

**Ta Kwu Ling, North District, New Territories.**

## **APPENDIX B**

**Relevant Extract of Notes from “Approved Ping Che and  
Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/14”**

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### VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Burial Ground
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House (New Territories Exempted House only)	Government Refuse Collection Point
On-Farm Domestic Structure	Government Use (not elsewhere specified)#
Religious Institution (Ancestral Hall only)	House (not elsewhere specified)
Rural Committee/Village Office	Institutional Use (not elsewhere specified)#
	Place of Recreation, Sports or Culture
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation#
	Public Vehicle Park (excluding container vehicle)
	Religious Institution (not elsewhere specified)#
	Residential Institution#
	School#
	Shop and Services
	Social Welfare Facility#
	Utility Installation for Private Project

In addition, the following uses are always  
permitted on the ground floor of a New  
Territories Exempted House:

Eating Place  
Library  
School  
Shop and Services

### Planning Intention

The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

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VILLAGE TYPE DEVELOPMENT (Cont'd)

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

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### AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Animal Boarding Establishment
Government Use (Police Reporting Centre only)	Barbecue Spot
On-Farm Domestic Structure	Burial Ground
Public Convenience	Field Study/Education/Visitor Centre
Religious Institution (Ancestral Hall only)	Government Refuse Collection Point
Rural Committee/Village Office	Government Use (not elsewhere specified)
	House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
	Picnic Area
	Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)
	Public Utility Installation
	Religious Institution (not elsewhere specified)
	School
	Utility Installation for Private Project

### Planning Intention

This zone is intended 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.

### Remarks

- (a) Any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

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AGRICULTURE (Cont'd)

Remarks (Cont'd)

- (b) Any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Ping Che and Ta Kwu Ling Outline Zoning Plan No. S/NE-TKL/10 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:
- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
  - (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

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### GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Animal Boarding Establishment
Barbecue Spot	Broadcasting, Television and/or Film Studio
Government Use (Police Reporting Centre only)	Burial Ground
Nature Reserve	Columbarium (within a Religious Institution or extension of existing Columbarium only)
Nature Trail	Crematorium (within a Religious Institution or extension of existing Crematorium only)
On-Farm Domestic Structure	Field Study/Education/Visitor Centre
Picnic Area	Government Refuse Collection Point
Public Convenience	Government Use (not elsewhere specified)
Tent Camping Ground	Helicopter Landing Pad
Wild Animals Protection Area	Holiday Camp
	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
	Petrol Filling Station
	Place of Recreation, Sports or Culture
	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Religious Institution
	Residential Institution
	School
	Service Reservoir
	Social Welfare Facility
	Utility Installation for Private Project

### Planning Intention

The planning intention of this zone 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.

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GREEN BELT (Cont'd)

Remarks

Any filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

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**APPROVED PING CHE AND TA KWU LING  
OUTLINE ZONING PLAN NO. S/NE-TKL/14**

**EXPLANATORY STATEMENT**



**Ta Kwu Ling, North District, New Territories.**

**APPROVED PING CHE AND TA KWU LING  
OUTLINE ZONING PLAN NO. S/NE-TKL/14**

**EXPLANATORY STATEMENT**

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**Ta Kwu Ling, North District, New Territories.**

**APPROVED PING CHE AND TA KWU LING  
OUTLINE ZONING PLAN NO. S/NE-TKL/14**

(Being an Approved Plan for the Purposes of the Town Planning Ordinance)

**EXPLANATORY STATEMENT**

Note: For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

**1. INTRODUCTION**

This Explanatory Statement is intended to assist an understanding of the approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land use zonings of the Plan.

**2. AUTHORITY FOR THE PLAN AND PROCEDURE**

- 2.1 The land within the Ping Che and Ta Kwu Ling OZP, except the Ta Kwu Ling Rural Centre, was previously included in the Ping Che and Ta Kwu Ling Interim Development Permission Area (IDPA) Plan No. IDPA/NE-TKL/1 which was prepared by the Director of Planning and notified in the Gazette on 17 August 1990. The land within the IDPA Plan was subsequently included in the draft Ping Che and Ta Kwu Ling Development Permission Area (DPA) Plan No. DPA/NE-TKL/1, which was prepared by the Board and exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance) on 12 July 1991.
- 2.2 On 17 May 1993, under the power delegated by the then Governor, the then Secretary for Planning, Environment and Lands directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP for the area of Ping Che and Ta Kwu Ling.
- 2.3 On 22 March 1994, the then Governor in Council, under section 9(1)(a) of the Ordinance, approved the draft Ping Che and Ta Kwu Ling DPA Plan, which was subsequently renumbered as DPA/NE-TKL/2.
- 2.4 On 20 April 1994, under the power delegated by the then Governor, the then Secretary for Planning, Environment and Lands directed the Board to amend the boundary of the planning scheme area of the draft Ping Che and Ta Kwu Ling OZP to cover the Ta Kwu Ling Rural Centre.
- 2.5 On 1 July 1994, the draft Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/1 was exhibited for public inspection under section 5 of the Ordinance. The draft OZP was subsequently amended and exhibited for public inspection under section 7 of the Ordinance.
- 2.6 On 9 February 1999, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Ping Che and Ta Kwu Ling OZP, which was subsequently renumbered as S/NE-TKL/3. On 22 June 1999, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under the Ordinance.

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- 2.7 On 27 June 2000, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ping Che and Ta Kwu Ling OZP, which was subsequently renumbered as S/NE-TKL/5. On 10 April 2001, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 5 of the Ordinance.
- 2.8 On 20 May 2003, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ping Che and Ta Kwu Ling OZP, which was subsequently renumbered as S/NE-TKL/7. On 9 December 2003, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 5 of the Ordinance.
- 2.9 On 1 February 2005, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ping Che and Ta Kwu Ling OZP, which was subsequently renumbered as S/NE-TKL/9. On 12 April 2005, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance.
- 2.10 On 29 April 2005, the draft Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/10, incorporating mainly amendment to the Notes for the "Agriculture" zone to include control on filling of land, was exhibited for public inspection under section 5 of the Ordinance. During the exhibition period, two objections were received. On 21 April 2006, the Board gave further consideration to the objections and decided to propose an amendment to partially meet the objections by amending the Remarks in the Notes for the "Agriculture" zone to exempt filling of land specifically required under the written instructions of Government departments from the planning control. On 19 May 2006, the proposed amendment to the OZP was notified in the Gazette under section 6(7) of the Ordinance. No valid further objection was received during the notification period. On 14 July 2006, the Board agreed that the proposed amendment was a decision under section 6(9) of the Ordinance and the amendment should form part of the OZP.
- 2.11 On 24 February 2006, the draft Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/11, incorporating amendment to the definition of "existing building" in the covering Notes and the amendments to the Notes for the "Industrial (Group D)", "Open Storage" and "Open Space" zones, was exhibited for public inspection under section 7 of the Ordinance. No objection was received during the plan exhibition period.
- 2.12 On 17 October 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ping Che and Ta Kwu Ling OZP, which was subsequently renumbered as S/NE-TKL/12. On 27 October 2006, the approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/12 was exhibited for public inspection under section 9(5) of the Ordinance. On 19 February 2008, the CE in C referred the approved OZP for amendment under section 12(1)(b)(ii) of the Ordinance. The reference of the OZP for amendment was notified in the Gazette on 14 March 2008 under section 12(2) of the Ordinance.
- 2.13 On 15 May 2009, the draft Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/13, incorporating amendments mainly to rezone an area at Ping Che from "Agriculture" to "Government, Institution or Community(1)" ("G/IC(1)") to

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facilitate the expansion of the adjoining Wun Chuen Sin Kwoon and associated columbarium use and the incorporation of a set of Notes for the “G/IC(1)” zone was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of five representations were received. On 24 July 2009, the Board published the representations for three weeks for public comments and a total of 36 comments were received. After giving consideration to the representations and comments on 30 October 2009, the Board decided not to propose any amendment to the draft OZP to meet the representations.

- 2.14 On 2 February 2010, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ping Che and Ta Kwu Ling OZP, which was subsequently renumbered as S/NE-TKL/14. On 12 March 2010, the approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14 (the Plan) was exhibited for public inspection under section 9(5) of the Ordinance.

### **3. OBJECT OF THE PLAN**

- 3.1 The object of the Plan is to indicate the broad land use zonings for the area of Ping Che and Ta Kwu Ling so that development and redevelopment within the area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land use zones may be subject to minor adjustments as detailed planning proceeds.
- 3.3 Since the Plan is to show broad land use zonings, there would be situations in which small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted as non-building area or for garden, slope maintenance and access road purposes, are included in the residential zones. The general principle is that such areas should not be taken into account in plot ratio and site coverage calculation. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the area and not to overload the road network in this area.

### **4. NOTES OF THE PLAN**

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area and in particular zones and which may be permitted by the Town Planning Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board’s website at <http://www.info.gov.hk/tpb>.

5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area) covered by the Plan has an area of about 570 ha. The Area lies in the northern part of the North East New Territories (NENT) and is located approximately 4.5km east of Fanling/Sheung Shui New Town. It is bounded by Sha Tau Kok Road to the south, Tsung Shan (Long Ridge) and Hung Lung Hang to the west, Closed Area Boundary to the north, and Cheung Shan (Dog Hill) to the east. The Area is also in close proximity to the two cross boundary areas. The crossing at Man Kam To is only 4km away to the west of the Area, whereas the other crossing point at Sha Tau Kok is about 7km to its east and conveniently connected to the Area via Sha Tau Kok Road. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 Main economic activities in the Area include agriculture, open storage and industrial operations. While cultivated land occupies the northern part of the Area, extensive open storage and industrial activities including open storage of construction materials/machines, car dumps, lorry/container vehicle parks, car repairing workshops and industrial workshops are found in the south-western part of the Area (e.g. Wang Leng) and areas along Ping Che Road. Most of these open storage and industrial developments have existed before the gazettal of the IDPA Plan when the land use controls were less comprehensive. This form of haphazard and disorderly open storage and rural industrial developments have caused much visual intrusion and detrimental effects on the environment. Agricultural activities in the Area comprise mainly cash crop cultivation and livestock rearing. These activities which once assumed a dominant position are now hampered by the proliferation of open storage and industrial uses.
- 5.3 In view of the growing demand for open storage sites, the need to prevent further deterioration of rural environment, and the limited capacity of the existing and committed infrastructural facilities in the Area, the consolidation of open storage and industrial developments in selected areas is encouraged. In the long run, industrial uses which can be readily accommodated in the conventional flatted factories should be relocated to more suitable sites or premises. Only land extensive and less polluting industries, e.g. rattan/bamboo products workshop, wooden products workshop, which cannot be accommodated in conventional flatted factories are encouraged to remain in the rural area. Apart from the selected sites for open storage uses and land extensive industries, the agricultural land in the Area should be protected and rehabilitated as far as possible.

6. POPULATION

According to the 2006 By-Census, the total population of the Area was about 7,790 persons. It is estimated that the total planned population of the Area would be about 8,800 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

- 7.1.1 Sha Tau Kok Road and Ping Che Road are the two main access roads to the Area. The widening of Ping Che Road (from Sha Tau Kok Road junction to Ping Yeung Road junction) to 7.3m wide, the construction of a

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new roundabout at the junction of Ping Che Road and Sha Tau Kok Road, and the reconstruction of associated road were completed in 1997.

- 7.1.2 The portion of Sha Tau Kok Road (from Lung Yeuk Tau to Ping Che Road) was widened to a dual 2-lane carriageway in 1999. These two road widening projects have enhanced traffic circulation in the southern part of the Area where various open storage and industrial developments have been established.
- 7.1.3 A drainage channel with sufficient capacity at Shui Lau Hang was constructed to prevent flooding risk in the area. The construction works commenced in December 2005 and was substantially completed in February 2008.

### 7.2 Constraints

#### 7.2.1 Flood Risk

The Area has not yet been served by proper drainage facilities. Areas close to Ping Yuen River (River Ganges) (running diagonally across the northern part of the Area) are susceptible to flooding. Most of these areas have been identified as 'floodways' and 'flood fringes' by the Drainage Services Department. Based on the findings of the Territorial Land Drainage and Flood Control Strategy Study - Phase II (TELADFLOCSS 2), the Drainage Services Department has advised that, as 'floodways' form the principal areas of conveyance for out-of-bank flows, the land uses in these areas should be severely restricted in order to preserve the conveyance of these 'stormwater relief corridors'. For the 'flood fringe' areas, as these areas provide mainly flood storage and a little conveyance in times of flood, the Drainage Services Department suggests that these areas should be designated for uses which can tolerate flooding and do not require reclamation, such as agricultural and recreational uses, in order to preserve flood storage. Urban type development should generally be directed towards the hinterland areas. Furthermore, major developments within 'floodways' and 'flood fringes' must be accompanied by drainage impact assessment and proposals of drainage facilities.

For areas close to the Ng Tung River (River Indus) in the southern part of the Area, flood risk has been alleviated after completion of the rehabilitation works in 2002. The rehabilitation scheme only provides drainage capacity for frequent storms. Under extreme events, the areas may still be susceptible to flooding.

#### 7.2.2 River Training Works

Both the River Indus Study completed in 1989 and the TELADFLOCSS 2 concluded that an extensive programme of large-scale training works on the Shenzhen River and Indus Basin rivers would be needed to significantly reduce the risk of flooding in the Indus Basin. Shenzhen River training works was substantially completed in 2006. The project 'Rural Drainage Rehabilitation Scheme - Stage I', which covers river training works for the section of River Indus within the Area, was

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commenced in late 1998 and substantially completed in 2002. Upgrading of several tributaries of River Ganges has also been recommended in the Stormwater Drainage Master Plan Study in the Northern New Territories. Given Ganges Basin is targeted for minimum growth with no extensive development planned within the area, there is no immediate need to undertake any large-scale training works. In order to relieve the flood susceptibility of the area, special river rehabilitation scheme and river training scheme have been recommended to improve drainage and reduce possible flooding. The project 'Rural Drainage Rehabilitation Scheme, Stage I, Phase 2 – Rehabilitation Works at Ping Yuen River (River Ganges)' was commenced in 2003 and was substantially completed in mid 2006.

### 7.2.3 Sewage Treatment and Disposal

There is an existing trunk sewer laid along the northern part of Ping Che Road. New sewer network serving some villages adjacent to the trunk sewer will be implemented under Phase II of the NENT Village Sewerage Scheme, which was substantially completed in 2007. Catchments of the Area to the north of Sha Tau Kok Road will be implemented under Stage II work of the North District Sewerage Master Plan, which is scheduled for completion by 2015. During the interim period, where no public sewer are available, on-site treatment is required. The Director of Environmental Protection has advised that, in areas prone to flooding and located at high groundwater levels, the use of septic tank with soakaway pit as a means of on-site sewage disposal and treatment is considered to be inappropriate. Hence major developments, in particular informal industrial uses, should include proper on-site sewage disposal and treatment facilities.

### 7.2.4 Existing Built or Natural Constraints

- (a) 132kV Overhead Lines (Fanling - Shui Bei);
- (b) water works reserve for the following facilities : existing pipeline (running across the southern part of the Area in an east-west direction) and existing water tunnels and portals through Tsung Shan;
- (c) major built structures in the Area namely : Caritas Centre, ex-Sing Ping Public School, Ta Kwu Ling District Rural Committee Building, Wun Chuen Sin Kwoon, ex-Ping Yeung Public School and Baptist Assembly;
- (d) permitted traditional burial grounds for indigenous villagers located near Ta Kwu Ling, Shui Hau, north-west of Tai Po Tin and north of Ping Che Kak Tin; and
- (e) agricultural land under active cultivation, mostly located near Lei Uk, Ping Yeung, Tai Po Tin, Ping Che Yuen Ha and Sheung Shan Kai Wat.

8. GENERAL PLANNING INTENTION

- 8.1 The North East New Territories Development Strategy Review (NENT DSR) was commissioned by the Government to examine development opportunities and constraints in the NENT. A wide range of land use and transport issues were studied and recommendations of the NENT DSR have been adopted to form the land use planning framework for the NENT.
- 8.2 The NENT DSR indicates that the NENT could accommodate a share of the population growth and contribute to the economic development of the territory. Apart from urban development, the NENT DSR also recognizes the potential recreational opportunities of the NENT in view of the high quality of natural environment and landscape amenity. A balance should therefore be maintained to facilitate development on selected areas and promote landscape protection in the NENT. Whilst the NENT will continue to accommodate a certain extent of conventional manufacturing and warehouse activities, it is the intention to discontinue those polluting and non-conforming uses.
- 8.3 The general planning intention of the Area is to promote the conservation of the rural character so as to control urban sprawl, reduce flood risk and preserve agricultural land, and to achieve coherent planning and control of the open storage and industrial developments.
- 8.4 Industrial uses may include small-scale workshops and open storage uses. Residential developments should be limited to the upgrading of temporary structures, village expansions and small-scale infill projects. Any new activities or developments will need to demonstrate the suitability in terms of infrastructural capacity, traffic conditions and environmental impacts.

9. LAND USE ZONINGS

9.1 Residential (Group C) ("R(C)") : Total Area 1.26 ha

- 9.1.1 This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 9.1.2 Within this zoned area, development and/or redevelopment is subject a maximum total gross floor area of 2,030m<sup>2</sup> (i.e. a maximum domestic total gross floor area of 885m<sup>2</sup> and a maximum non-domestic gross floor area of 1,145m<sup>2</sup>), a maximum site coverage of 20%, and a maximum building height of 3 storeys (10.6m above the mean site formation level).
- 9.1.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the gross floor area/site coverage/building height restrictions stated in paragraph 9.1.2 above may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.2 Village Type Development ("V") : Total Area 40.64 ha

- 9.2.1 The planning intention of this zone is to designate both existing recognized



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villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

- 9.2.2 The boundaries of the “V” zones are drawn up having regard to the existing village ‘environs’, outstanding Small House applications, Small House demand forecast, topography and site constraints. Areas of difficult terrain, dense vegetation, burial grounds and streamcourses have been avoided where possible. Village expansion areas and other infrastructural improvements will be guided by detailed layout plans whenever applicable.
  - 9.2.3 As recommended by the Environmental Protection Department, all the village houses close to Sha Tau Kok Road are subject to adverse noise impact from this heavily trafficked road. Hence future village housing development in Hung Leng Village and Leng Tsai Village should have adequate setback from the road, otherwise, suitable noise mitigation measures such as appropriate design of buildings and/or noise barriers would be required.
  - 9.2.4 As advised by the District Lands Office/North, there are seven recognized villages in the Area, namely Hung Leng, Leng Tsai, Ping Che (including Ping Che Kak Tin and Ping Che Yuen Ha), Ping Yeung, Lei Uk, Tai Po Tin and Shan Kai Wat (i.e. Sheung Shan Kai Wat and Ha Shan Kai Wat).
  - 9.2.5 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction stated in the Notes may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 9.3 Industrial (Group D) (“I(D)”) : Total Area 14.64 ha
- 9.3.1 This zone is intended primarily for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements. It is also intended for the redevelopment of existing informal industrial uses, which are operated in workshop premises in rural area, to properly designed permanent industrial buildings.
  - 9.3.2 Near the Ta Kwu Ling Farm and the Ta Kwu Ling Rural Centre, there are a number of existing open storage and industrial developments which have caused adverse environmental impacts on the adjoining areas. Such uses include car dumps on both sides of Ping Che Road (between the Ta Kwu

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Ling Rural Centre and Ta Kwu Ling Farm), the workshops adjoining ex-Ping Yeung Public School, the industrial workshops to the east of Ping Che Village as well as the concrete products factory near Tai Po Tin. These areas are zoned "I(D)" with a view to promoting gradual redevelopment of these sites and achieving environmental improvement of the Area.

- 9.3.3 In view of the limited infrastructure in the Area and the special requirements of different industrial undertakings (e.g. higher ceiling, extensive parking and manoeuvring space), the development restrictions for the "I(D)" zone in the Area are as follows :
- (a) Maximum plot ratio of 1.0 and a maximum site coverage of 60%; and
  - (b) Maximum building height limit of 13m.
- 9.3.4 To improve the general environment of the Area, new industrial developments within the "I(D)" zone are encouraged to be constructed with permanent materials. Each establishment shall include water supply, drainage and sewage disposal facilities; to minimise pollution, new sites shall be connected to a Government reticulatory sewage system or provided with satisfactory on-site sewage treatment facilities.
- 9.3.5 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio/site coverage/building height restrictions stated in paragraph 9.3.3 above may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

### 9.4 Open Storage ("OS") : Total Area 124.52 ha

- 9.4.1 This zone is intended primarily for the provision of land for appropriate open storage uses and to regularise the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises. In addition, upgrading of existing workshop/warehouse and provision of new industrial development, though not encouraged, may be permitted on application to the Board. Development proposals for such purposes have to demonstrate clearly that the operations could not be accommodated in conventional flatland factories or godown premises, and the proposed open storage uses would have no adverse environmental, drainage and traffic impacts on the surrounding areas. The Board will consider each development proposal on its individual merits. Sympathetic consideration may be given to industries having extensive land requirement and not polluting in nature.
- 9.4.2 Certain open storage uses such as container storage, vehicle stripping or breaking yard and open storage of chemical products or dangerous goods etc. which may cause environmental nuisance, safety hazards or transport problems require planning permission from the Board. Other storage uses, such as storage of agricultural products, construction materials (except open storage of cement/sand) and equipment, which are unlikely to

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cause adverse environmental and traffic problems, are always permitted in this zone.

- 9.4.3 In view of the proliferation of open storage uses in the southern part of the Area, especially areas near Wang Leng, Pak Hok Shan and along Ping Che Road, there are sites zoned "OS" in and around these areas. The south-western part (located to the west of Ping Che Road) covers the open storage yards and industrial workshops located along Sha Tau Kok Road and Ping Che Road and those situated to the west and east of Wang Leng. Moreover, there are "OS" sites located to the east of Ping Che Road covering the area to the east of Ping Che Village, the open storage yards around Pak Hok Shan and the industrial workshops to the west of Shui Lau Hang.
- 9.4.4 To facilitate the open storage uses on the areas to the east and north-east of Ping Che Village, improvement works such as the upgrading of both the access roads from Wo Keng Shan Road and Ng Chow Road, widening of the carriageway and providing passing bays with a view to improving the overall safety of the road users were carried out. The improvement works were completed in April 2003.
- 9.4.5 Planning control will be exercised through the granting of planning permission and justifications are required to demonstrate that there will be no traffic, environmental, drainage and sewage impacts to the surrounding areas and that adequate parking, vehicular access and vehicle manoeuvring space will be provided within the application site.

### 9.5 Government, Institution or Community ("G/IC") : Total Area 17.63 ha

- 9.5.1 This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. The Ta Kwu Ling Rural Centre located along Ping Che Road and to the west of Ping Che is to accommodate government, community as well as retail/commercial facilities at a convenient location and serve as a focal point of the Area.
- 9.5.2 As detailed planning proceeds, other land within the Area may be designated from other uses to this category to meet the envisaged demand of the growing population of the Area. Caritas Centre, ex-Ping Yeung Public School, Ta Kwu Ling District Rural Committee Building, Wun Chuen Sin Kwoon, Ta Kwu Ling Farm, Baptist Assembly, an electric sub-station and a telephone exchange near Hung Leng Village are zoned "G/IC" on the Plan to reflect the existing uses.

### 9.6 Government, Institution or Community (1) ("G/IC(1)") : Total Area 1.31 ha

- 9.6.1 This zone is intended primarily for the expansion of the adjoining religious institution use (Wun Chuen Sin Kwoon) with associated columbarium use. Any development within this zone shall be low-density and low-rise in

## Ta Kwu Ling, North District, New Territories.

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nature and shall be compatible and blend in harmoniously with its surrounding environment.

9.6.2 Within this zone, development and/or redevelopment is subject to a maximum gross floor area of 3,099m<sup>2</sup>, a maximum site coverage of 15.8% and a maximum building height of 19m above the mean site formation level. The maximum number of niches for columbarium use under Column 1 of the zone shall not exceed 6,776. Provision of additional number of niches other than that specified above may be considered by the Board through the planning permission system. Planning applications to the Board should be supported by technical assessments. The maximum number of niches for columbarium use within this zone as a whole shall not exceed 12,848.

9.6.3 To provide flexibility for design, minor relaxation of the gross floor area/site coverage/building height restrictions stated in paragraph 9.6.2 above may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

### 9.7 Open Space ("O") : Total Area 0.47 ha

This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. Two existing football pitches and sitting out areas near Ping Che Village and the ex-Sing Ping Public School are zoned "O".

### 9.8 Agriculture ("AGR") : Total Area 265.30 ha

9.8.1 This zone is intended primarily to retain and safeguard good quality agricultural land/farms/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. The Area has been one of the established agricultural bases in the NENT and most of the agricultural land in the Area is of good quality according to the grading exercise undertaken by the Agriculture, Fisheries and Conservation Department which has taken into account the existing availability and quality of infrastructural and marketing facilities. Notwithstanding the proliferation of open storage and industrial uses in the Area and the general decline in agricultural activities in the territory, there is a significant amount of actively cultivated land concentrated in the northern and southern parts, along Ng Tung River of the Area.

9.8.2 The land under active cultivation is intermixed with livestock sheds and fallow agricultural land which has good potential for rehabilitation for cultivation purpose. Temporary domestic structures of small scale have been erected around the agricultural land and livestock sheds. Apart from the village housing inside the recognized villages, these domestic structures remain the key accommodation for the rural population.

9.8.3 In general, there are four major "AGR" zones in the Area and two of these zones are located in the northern part (to the north of Pak Hok Shan). The "AGR" zone in the north-east comprises actively cultivated land near Ping Yeung Village and the ex-Sing Ping Public School as well as the fallow

## Ta Kwu Ling, North District, New Territories.

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agricultural land at Shek O.

- 9.8.4 The “AGR” zone in the north-west comprises actively cultivated land near Lei Uk Village, Tai Po Tin Village and Ha Shan Kai Wat Village and the adjoining fallow agricultural land. Owing to the limited provision of infrastructure and the need to preserve the rural character, existing industrial and open storage uses clustered in the areas to the south of Lei Uk Village and to the east of Ha Shan Kai Wat Village should be relocated in the long run. Proliferation of industrial activities and open storage uses in the area should be deterred since these haphazard developments would worsen interface problems and traffic conditions around existing villages.
- 9.8.5 In the south-western part of the Area, despite the infiltration of open storage and industrial development, much of the land along Ng Tung River and Kwan Tei River is still under active cultivation, the area to the south of Wang Leng is one of the examples. These plots of cultivated land are usually intermixed with temporary domestic structures. In order to encourage farming activities and protect the arable land, these plots of land are zoned “AGR”.
- 9.8.6 The agricultural land at the south-eastern part of the Area is largely categorised as good quality and much of it is still under active cultivation. Plots of cultivated land near Hung Leng, Leng Tsai and Ng Tung River are some of the examples. The “AGR” zoning is designated to preserve existing agricultural use. Several open storage yards and car-repairing workshops located to the north of Sha Tau Kok Road (near Leng Tsai) are non-conforming existing uses which should be relocated to other areas in the long run.
- 9.8.7 As filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.
- 9.9 Green Belt (“GB”) : Total Area 87.24 ha
- 9.9.1 The planning intention of this zone 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.
- 9.9.2 The “GB” sites within the Area include the footslopes of Cheung Shan (in the east) and Tsung Shan in the west, the vegetated knolls and clusters of trees scattered within the Area.
- 9.9.3 Limited developments may be permitted if they are justified on strong planning grounds. Developments requiring planning permission from the

## **Ta Kwu Ling, North District, New Territories.**

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Board will be assessed on their individual merits taking into account the relevant Town Planning Board Guidelines.

- 9.9.4 As filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

### **10. CULTURAL HERITAGE**

Several spots of archaeological interests are identified in Shui Hau and Ha Shan Kai Wat. Hung Leng Archaeological Site, Ping Che Archaeological Site, and two graded historic buildings namely Hung Shing Temple at Hung Leng (Grade II) and Tin Hau Temple at Ping Che (Grade II) are located within the Area. Several historic villages and buildings are also located within the Area, namely Sam Tung Uk at Kwan Tei, Hung Leng, Ping Che, Ping Yeung, Lei Uk, Sheung Shan Kai Wat and Ha Shan Kai Wat. These archaeological sites and historic villages/buildings are worthy of protection and preservation. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department is required for any development or redevelopment proposals affecting the above archaeological sites, historic villages/buildings and their immediate environs.

### **11. COMMUNICATIONS**

#### **11.1 Road Network**

- 11.1.1 The Area is linked to Fanling/Sheung Shui New Town and Sha Tau Kok via the main road network of Sha Tau Kok Road and Ping Che Road. Areas along these two roads are served by buses and public light buses. The van tracks leading from these two roads to the hinterland are largely substandard and bumpy.
- 11.1.2 The 'Widening of Ping Che Road (from Sha Tau Kok Road to Ping Yeung Road)' and 'Dualling of Sha Tau Kok Road (from Lung Yeuk Tau junction to Ping Che Road junction)' were completed in 1997 and 1999 respectively. These road improvement projects would improve the traffic condition in relation to open storage uses and informal industrial developments in the southern part of the Area.
- 11.1.3 The widening of the van track (about 150m) at Kwan Tei North to a single two-lane 7.3m road including the construction of a new vehicular bridge, and the provision of 2m wide pedestrian walkway to one side of the proposed road and associated drainage facilities were completed in mid 2007.
- 11.1.4 In order to improve the accessibility within the "OS" zones, new roads should be constructed and the existing van tracks have to be widened to standard roads of 7.3m wide with 2m wide footpaths on both sides.

**12. UTILITY SERVICES**

**12.1 Water Supply**

12.1.1 Fresh water supply for potable use, flushing and fire-fighting are generally available to the Area. Although the proposed land uses within the Area would not result in a significant increase in population, additional waterworks installations to improve the provision of fire-fighting supply will be provided in the Area to tie in with the open storage and informal industrial developments.

12.1.2 The Fire Services Department advises that in order to further improve the provision of fire-fighting water supply, standard pedestal fire hydrants should be installed at 100m intervals along the roads serving the open storage and industrial developments. Otherwise, individual developers may be required to provide fire-fighting water tank with pumping facility within the developments.

**12.2 Electricity**

The Area is supplied with electricity and no problem of electricity supply is envisaged.

**12.3 Gas**

There is gas main installation along Sha Tau Kok Road. Gas supply to the area would be available by further extension of the gas main. The situation will be continuously reviewed by the Hong Kong and China Gas Company Limited according to the latest development.

**13. IMPLEMENTATION**

13.1 The Plan provides a broad land use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.

13.2 At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.

13.3 Notwithstanding the above, minor improvement works, e.g. road widening and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned use indicated on the Plan, provided that their proposals meet Government requirements.

**14. PLANNING CONTROL**

- 14.1 The types of permitted developments and uses within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the IDPA plan and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans and layout plans, and guidelines published by the Board. The outline development plans and layout plans are available for public inspection at the Planning Department. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website and are available from the Secretariat of the Board, and the Technical Services Division and relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on or after 17 August 1990 on land included in a plan of the Ping Che and Ta Kwu Ling IDPA may be subject to enforcement proceedings under the Ordinance. Any filling of land/pond and excavation of land in the relevant zones on or after the exhibition of the specific plan referred to in the Notes of the relevant zones without the permission from the Board may also be subject to enforcement proceedings.



**Ta Kwu Ling, North District, New Territories.**

## **APPENDIX C**

### **Lease Document for The subject lots**

Ta Kwu Ling, North District, New Territories.

**This Indenture** made the twenty seventh day of March 1912

One thousand nine hundred and twelve Between Our Sovereign LORD EDWARD VII, by the GRACE of GOD, of the United Kingdom of GREAT BRITAIN and IRELAND and of the BRITISH Dominions beyond the Seas King, Defender of the Faith, Emperor of INDIA, of the one part, and the several persons, clans, families and "tongs" whose names are set out in the Schedule hereunder written or in any Schedule which may hereafter be substituted therefor and may be certified by the Governor of Hongkong to embody the same awards of the Land Court of the New Territories as are embodied in the Schedule hereunder written, or in any Supplemental Schedule signed by the said Governor which may hereafter be attached hereto (which original Schedule, Substituted Schedule and Supplemental Schedules are hereinafter included in the expression "the Schedule hereto") and each of whom and whose respective Heirs, Executors, Administrators, Managers and Assigns are where not inapplicable hereinafter included under the designation of "the Lessee" of the other part: Albertas Sir MATTHEW NAZIAN, Knight Commander of the most Distinguished Order of Saint Michael and Saint George is now the duly constituted and appointed Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and is duly authorized to enter into these presents in the name and on behalf of His said Majesty: **Now this Indenture witnesseth** that in consideration of the yearly rents and covenants and stipulations hereinafter reserved and contained, by and on the part and behalf of each Lessee respectively to be paid, done and performed, His said Majesty KING EDWARD VII **Doth** hereby grant and demise unto each Lessee **All** that piece or parcel of ground situate, lying and being in Survey District No. 82 in the New Territories in the Colony of Hongkong set out and described in the Schedule hereto opposite to the name of such Lessee **And** which said piece or parcel of ground is more particularly delineated and described on the plan or plans of Survey District No. 82 attached hereto according to the lot number set out in the Schedule hereto opposite to the name of such Lessee and marked on the said plan Together with the messuages, erections and buildings thereon And all the easements and appurtenances whatsoever to the said demised premises belonging, or in anywise appertaining, **EXCEPT AND RESERVED** unto His said Majesty, His Heirs, Successors and Assigns all Mines, Minerals, and Quarries of Stone in, under and upon the said premises, and all such Earth, Soil, Marl, Clay, Chalk, Brick-earth, Gravel, Sand, Stone and Stones, and other Earths or Materials, which now are or hereafter during the continuance of this demise shall be under or upon the said premises, or any part or parts thereof, as His said Majesty, His Heirs, Successors or Assigns may require for the Roads, Public Buildings, or other Public Purposes of the said Colony of Hongkong: with full liberty of Ingress, Egress, and Regress, to and for His said Majesty, His Heirs, Successors and Assigns, and His and their Agents, Servants, and Workmen at reasonable times in the day during the continuance of this demise, with or without horses, carts, carriages, and all other necessary things, into, upon, from and out of all or any part or parts of the premises hereby expressed to be demised to view, dig for, convert and carry away, the said excepted Minerals, Stone, Earths and other things respectively, or any part or parts thereof respectively, thereby doing as little damage as possible to the Lessees; **AND ALSO SAVE AND EXCEPT** full power to His said Majesty, His Heirs, Successors and Assigns, to make and conduct in, over, along, through or under the said premises, all and any Public or Common sewers, drains, or water-courses, water or other mains, telegraph and telephone lines with full power at all times to enter into and upon the said demised premises for the purpose of making, laying, erecting inspecting or repairing the same or otherwise in connection therewith **To have and to hold** unto each Lessee the said piece or parcel of ground and premises hereby expressed to be demised to such Lessee, with their and every of their appurtenances, from the first day of July One thousand eight hundred and Ninety-eight for and during and unto the full end of the term of Seventy-five years except in the case of those lots opposite which a different term of years or tenancy is stated in the Schedule hereto which lots shall be held for the term of years or tenancy so stated Subject nevertheless to all existing Public or Private rights and easements in, over, along, through or under the said demised premises or any part or parts thereof respectively or in any wise appertaining thereto and subject also to such mortgages, incumbrances, tenancies, estates and interest (if any) as are mentioned in the Schedule hereto or are duly entered against the same premises in the registers thereof in the Land Office and subject to all existing rights of all persons occupying the said premises as tenants or mortgagees of the lessee; **yielding and paying** therefor yearly and every year the sum stated in the Schedule hereto against the said Lot number or such other sum as may hereafter be

**Ta Kwu Ling, North District, New Territories.**

fixed in lieu thereof under the provisions next hereinafter contained in Current Money of the said Colony of Hongkong, on the thirtieth day of June in every year free and clear from all Taxes, Rates, Charges, Assessments and Deductions whatsoever, charged upon or in respect of the said premises or any part thereof, payment of the said Rent for the current year becoming due on the thirtieth day of June One thousand nine hundred and five; **Provided always and it is hereby agreed and declared** that on the expiration of the first ten years of the term hereby granted the rent hereby reserved shall cease and thereafter such rent shall be paid and become payable in respect of the said premises for the residue of the term hereby granted as shall be fairly and impartially fixed by the Surveyor to His said Majesty, His Heirs, Successors or Assigns (now the Director of Public Works) as the fair and reasonable rental value of the ground at that date; **Provided also** that in the event of any building being erected on any premises expressed to be demised as agricultural or garden ground the rent payable in respect of such premises shall be such sum as shall be specified in the licence for the erection of such building to be granted in manner hereinafter appearing: **And** each Lessee for himself and herself and for his and her own acts and deeds only and not the one for the other of them doth hereby covenant with His said Majesty, His Heirs, Successors and Assigns by these presents in manner following, that is to say, that the Lessee shall and will yearly, and every year, during the said term hereby granted, well and truly pay or cause to be paid to His said Majesty, His Heirs, Successors and Assigns, the said yearly Rent stated in the Schedule hereto opposite the Lot number of the premises demised to him or her or such other rents as shall become payable under the provisions hereinbefore contained clear of all deductions as aforesaid on the several days and times and in the manner hereinbefore reserved and made payable: **AND ALSO** that the Lessee shall and will during all the said term hereby granted, bear, pay and discharge all taxes, rates, charges and assessments whatsoever, which now are or shall be hereafter assessed or charged upon, or in respect of, the said premises hereby expressed to be demised to him or her or any part thereof: **And** will pay the said taxes, rates, charges and assessments for each and every year by annual payments in advance with the rent hereinbefore reserved on the thirtieth day of June in every year: **AND ALSO** that the Lessee shall and will, from time to time, and at all times hereafter when, where, and as often as need or occasion shall be and require, at his or her and their proper costs and charges, well and sufficiently Repair, Uphold, Support, Maintain, Pave, Purge, Scour, Cleanse, Empty, Amend and keep the messuage or tenements, and all other erections and buildings, now or at any time hereafter standing upon the said pieces or parcels of ground hereby expressed to be demised, and all the Walls, Rails, Lights, Pavements, Privies, Sinks, Drains, and Water-courses thereunto belonging and which shall in anywise belong or appertain unto the same, in, by, and with all and all manner of needful and necessary reparations, cleansing and amendments whatsoever, the whole to be done to the satisfaction of the Surveyor of His said Majesty, His Heirs, Successors or Assigns, **And** the said messuage or tenement, erection, buildings and premises being so well and sufficiently repaired, sustained and amended, at the end or sooner determination of the said term hereby granted shall and will peaceably and quietly deliver up to His said Majesty, His Heirs, Successors or Assigns: **And** further it shall and may be lawful to and for His said Majesty, His Heirs, Successors or Assigns, by His or their Surveyor, or other persons deputed to act for Him or them, twice or oftener in every year during the said term, at all reasonable times in the day, to enter and come into and upon the said premises hereby expressed to be demised to view, search, and see, the conditions of the same, and of all decays, defects, and wants of reparation and amendments, which upon every such view or views shall be found, to give or leave notice or warning in writing, at or upon the said premises or some part thereof, unto or for the Lessee to repair and amend the same within Three Calendar Months then next following, within which said time or space of Three Calendar Months, after every such notice or warning shall be so given, or left as aforesaid, the Lessee will repair and amend the same accordingly: **AND FURTHER** that the Lessee or any other person or persons shall not, nor will, during the continuance of this demise, use, exercise or follow, in or upon the said premises, or any part thereof, any noisy, noisome or offensive trade or business whatever, nor convert any ground hereby expressed to be demised as agricultural or garden ground into use for building purposes other than for the proper occupation of the same ground as agricultural or garden ground without the previous Licence of His said Majesty, His Heirs, Successors or Assigns, signified in writing by the Governor of the said Colony of Hongkong, or other person duly authorized in that behalf: **AND FURTHER** that the Lessee or any other person or persons shall not nor will at any time during the said term erect or construct any building or structure of any description on the said demised premises or any part thereof whether demised as agricultural or garden ground or otherwise without first having obtained the approval thereto of the Surveyor to His said Majesty, His Heirs, Successors or Assigns, or other person duly authorized by the Governor of the said Colony of Hongkong, in that behalf: **AND ALSO** that the Lessee shall not, nor will, assign, demise, mortgage, or otherwise part with, all or any part of the said premises hereby expressed to be demised for all or any part of the term hereby expressed to be granted without forthwith registering such alienation in the Land Office, or such other Office as may hereafter be instituted for the purposes of Land Registration in the said Colony of Hongkong, and paying all reasonable fees and other expenses thereon:

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~~Provided~~ always, and it is hereby agreed and declared, that in case the said yearly rents hereinbefore reserved, or any part thereof, shall be in arrear and unpaid by the space of twenty-one days next over, or after any or either of the said days whereon the same ought to be paid as aforesaid (whether lawfully demanded or not) or in case of the breach or non-performance of any or either of the covenants and conditions herein contained, and by or on the part and behalf of the Lessee to be kept done and performed, then, and in either of the said cases, it shd and may be lawful to and for His said Majesty, His Heirs, Successors or Assigns, by the Governor of Hongkong, or other person duly authorized in that behalf, in and upon the said premises hereby expressed to be demised in respect of which such rent shall be in arrear or such breach or non-performance shall have occurred or any part thereof in the name of the whole, to re-enter, and the same to have again, retain, re-possess, and enjoy, as in His their first or former estate, as if these presents had not been made, and the Lessee and all other occupiers of the said premises thereout and there utterly to expel, put out and remove, this Indenture or anything contained herein to the contrary notwithstanding: ~~Provided~~ also, and it is hereby further agreed and declared that His said Majesty, His Heirs, Successors and Assigns, shall have full power to resume, enter into, and re-take possession of all or any part of the premises hereby expressed to be demised, if required for the improvement of the said Colony of Hongkong, or for any other public purposes whatsoever, Three Calendar Months' notice being given to the Lessee of its being so required, and full and fair compensation for the said Land and the Buildings thereon, being paid to the said Lessee at a valuation, to be fairly and impartially made by the Surveyor of His said Majesty, His Heirs, Successors or Assigns, and upon the exercise of such power the term and estate hereby created shall respectively cease, determine and be void: ~~Provided~~ also, and it is hereby further agreed and declared that each Lessee shall in such cases where the premises are demised for a term of Seventy-five Years be entitled on the expiration of the said term of Seventy-five Years to a renewed Lease of the premises respectively demised him or her for a further term of twenty-four Years less three days without payment of any Fine or Premium therefor and at the Rent hereinafter mentioned; And His said Majesty, His Heirs, Successors or Assigns shall and will at the request and cost of such Lessee grant unto him or her on the expiration of the said term of Seventy-five Years hereby granted a new Lease of the said premises for the term of twenty-four Years less three days such Rent as shall be fairly and impartially fixed by the Surveyor of His said Majesty, His Heirs, Successors, or Assigns as the fair and reasonable real value of the ground at the date of such renewal; And in all other respects such new Lease shall be granted upon the same terms and under and subject to the same reservations, covenants, stipulations, provisos and declarations as are contained in this present Lease with the exception of the proviso for renewal which shall not be contained in such new Lease. In ~~Witness~~ whereof the said Sir MATTHEW NATHAN duly authorized by His Majesty as aforesaid hath executed these presents, and hereunto set the Public Seal of the Colony of Hongkong aforesaid, in the Name and on behalf of His said Majesty.

*Matthew Nathan*

LS

Examined and certified to be correct,

*Ch. S. Harrison*  
*Deputy Land Officer*

Land Officer.

Ta Kwu Ling, North District, New Territories.

SCHEDULE OF CROWN LESSEES.

DISTRICT No. 12

Lot No.	Term of lease in years	Description of Lot	Name of Owner		Crown Rent		Remarks
			Chinese	Transliteration	Address	Class	Rate
570	15	Good			廖鳳湖	3d	06
571	15					"	09
572	15					"	10
573	15					"	05
574	15					1d	06
575	15					"	10
576	15	Very cultivated				3d	11
577	15					"	06
578	15					"	12
579	15					"	06
580	15					"	01
581	15					"	01
582	15					"	01
583	15					"	05
584	15	Good			李屋村	2d	14
585	15					"	16
586	15					"	03
587	15				鳳凰湖	"	14
588	15				李屋村	3d	11
589	15	Very cultivated			鳳凰湖	"	05
590	15					"	01
591	15					"	08
592	15					"	03
593	15					"	43
594	15				李屋村	"	26
595	15				鳳凰湖	"	04
596	15					"	09
597	15				李屋村	"	19
598	15				鳳凰湖	"	17
600	15	Very cultivated				"	10
601	15	Very cultivated				"	22
602	15					"	02
603	15					"	04
604	15					"	09
605	15					"	09
606	15					"	12
607	15					"	34