

**REVIEW OF APPLICATION NO. A/NE-TKLN/96**  
**UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**

**Temporary Holiday Camp for a Period of Three Years in “Green Belt” Zone**  
**Lots 20 RP (Part), 21 (Part), 22 (Part), 23 (Part) and 25 (Part) in D.D. 80**  
**Ta Kwu Ling North, New Territories**

**1. Background**

1.1 On 13.2.2025, the applicant, Income Mall Limited represented by LCH Planning & Development Consultants Limited, sought planning permission for temporary holiday camp for a period of three years at the application site (the Site) under section 16 of the Town Planning Ordinance (the Ordinance). The Site falls within an area zoned “Green Belt” (“GB”) on the approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2 (**Plan R-1**).

1.2 On 11.4.2025, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) decided to reject the application and the reason was:

the applied use was not in line with the planning intention of the “GB” zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

1.3 For Members’ reference, the following documents are attached:

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| (a) RNTPC Paper No. A/NE-TKLN/96                          | <b>(Annex A)</b> |
| (b) Extract of minutes of RNTPC Meeting held on 11.4.2025 | <b>(Annex B)</b> |
| (c) Secretary of the Board’s letter dated 2.5.2025        | <b>(Annex C)</b> |

**2. Application for Review**

2.1 On 23.5.2025, the applicant applied, under section 17(1) of the Ordinance, for a review of RNTPC’s decision to reject the application with support of written representation (**Annex D**).

2.2 As compared with the section 16 application, there is no change to the development proposal in the review application. To recapitulate, the Site, which forms part of an existing holiday camp operated by the applicant (**Drawing A-1 of Annex A**)<sup>1</sup>, consists of two portions with one in the east and one in the west of the existing holiday camp. The

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<sup>1</sup> The entire holiday camp falls within “Recreation” (“REC”) (about 76%) and “GB” (about 24%) zones. The current application covers the part of the holiday camp (i.e. about 24%) falling within the “GB” zone. For the remaining part within the “REC” zone, ‘holiday camp’ is always permitted and no planning permission is required.

applied use comprises 12 caravans/tents/camps<sup>2</sup> (seven on the eastern portion and five on the western portion) with a height of not more than one storey or 3.5m. The 12 caravans/tents/camps have a total covered area of not more than 283.5m<sup>2</sup>. The remaining portion of the Site is grassed and serves as a landscape area. No structure will be erected and no filling or excavation of land will be carried out at the Site. At-grade planting will be provided at the periphery of the Site to enhance the landscape area (**Drawing A-2 of Annex A**). The operation hours are 24 hours from Mondays to Sundays, including public holidays. While the Site is accessible from Lin Ma Hang Road through the existing holiday camp, no parking space will be provided at the Site and the parking and loading/unloading facilities of the existing holiday camp will be utilised.

### 3. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the review application are detailed in the written representation at **Annex D**, as summarised below:

#### *Integration with the “GB” Zone and Layout Consideration*

- (a) the applicant transformed an abandoned piece of land into an eco-tourism spot, investing over 20 million dollars in the process. The Site is located at the fringe of the “GB” zone. The design of the existing holiday camp has considered the integration and buffering with the “GB” zone with a view to minimising adverse impact. The area of the “GB” zone will not be reduced with appropriate planning;
- (b) the layout design of the existing holiday camp is approved by planners, engineers and fire services consultants. Also, planning and ecological requirements have been taken into account. Due to site constraint, the vehicular access of the existing holiday camp is located at the central part of the holiday camp site to facilitate easy access and serves as emergency vehicular access (EVA) purpose. If all caravans are accommodated in the “REC” zone (**Drawing R-1**), the EVA would need to be realigned, involving large-scale site formation that could lead to soil erosion and disturbance to the “GB” zone. Also, the central part of the existing holiday camp zoned “REC” could only accommodate 10 caravans, which could not sustain operational costs and rent. Besides, there would be no activity space and tranquil atmosphere for campers;

#### *Minimising Adverse Impacts on the “GB” Zone*

- (c) to minimise visual and landscape impacts, greenery (such as turfing and planting) will be provided at the Site, and no tree will be felled and no concrete will be used;
- (d) measures such as designation of plant protection/restoration zone, ensuring completeness and connectivity with the nearby ecological corridor, using solar lighting, etc. will be adopted to minimise ecological and environmental impacts. Through restoration and utilisation of the abandoned land, the ecological environment and function will be enhanced;
- (e) the caravans at the Site are supported by stands without touching the ground and the grass under the caravans will not be affected. Such design will also facilitate removal of the caravans and reinstatement after the expiry of planning approval;

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<sup>2</sup> While the Site is currently occupied by caravans, the applicant also includes tents/camps uses to allow flexibility for meeting changing needs of the customers.

Long-term Planning, Government Tourism Policy and Socio-economic Benefits

- (f) the existing holiday camp site will be affected by the Priority Development Area (PDA) of the New Territories North (NTN) New Town in the Northern Metropolis. The proposed Food Control Facilities (FCF) at Heung Yuen Wai (HYW) in the NTN New Town<sup>3</sup> will commence progressively in end 2026 the earliest and targeted for completion in 2031-32;
- (g) the existing holiday camp facilitates tourism economy near the boundary control points and provides more leisure spots for tourists, bringing benefits to Hong Kong's tourism development. It is in line with the Government's direction of 'Tourism is Everywhere in Hong Kong' and the 14<sup>th</sup> Five-Year Plan of promoting self-driving tour and caravan facilities; and
- (h) the construction and operation of the holiday camp can create 30 job opportunities. The existing holiday camp can promote economic development and tourism-related industries in the nearby area, injecting new impetus into the regional economy and enhancing competitiveness. The tax paid for the holiday camp can increase the government revenue. Also, the facilities provided by the holiday camp including accommodation, convenience store and eating place can meet the needs of the residents and enhance the quality of community life as well as facilitating sustainable development of the community.

#### **4. The Section 16 Application**

Background

- 4.1 The Site largely falls within an active planning enforcement case (No. E/NE-TKLN/93) regarding unauthorized recreation use (including use for holiday camp) and storage use (**Plan R-2a**). Enforcement Notice was issued on 26.3.2025 requiring discontinuation of the unauthorized development (UD) by 26.4.2025. According to the latest site inspection, the UD was not discontinued. Prosecution action is being considered. The Site is under monitoring according to current planning enforcement procedures.

The Site and Its Surrounding Areas (**Plans R-1 to R-4c**)

- 4.2 The situation of the Site and the surrounding areas at the time of consideration of the section 16 application by RNTPC are set out in paragraph 8 of **Annex A**. There has been no material change in the situation of the Site and the surrounding areas since then.
- 4.3 The Site is:
- (a) forming part of an existing holiday camp and partly fenced-off;
  - (b) partly covered with vegetation and currently occupied by caravans which are supported by stands with/without concrete footings attached to the ground without valid planning permission; and

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<sup>3</sup> The southern portion of the existing holiday camp site (about 17%) falls within the preliminary boundary of the proposed FCF development in the PDA.

- (c) accessible from the existing holiday camp which falls within “REC” zone and is connected to Lin Ma Hang Road.

4.4 The surrounding areas are of rural character mainly comprising the holiday camp and unused land. Lin Ma Hang Road and HYW Boundary Control Point (BCP) are located to the further south and southwest respectively (**Plan R-1**).

#### Planning Intention

4.5 There is no change in the planning intention of the “GB” zone as mentioned in paragraph 9 of **Annex A**, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

#### Town Planning Board Guidelines

4.6 The Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) is relevant to the application. Relevant extracts of the Guidelines are attached at **Appendix II** of **Annex A**.

#### Previous Application

4.7 There is no previous application covering the Site.

#### Similar Application

4.8 There is no similar application within the same “GB” zone in the vicinity of the Site in the past five years.

### **5. Comments from Relevant Government Departments**

5.1 Comments on the section 16 application made by relevant government departments are stated in paragraph 10 and **Appendix III** of **Annex A**. Their advisory comments in the Recommended Advisory Clauses, if any, are at **Appendix IV** of **Annex A** and recapped at **Annex E**.

5.2 For the review application, relevant government departments have been further consulted and maintain their previous views on the section 16 application. The updated comments from the Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD), Chief Officer (Licensing Authority), Office of the Licensing Authority of Home Affairs Department (CO(OLA), HAD) and Director of Fire Services (D of FS) are set out in paragraphs 5.2.1 to 5.2.3 below. In view of the applicant’s justifications submitted for the review application as mentioned in paragraph 3 above, comments from the Chief Town Planner/Studies and Research of PlanD (CTP/SR, PlanD) and Director of Food and Environmental Hygiene (DFEH) are sought. Their comments are set out in paragraphs 5.2.4 and 5.2.5 respectively, and their advisory comments are at **Annex E**.

### Landscape

#### 5.2.1 Comments of CTP/UD&L, PlanD:

- (a) with reference to the photos taken on 24.2.2025, the Site is mostly vacant and fenced-off with some caravans. Few existing trees are observed within the Site. As stated in the Planning Statement, "...no filling of land and tree removal are involved at the Site...". According to the aerial photos of 2021 to 2022 (**Plans R-3a** and **R-3b**), vegetation clearance within the Site is observed, adverse landscape impact on existing landscape resources has been taken place. Based on the aerial photo of 2023, the Site is located in an area of rural inland plains landscape character surrounded by vegetated areas, scattered tree groups and HYW BCP to the southwest. Approval of the application may alter the landscape character and further degrade the landscape quality of the "GB" zone; and
- (b) approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works from relevant authority prior to commencement of the works.

### Licensing

#### 5.2.2 Comments of CO(OLA), HAD:

- (a) according to the Hotel and Guesthouse Accommodation Ordinance (Cap.349) ("HAGAO"), "hotel" and "guesthouse" means any premises whose occupier, proprietor or tenant holds out that, to the extent of his available accommodation, he will provide sleeping accommodation at a fee for any person presenting himself at the premises, unless all accommodation in the premises is provided for a period of 28 consecutive days or more for each letting which is exempted under the Hotel and Guesthouse Accommodation (Exclusion) Order (Cap. 349 C);
- (b) if the mode of operation falls within the definition of "hotel" or "guesthouse" under HAGO, a licence under HAGAO must be obtained before operation;
- (c) for any structure which constitutes as "building works" or "building" under the Buildings Ordinance to be included into the licence, the applicant should submit a copy of either an occupation permit issued by the Building Authority or a Certificate of Compliance issued by the Lands Department when making an application under HAGAO;
- (d) the Guesthouse Holiday Camp Licence - Caravan camp site (at Lot 20RP, 23, 24, 25, 28, 31 in D.D. 80, Ta Kwu Ling, New Territories) has been issued by the Licensing Authority on 11.8.2025. The licensing plan is confined to the boundary as shown on **Plan R-2b**<sup>4</sup> and only four

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<sup>4</sup> The area covers the western portion of the Site and the central part of the existing holiday camp site.

caravans within the licensing area. Should the licensee intends to operate more tents/camps/caravans under HAGAO, revised proposal/new application should be submitted to OLA for approval; and

- (e) besides, notes were imposed in the licence to remind the licensee that:
- the issue of Licence does not act as a waiver of any terms in any lease or licence granted by the Government of any public officer to the premises or building in which the guesthouse (holiday camp) is situated, nor does it in any way affect or modify any agreement or covenant relating to any premises or building in which the guesthouse (holiday camp) is situated; and
  - the issue of the Licence does not in any way exempt or indemnify the licensee from the consequences of non-compliance with the provisions of any other enactments or from the consequences of any breach of any other regulations or laws of Hong Kong.

### Fire Safety

#### 5.2.3 Comments of D of FS:

- (a) no objection in principle to the proposal subject to fire service installations and water supplies for firefighting being provided to his satisfaction;
- (b) if a vehicle access road within 30m of the Site for the accessibility of Fire Services Department (FSD)'s appliances could not be provided, additional fire safety requirements would be considered on a case-by case basis. The applicant is advised to consult respective licensing authority for licensing requirements; and
- (c) his advisory comments are at **Annex E**.

### Long-term Planning

#### 5.2.4 Comments of CTP/SR, PlanD:

it is noted that the Site is located within the proposed NTN New Town under the Planning and Engineering (P&E) Study for the NTN New Town and Man Kam To. The preliminary development proposal and the proposed boundary of PDA of NTN New Town was released in December 2024. According to the preliminary development proposal, the Site is located outside the proposed boundary of PDA. The proposed boundary of PDA and the implementation programme of NTN New Town is being reviewed under the P&E Study.

#### 5.2.5 Comments of DFEH:

- (a) the applicant should take into account the potential impact of NTN New Town development, including the relocation of FCF to HYW in the vicinity of the Site. Although the Site itself does not fall within the

proposed site boundary for the relocated FCF, part of the whole site of the existing holiday camp would be within FCF's proposed site boundary. The operation of the aforesaid holiday camp may be affected by FCF in future, including the necessity of land resumption for constructing the FCF. It should also be noted that the FCF falls within the PDA of NTN New Town. The proposed FCF relocation will involve diversion of a section of Lin Ma Hang Road, site formation and construction of FCF. Subject to the finalisation of the project boundary, the aforesaid works cover an area of about 5ha, of which about 3ha of private land will be acquired. North District Council was consulted for the relocation project at the meeting on 18.2.2025. To take forward the FCF relocation exercise, his department targets to submit a section 16 planning application under the Ordinance (Cap. 131) in the second half of 2025. The statutory procedures for land resumption area planned to commence after obtaining the Board's permission. Subject to such procedures, land reversion and site clearance are expected to commence around late 2026. The target completion date for the works of FCF would be 2031-2032; and

- (b) his advisory comments are at **Annex E**.

## **6. Public Comments Received During Statutory Publication Period**

- 6.1 On 6.6.2025, the review application was published for public inspection. During the statutory public inspection period, three comments were received (**Annex F**). Two comments from Kadoorie Farm & Botanic Garden Corporation and an individual object to the application mainly on the grounds that the applied use is not in line with the planning intention of the "GB" zone; the Site is under active enforcement; CTP/UD&L, PlanD did not support the application; vegetation clearance is observed and approval may alter and degrade the landscape; and there is no justification to review the RNTPC's decision. The remaining comment from a member of the North District Council indicates no comment on the application.
- 6.2 At the section 16 application stage, three comments were received. Two comments from Kadoorie Farm & Botanic Garden Corporation and an individual objected to the application. One comment from a member of the North District Council indicated no comment on the application. The summary of the comments is in paragraph 11 of **Annex A**.

## **7. Planning Considerations and Assessments**

- 7.1 The application is for a review of RNTPC's decision on 11.4.2025 to reject the section 16 application for temporary holiday camp for a period of three years at the Site zoned "GB" on the OZP with the reason stated in paragraph 1.2 above. To support the review application, the applicant has submitted written representation as set out in paragraph 3 above. Since the consideration of the section 16 application by RNTPC, there has been no material change in planning circumstances. Having considered the written representation, the planning considerations and assessments on the review application are detailed below.

Planning Intention of the “GB” Zone

- 7.2 The applied use is not in line with the planning intention of the “GB” zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within the “GB” zone. As indicated in the layout plan submitted by the applicant (**Drawing A-1** in **Annex A**), the application is mainly for placing parts of some caravans/tents/camps within the Site. The applicant explains in the review application that accommodating all the caravans in the central part of the existing holiday camp zoned “REC” would result in the realignment of the EVA (**Drawing R-1**), which subsequently involves large-scale site formation, leading to soil erosion and disturbance to the “GB” zone. Also, it would reduce the number of caravans to be accommodated, making the operation financially unviable and affecting the activity space of the visitors. However, taking into account the layout of the existing holiday camp adjoining the Site and nearby area, it is noted that there is still land available in the area currently zoned “REC”, where ‘holiday camp’ use is always permitted to accommodate the caravans. In addition, the applicant fails to demonstrate that it is necessary to realign the existing EVA before the caravans/tents/camps can be accommodated within the adjoining holiday camp site. The applicant should consider utilising the area falling within “REC” zone for holiday camp use. There is no strong planning justification in the submission for a departure from the planning intention of the “GB” zone, even on a temporary basis.

Impacts on the “GB” Zone

- 7.3 According to TPB PG-No. 10, an application for new development within “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The development should not involve extensive clearance of existing natural vegetation and affect the existing natural landscape. The applicant states that mitigation measures on landscape aspect such as greenery (e.g. turfing and planting) will be provided at the Site and no tree will be felled and caravans are supported by stands without touching the ground and will not affect the grass underneath. Notwithstanding, it is noted from the previous and recent aerial photos from 2010 to 2023 that the Site was largely vegetated around the time of gazette of the draft Ta Kwu Ling North Development Permission Area (DPA) Plan in 2010, but subsequently vegetation clearance has been observed since 2022 (**Plans R-3a** and **R-3b**). CTP/UD&L, PlanD advises that vegetation clearance is observed within the Site and adverse landscape impact on the existing landscape resources has taken place. She maintains her view that approval of the application may alter the landscape character and further degrade the landscape quality of the “GB” zone. Besides, despite the applicant’s claim that no concrete will be used at the Site, it is noted from site inspection that some caravans are supported by stands with/without concrete footings attached to the ground (**Plan R-4c**). In view of the above, the applied use is considered not in line with TPB PG-No. 10.
- 7.4 The Director of Agriculture, Fisheries and Conservation and Director of Environmental Protection maintain their previous view and have no objection to the review application from nature conservation and environmental perspectives respectively. The applicant has proposed measures in the written representation as stated in paragraph 3 above to minimise the ecological and environmental impacts, but no details on these measures have been provided. Other relevant government departments including the Commissioner for Transport, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have been further consulted and they maintain no objection to

or no adverse comment on the application. Regarding the Guesthouse Holiday Camp Licence issued on 11.8.2025 under HAGAO, which covers the western portion of the Site and the central part of the existing holiday camp site (**Plan R-2b**), it only includes four caravans, and notes were imposed in the Licence that revised proposal/new application should be submitted if more caravans will be involved and issuance of the Licence does not exempt from complying with other legislations.

#### Long-term Planning and Tourism Initiatives

- 7.5 With regard to the long-term planning of the area, CTP/SR, PlanD advises that the Site is located within the proposed NTN New Town under the P&E Study but outside the proposed boundary of PDA based on the preliminary development proposal. DFEH also considers that part of the existing holiday camp (not covering the Site) would be affected by the proposed FCF as part of the NTN New Town development (which has also been stated in the applicant's written representation in the review application).
- 7.6 While the applicant claims that the existing holiday camp is in line with the Government's initiatives in promoting tourism and the holiday camp could bring social and economic benefits to the community, it is considered that the applied use is not in line with the planning intention of the "GB" zone and should be confined within the "REC" zone where there is ample land available and 'holiday camp' use is always permitted. The applicant fails to provide justifications and sufficient information to prove the necessity of encroaching onto the adjoining "GB" zone to accommodate the caravans/tents/camps.

#### Public Comments

- 7.7 Regarding the public comments received on the review application as detailed in paragraph 6 above, the planning considerations and assessments above are relevant.

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

- 8.1 Based on the assessments made in paragraph 7 above, having taken into account the public comments in paragraph 6 above and given that there is no material change in the planning circumstances since the consideration of the subject application by RNTPC, the Planning Department maintains its previous view of not supporting the review application for the following reason:

the applied use is not in line with the planning intention of the "GB" zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

- 8.2 Alternatively, should the Board decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for three years until 22.8.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the submission of a record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 22.11.2025;
- (b) the existing drainage facilities shall be maintained at all times during the planning approval period;
- (c) 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 22.2.2026;
- (d) in relation to (c) 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 22.5.2026;
- (e) if the above planning condition (b) 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;
- (f) if any of the above planning condition (a), (c) or (d) 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
- (g) upon the expiry of the planning permission, the reinstatement of the Site, including the removal of 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 **Annex E**.

## **9. Decision Sought**

- 9.1 The Board is invited to consider the application for a review of RNTPC's decision and decide whether to accede to the permission.
- 9.2 Should the Board decide to reject the review application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 9.3 Alternatively, should the Board decide to approve the review 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.

## **10. Attachments**

**Annex A**  
**Annex B**

RNTPC Paper No. A/NE-TKLN/96  
Extract of Minutes of RNTPC Meeting held on 11.4.2025

<b>Annex C</b>	Secretary of the Board's letter dated 2.5.2025
<b>Annex D</b>	Email from the Applicant dated 23.5.2025
<b>Annex E</b>	Recommended Advisory Clauses
<b>Annex F</b>	Public Comments
<b>Drawing R-1</b>	Proposed EVA Realignment
<b>Plan R-1</b>	Location Plan
<b>Plans R-2a and R-2b</b>	Site Plan
<b>Plans R-3a to R-3c</b>	Aerial Photos
<b>Plans R-4a to R-4c</b>	Site Photos

**PLANNING DEPARTMENT**  
**AUGUST 2025**