and public holidays;
  - b) The pcu of private car and van-type light goods vehicle are taken as 1 and 1.5 respectively; and
  - c) Morning peak is defined as 7:00 a.m. to 9:00 a.m. whereas afternoon peak is defined as 5:00 p.m. to 7:00 p.m.
4. In association with the proposed use, adequate space for manoeuvring would be provided within the Site such that no queuing up of vehicles would be occurred outside the Site.