

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-MTL/14

- Applicant** : Ma Tso Lung Eco Park Company Limited
- Site** : Lots 1275 (Part), 1279 (Part), 1280, 1281 (Part), 1282 and 1284 (Part) in D.D. 96, Ma Tso Lung, New Territories
- Site Area** : About 1,485m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan (OZP) No. S/NE-MTL/3
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Facilities and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary place of recreation, sports or culture (hobby farm) with ancillary facilities and associated filling of land for a period of three years at the application site (the Site), falling within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP for “AGR” zone, ‘Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)’, which is a Column 2 use, and filling of land require planning permission from the Town Planning Board (the Board). The Site is largely fenced-off, generally vacant and partly covered with vegetation (**Plan A-4**).
- 1.2 The Site is accessible from a local track leading to Ma Tso Lung Road (**Plan A-2**). According to the applicant, the proposed use consists of three structures with a total floor area of about 96m² and building height not exceeding 3.5m for reception, site office, agricultural education room and store room for farm tools. The proposal also includes an outdoor farming area of about 1,032m² (or about 69% of the Site)¹. A light goods vehicle (LGV) loading/unloading (L/UL) space (7m (L) x 3.5m (W)) is proposed within the Site. No parking spaces are available at the Site². The operation hours of the proposed use are

¹ According to the applicant, the crops to be grown at the Site including Chinese white cabbage, lettuce, flowering Chinese cabbage, celtuce, tomato, corn, cucumber and winter melon.

² According to the applicant, visitors and staff are expected to arrive by public transport. The Site is approximately a 2-minute walk away from the nearest Ma Tso Lung Shun Yee San Tsuen minibus stop (Route 51B).

between 9:00 a.m. and 6:00 p.m. daily including public holidays. Prior appointment is required for all visitors, and the Site would accommodate not more than 20 visitors per day. According to the applicant, no public announcement systems and any form of audio amplification system will be used at the Site. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 According to the applicant, a 7m-wide ingress/egress is proposed at the east of the Site (**Drawing A-1**). A swept path analysis for LGV has been submitted in support of the application. According to the traffic management measures proposed by the applicant (**Appendix Ib**), traffic signage will be provided at the ingress/egress; and a staff will be deployed to instruct the vehicles entering the Site to ensure vehicle and pedestrian safety.
- 1.4 The applicant also applies for filling of land for a minor portion of the Site (about 245m² or about 16% of the Site) with concrete by not more than 0.2m in depth for the provision of a pedestrian walkway and site formation purposes (**Drawing A-2**). In addition, a Geotechnical Planning Review Report has been submitted in support of the application. Hoardings will be erected along the site boundary to safeguard the Site from the adjacent suspected unauthorised slope works. To mitigate potential slope instability, a 1m wide buffer zone is proposed along the site boundary to ensure a safe setback from the adjacent slopes (**Drawing A-1** and **A-2**).
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form received on 29.12.2025 (**Appendix I**)
 - (b) Supplementary Planning Statement (SPS) (**Appendix Ia**)
 - (c) Further Information (FI) received on 3.2.2026* (**Appendix Ib**)
 - (d) FI received on 5.2.2026 and 10.2.2026* (**Appendix Ic**)
 - (e) FI received on 9.3.2026* (**Appendix Id**)

** accepted and exempted from publication and recounting requirements*
- 1.6 On 27.2.2026, the Rural and New Town Planning Committee (the Committee) decided 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, SPS and FIs at **Appendices I to Id**, as summarised below:

- (a) the proposed use is in line with the planning intention of the “AGR” zone for agricultural and recreational purposes. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the “AGR” zone;
- (b) the proposed use aligns with the New Agriculture Policy, which promotes sustainable leisure farming and encourages citizens to engage in farming activities, thereby raising awareness of environmental protection;
- (c) no significant adverse traffic, environmental and drainage impacts are anticipated. The proposed development is geotechnical feasible, and is unlikely to cause problems to surrounding slopes, features or adjacent land, provided it is carried out with careful planning, proper execution and vigilant supervision; and

- (d) the applicant will liaise with the Lands Department on the land administration matters and comply with relevant approval conditions related to the fire service installations and drainage facilities, should the Committee approve the application.

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 notice at the Site and sending notice to the Sheung Shui District Rural Committee. Detailed information would be deposited at the meeting for Member’s inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines on “Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance” (TPB PG-No. 12C) is relevant to this application. According to TPB PG-No. 12C, the Site falls within the Wetland Buffer Area (WBA) (**Plan A-1**). Relevant extract of the Guidelines is at **Appendix II**.

5. Background

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

6. Previous Application

The Site is not the subject of any previous application.

7. Similar Application

- 7.1 There is a similar application (No. A/NE-MTL/11) for temporary place of recreation, sports or culture (hobby farm) within the same “AGR” zone in the vicinity of the Site in the past five years (**Plan A-1**). The application was approved by the Committee on 2.5.2025 mainly on the considerations that the proposed use was not entirely incompatible with the surrounding land uses; the application was generally complying with the TPB PG-No. 12C; and there were no major adverse departmental comments on the application.
- 7.2 Details of the similar application is summarised at **Appendix III** and its location is shown on **Plan A-1**.

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

- 8.1 The Site is:
 - (a) largely fenced-off, generally vacant and partly covered with vegetation;
 - (b) located to the southwest of the rural settlements of Ma Tso Lung Shun Yee San Tsuen (Ma Tso Lung Lutheran New Village); and

(c) accessible from a local track leading to Ma Tso Lung Road.

8.2 The surrounding areas are of rural character mainly comprising active agricultural land, vegetated areas and temporary domestic structures.

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.

10. Comments from Relevant Government Departments

All government 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 at **Appendices IV** and **V** respectively.

11. Public Comments Received During Statutory Publication Period

On 6.1.2026, the application was published for public inspection. During the statutory public inspection period, nine public comments were received (**Appendix VI**). Amongst them, five comments from individuals support the application mainly on the grounds that the proposed use would offer a unique leisure farming experience and create a new iconic destination that enhances the scenery in Ma Tso Lung. For the other four public comments, three of them from a group of nearby villagers and two individuals object to the application mainly for the reasons that the proposed use will cause adverse traffic and transport, ecological, drainage and sewerage impacts, as well as environmental and noise nuisance posed to nearby residents; and there is insufficient land reserved for cultivation purposes under the proposal. 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 place of recreation, sports or culture (hobby farm) with ancillary facilities and associated filling of land for a period of three years at the Site which is zoned “AGR” on the OZP (**Plan A-1**). While the proposed use is not entirely in line with the planning intention of the “AGR” zone, according to the applicant, majority of the Site (about 1,032m² or 69% of the Site) will be used for recreational farming, DAFC has no strong view against the application from agricultural perspective. In view of the above and taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.

12.2 The applicant applies for filling of land for a minor portion of the Site (about 245m² or about 16% of the Site) with concrete by not more than 0.2m in depth for provision of a

footpath and site formation purposes (**Drawing A-2**). Filling of land within “AGR” zone requires planning permission 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 filling of land from public drainage viewpoint and environmental perspective 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 According to TPB PG-No. 12C, although the Site falls within WBA (**Plan A-1**), planning applications for temporary uses are exempted from the requirement of ecological impact assessment, and consideration should be given to the compatibility of such use with any adjoining fish pond area and to other planning and environmental implications of the development. The Site is mainly used for farming-related purpose, and no wetland is found within and in the vicinity of the Site. In this regard, DAFC has no comment on the application from nature conservation perspective.
- 12.4 The Site is located in an area of rural character mainly comprising active agricultural land, vegetated areas and temporary domestic structures (**Plans A-2 and A-3**). The proposed use is considered not entirely incompatible with the surrounding land uses. Noting that no distinctive landscape resources are observed within the Site, the Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) advises that significant adverse landscape impact arising from the application is not anticipated.
- 12.5 Other relevant government departments consulted, including the 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 and advisory clauses are recommended in paragraph 13.2 below and **Appendix V** respectively. Should the application be approved, the applicant will also be advised to follow the environmental mitigation measures as set out in the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise any possible environmental nuisance.
- 12.6 There is a similar application (No. A/NE-MTL/11) within the same “AGR” zone in vicinity of the Site (**Plan A-1**), which was approved with conditions by the Committee in May 2025 as detailed in paragraph 7.1 above. The planning circumstances of the current application is similar to those of the approved similar application. Approval of the current application is in line with the Committee’s previous decision.
- 12.7 Regarding the adverse public comments mentioned in paragraph 11, the government department’s comments and planning assessments 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 comments 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 17.4.2029. The following conditions of approval and advisory clauses are suggested for Members’ reference:

Approval Conditions

- (a) 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 17.10.2026;
- (b) in relation to (a) above, the implementation of the drainage facilities 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 17.1.2027;
- (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 17.10.2026;
- (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 17.1.2027;
- (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 Site, including the removal of fill materials and hard paving, and grassing of the 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 Member's 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, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification 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 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 received on 29.12.2025
Appendix Ia	SPS
Appendix Ib	FI received on 3.2.2026
Appendix Ic	FI received on 5.2.2026 and 10.2.2026
Appendix Id	FI received on 9.3.2026
Appendix II	Relevant Extracts of TPB PG-No. 12C
Appendix III	Similar Application
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments
Drawing A-1	Proposed Layout Plan
Drawing A-2	Proposed Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
APRIL 2026**