Detailed Justifications for

Filling of Land for Permitted Agricultural Use on Lots 1632 (Part), 1633 (Part), 1634 (Part), 1635 (Part), 1636 (Part), 1637 S.A (Part) and 1637 S.B (Part) in D.D. 116, Shek Tong Tsuen, Yuen Long

The Application Site and Zoning

1. The Application Site (the Site) is located at the southern portion of Shek Tong Tsuen. It falls within an area zoned "Agriculture" ("AGR") on the Tai Tong Outline Zoning Plan (OZP) **(Plan 1)**. According to the covering Notes of the OZP, planning permission is also required for filling of land within "AGR" zone. The Site is currently under agricultural use. It is accessible via a local track leading from Yau Shin Street.

Background

2. Complaints against illegal dumping of construction waste at the Site were received by Government departments in June 2024. Enforcement Notices and Reinstatement Notices were issued to the registered owners in July and August 2024. It is stressed that all the concerned lot owners have not authorized any person to undertake the land filling activities, and legal action is being taken against the suspected responsible person. It is not a "destroy first, build later" case.

3. Under Section 24 of the Town Planning Ordinance, an application for review of the Reinstatement Notices served on the Site was submitted to the Secretary for Development in September 2024. The application is being processed.

The Proposal

4. The applicant seeks planning permission to regularize the filling of land at the Site for permitted agricultural use. The hard paved area involved about 176m^2 of filling of concrete of not more than 0.2m (about 6.2% of Site), for erection of ancillary temporary structures, while the soil paved area was about 2,656.5m^2 (about 93.8% of Site). The major operation parameters of the current application are as follows:

Applied Operation	Filling of land for permitted agricultural use
Site Area	About 2,832.4m^2
Area of Filling (Soil)	About 2,656.5m^2
	Depth of filling between 0 to 1.5m
Area of Filling (Concrete)	About 175.9m^2
	Depth of filling about 0.2m
Level of Filling (mPD)	16.7mPD to 19.4mPD

Development Schedule

Proposed GFA	About 90.0m^2
Plot Ratio	About 0.03
No. and GFA Breakdown of Structures (Plan 2b)	4 - 1 converted container (CT1) of 18m^2, for Office and Farm Management - 1 converted container (CT2) of 36m^2, for ancillary storage including farm tools, farming materials, seed storage and farm products - 1 converted container (CT3) of 18m^2, for Staff Resting Area - 1 converted container (CT4) of 18m^2, for Changing Room
Site Coverage	About 3.17%
Maximum Building Height	1 storey (not exceeding 3m)

Operation Mode

(a) The proposed development aims to promote organic farming among the local villagers. Farm products will be shared with the participants for free after harvesting. No marketing channel is envisaged.

(b) The organic farm is operated by local villagers daily. About four farmers have been working in the farm.

(c) Farm areas are mainly subdivided into two portions, including the cultivation area in the northwest and the sheep raising area in the southeast **(Plan 2b)**. The platform edges and embankments of the Site are covered with fruit plants and stabilized with luxuriant natural vegetation **(Plan 5c)**.

Drainage Consideration

There are existing field drains within the Site to discharge the overland flow and provide irrigation water for cultivation. The field drain system includes 1,050mm diameter concrete drainage pipes, open channels of about 0.6m to 2.0m wide with connection to a 1.2m wide open channel outside the Site in Lot 1615 **(Plan 2b)**. The Site and the surrounding are largely unpaved farmlands which act as a natural drainage system. Besides, the soil mixture within the Site and the farmland within the overland catchment is relatively sandy in nature and absorbs water very efficiently. Since no existing flow path will be obstructed and rainwater generated within the site catchment will be discharged naturally and effectively[1], no additional drainage facility is proposed.

[1] Based on channel requirement calculation, Total Peak Runoff for the Site including Catchments C1, C2 and External Catchment C3 is about 5968 liter/min **(Appendix 1)**. According to Figure 8.7 – Chart for the Rapid Design of Channels, for gradient 1: 100, 300UC will be sufficient. The existing field drain system has ample capacity to discharge the storm water passing through and generated at the Site. Detailed drainage proposal would be submitted to DSD upon approval of the application.

Justifications

5. The justifications are summarized as follows:

(a) The Site has been used by the applicant as an organic farm for cultivation of fruits and vegetables as well as sheep raising[2] since September 2024 **(Plan 5a)**. The operators are genuine farmers. The current application is to regularize the unauthorized land filling at the Site to support the existing farming operations. There is only limited area of hard paving, just to support the erection of a few converted containers for ancillary uses and agricultural storage. No additional land filling, hard paving, tree felling and vegetation clearance will be involved. Should the application be approved, the applicant will submit an application for Short Term Waiver (STW) to LandsD.

(b) The application is to facilitate the permitted agricultural use on the Site which is compatible with the surrounding land uses in terms of scale and nature. It is in line with the planning intention of the "AGR" zone. The development intensity is very low, just to meet the operational need of the farm.

(c) The Site previously comprised abandoned agricultural fields with low ecological value. The applicant now carries out farming at the Site to produce organic products for local villagers so as to minimize their need for travelling to Yuen Long and increase the food self-sufficiency ratio, which is in line with the spirit of "Sustainable agriculture".

Extent of Land Filling

(d) The former abandoned agricultural fields have significant level differences. According to topographic survey **(Plan 3)**, the Site is gently sloping from southeast to northwest in general. The gradient is not uniform but varies between about 1:19 and 1:95 (see cross sections on **Plan 4**). The land filling can make possible a more extensive scale of farming and facilitate agricultural rehabilitation as well as the use of farm machinery such as power tiller, tractor and grass trimmer.

(e) The major part of the Site is situated in a relatively low-lying area in comparison with the surrounding **(Plan 2b)**. The filling of land with a maximum depth of 1.5m to 19.4mPD, for leveling the Site to a similar level as the local roads, paths and fields, could also reduce the danger of flooding or inundation and with increased wetted perimeters, enhance the capacity of the field drain system around the Site.

Characteristics of Filling Materials

(f) As shown in the aerial photo and site photos **(Plans 3 and 5a to 5b)**, the northern part of the Site is under active cultivation. It should be noted that the operator already started removal of debris, gravels and rubbish in mid-August. The filling materials, mainly composed of

[2] Parts of the sheep raising area in Lots 1635, 1636 and 1637 S.A, once restored to greenery and planted with grasses, are not covered by the RN review. Removal of filling materials are being taken to comply with the RN and the land concerned is temporarily left barren prior to re-grassing.

sandy soil with cultivable/composting soil at the topsoil portion, cannot be regarded as soil of good quality but may be able to sustain plants of tolerant species. Site inspection reveals that the soil, even with scattered gravels, debris and soil clumps, can sustain a variety of crops, and plants including pumpkin, winter melon, corns, dragon fruit, green bean, corn, green pepper, chili, lettuce, *basella alba*, asparagus lettuce, crown daizy, tianqi, tomato and sunflower are successfully grown. Along the platform edge and channel embankments, fruit plants like pineapples, mangoes, lychees, *Prunus salicina* and natural vegetation can be found **(Photos 5 and 6 on Plan 5c)**. Besides, the applicant undertakes to progressively replace the topsoil with soil of better quality and rich in humus.

(g) Similar applications as shown below for filling of land for permitted agricultural use were approved by RNTPC in recent years.

Application No. (Date of Approval)	A/NE-TK/766 (28.7.2023)	A/YL-PH/949 (11.8.2023)	A/KTN/104 (21.6.2024)	A/YL-PS/694 (5.7.2024)
Zoning	"CPA" & "AGR"	"V"	"AGR(1)", "O" & "Road"	"REC"
Site Area	4,605m^2	409.5m^2	12,400m^2	14,680m^2
Depth of Filling	0.2m	1m	Max. 5.8m	0.15m
Site Condition	Agricultural use	Vacant	Largely vegetated land	Mainly agricultural use
Enforcement Action	Nil	RN issued	Nil	RN issued

(h) Besides, two planning applications involving land filling in the vicinity of the Site within the same "AGR" zone were approved by RNTPC. Application no. A/YL-TT/579 for religious institution (temple) was approved on 17.2.2023, while application no. A/YL-TT/670 for temporary animal boarding establishment was approved on 6.12.2024. Approval of the current application is in line with the Board's above decisions and would not create an undesirable precedent.

Traffic

(i) The Site is accessible via a local track leading from Yau Shin Street **(Plan 1)**. Since the farm is operated by the local villagers and not open to public, no daily visitors to the Site are anticipated. No vehicular access and car parking, loading/unloading are proposed within the Site. Hence, there would not be any adverse traffic impact to be induced by the farm.

Environmental

(j) 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.

Drainage

(k) As shown in the Drainage Consideration in paragraph 4 above, since no existing flow path will be obstructed and rainwater generated within the site catchment will be discharged naturally and effectively, no adverse drainage impact is anticipated.

Sewage

(l) The farmers are local villagers living nearby. No toilet facility is proposed and no herbicide, pesticide and chemical fertilizers will be applied in the farming areas. Hence, there would not be any adverse sewage impacts arising from the development.

Landscape

(m) The Site has been rehabilitated for agricultural use and reinstated to greenery with a variety of crops, fruit/flowering plants and natural vegetation to ensure compatibility with the planning intention of the "AGR" zone **(Photos 1 to 6 on Plans 5a to 5c)**. Significant adverse landscape impact arising from the proposed development is not envisaged.

(n) 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.

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.

Appendix 1

Calculation for Channel Requirement (Plan 2b)

Catchment 1 (C1) (Hard-paved Area of Site)

Site Area = 176 m^2
(concrete-paved) = 0.000176 km^2

Peak runoff in m^3 = 0.278 x 0.95 x 250mm/hr x 0.000176 km^2
= 0.01162 m^3/s
= 697 liter/min

Catchment 2 (C2) (Soil-paved Area of Site)

Site Area = 2656 m^2
(soil-paved) = 0.002656 km^2

Peak runoff in m^3 = 0.278 x 0.25 x 250mm/hr x 0.002656 km^2
= 0.04615 m^3/s
= 2769 liter/min

Catchment 3 (External) (C3) (Lots 1654 and Remaining Parts of Lots 1632, 1633, 1634, 1635, 1636, 1637 S.A and 1637 S.B outside the Site)

Site Area = 2400 m^2
(soil-paved) = 0.0024 km^2

Peak runoff in m^3 = 0.278 x 0.25 x 250mm/hr x 0.0024 km^2
= 0.0417 m^3/s
= 2502 liter/min

Total Peak Runoff for Site = 0.09947 m^3/s
= 5968 liter/min

According to Figure 8.7 – Chart for the Rapid Design of Channels,
For gradient 1: 100, 300UC will be sufficient.