**Form 2A - Application for Deemed Compliance on Completion of
\*Landscape Master Plan (LMP)/ Landscape Proposal (LP) for
Compliance of Landscape Clause under Lease** Notes (1), (2) & (5)

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| **To:** | **\*District Lands Office/#\_\_\_\_\_\_\_\_/ #\_\_\_\_\_\_\_\_\_ Section of Lands Department** |

 |

| **Section I** |
| --- |
| Lot Number (No.) | #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Address | #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Approved Plan(s) | \*LMP/ LP approved by the Director of Planning on #\_\_\_\_\_\_\_\_ *(dd/mm/yyyy)* under the application (if applicable) below:Planning application no. #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Drawing No(s). & Rev. #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(Copy of the drawings attached in Section III) |

| **Section II** |
| --- |
| [ ]  | I/ We, #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby confirm that I am/ we are the \*Lot Owner(s)/ Representative of Lot Owner(s) to act on his/their behalf for application of deemed compliance to be given under Special Condition No(s). #\_\_\_\_\_\_\_\_ of the lease. |
| [ ]  | I, #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby confirm that I am a Registered Landscape Architect (RLA) (Registration No. #\_\_\_\_\_\_\_\_\_\_) registered under the Landscape Architects Registration Ordinance (Cap. 516). The owner(s) of the above lot has/ have appointed or authorized me to act on his/ their behalf for application of deemed compliance to be given under Special Condition No(s). #\_\_\_\_\_\_\_ of the lease. |

| **Section III** |
| --- |
| I refer to paragraph 8 of Lands Administration Office (LAO) Practice Note No. 1/2020 (PN 1/2020) issued by Lands Department (LandsD) and hereby certify that the completed landscape works are approved by \*Town Planning Board (TPB)/ Planning Department (PlanD) as indicated in Section I, |
| [ ]  | the lot boundary under the lease is \*the same as/ different from the boundary of the planning application site. |
| [ ]  | without amendment to the \*LMP/ LP previously approved by \*TPB/ PlanD dated #\_\_\_\_\_\_\_\_\_\_\_\_ *(dd/mm/yyyy)* and previously deemed approval given by LandsD dated #\_\_\_\_\_\_\_\_\_\_\_\_ *(dd/mm/yyyy)* Note (3). |
| [x]  | A copy of the approval letter(s) dated #\_\_\_\_\_\_\_\_\_\_\_\_ *(dd/mm/yyyy)* from \*TPB/ PlanD/ LandsD is hereby **attached**. |
| AND |  |
| [ ]  | There is a site coverage of greenery (SCG) requirement specified in the lease, and the provision and calculation of greenery area are consistent with that shown on the building plan accepted by the Buildings Department (BD). |
| AND |  |
| [x]  | A copy of the approval letter issued by BD on the SCG requirement (Ref: #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) dated #\_\_\_\_\_\_\_\_\_\_\_\_\_ *(dd/mm/yyyy)* is hereby **attached**. |

|  |
| --- |
| **Section IV - Tree Preservation and Removal Proposal (TPRP)** |
| Regarding the TPRP, the completion of landscape works approved by \*TPB/ PlanD as indicated in Section I, |
| [ ]  | does not involve any existing tree(s) including Old and Valuable Trees, trees of particular value, and any other trees as designated and preserved under lease. |
| [ ]  | involves completed TPRP for deemed compliance with the tree preservation clause of the lease Note (4). |

| **Section V** |
| --- |
| I/ We hereby acknowledge that the above application for deemed compliance and the deemed compliance (if given) of the landscape clause under lease pursuant to PN 1/2020 and PN 1/2020A will be limited to the landscape works within the lot, and should not be construed as an acknowledgement that anything indicated in the application for deemed compliance or the approved or implemented LMP/LP is in all respects in compliance with other lease conditions. I/ We further acknowledge that any such deemed compliance, if given, will not in any way prejudice or affect any rights of the Government under the lease including the right to take lease enforcement action in respect of any breach or failure to observe any of the lease conditions which may exist at the date when the deemed compliance is given, and that any such compliance, if given, will not in any way prejudice or affect LandsD’s rights to withdraw or revoke the deemed compliance for any reasons, and that LandsD reserves its right to withdraw or revoke the deemed compliance if it finds out at any time that the landscape works have not been completed in accordance with the approved LMP/ LP.I/ We hereby certify that the information in this application is true and complete. I/ We understand that if any incorrect or incomplete information is provided, a complaint may be lodged with the Landscape Architects Registration Board for investigation of the alleged misconduct or negligence pursuant to the Landscape Architects Registration Ordinance (Cap. 516).I/ We hereby acknowledge that the Director of Lands (the Director) is not obliged to keep the content of this application, its enclosures or any documents submitted in support of or in relation to this application confidential, particularly in circumstances when the Director considers that disclosure is in the public interest and/or it would be reasonable for the Director to accede to requests from third parties with interest over the above lot for access to the same. This acknowledgement applies irrespective of whether the consent in the following paragraph is given or not. |
| [ ]  | Insofar as my/ our consent is required under any statutory, regulatory or other provisions, I/ we hereby consent and/ or have procured consent from the relevant intellectual property rights owner that the Director may disclose the content of this application, its enclosures or any documents submitted in support of or in relation to this application to any third party including members of the public upon request of any such third party, media or otherwise, or on LandsD’s own accord. |

| **Section V (cont’d)** |
| --- |
| Signature*(signed by the \*Lot Owner/ Representative of the Lot Owner/ Registered Landscape Architect (RLA)**with valid registration chop affixed, if any )* | #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Name of \*Lot Owner/ Representative of the Lot Owner/ RLA | #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Registration No. (if any) | #\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Date | #\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(dd/mm/yyyy)* |

**Notes:**

|  |  |
| --- | --- |
| 1. This Form shall be submitted for application of deemed compliance on the completed LMP/ LP to comply with landscape clauses under leases for cases in connection with planning applications under paragraph 8 of PN 1/2020. If approval given by PlanD on the satisfactory implementation of the LMP/ LP is not obtained prior to the application for deemed compliance, the application will not be processed by LandsD.
2. All references to “lease” in this Form shall include Conditions of Sale / Grant / Exchange, etc. as the case may be.
3. Approval procedures in accordance with paragraph 10 of PlanD’s PNPP No. 1/2019 shall be followed for Class B amendments to the approved LMP/ LP.
4. RLA is required to submit an application for deemed compliance on the completed TPRP as part and parcel of the implemented LMP/ LP approved by PlanD for compliance with the tree preservation clause under lease in accordance with procedures set out in LAO PN No. 2/2020 issued by LandsD.
5. For cases where landscape requirements imposed as a lease condition upon request by other concerned Bureau/Department (B/D) or for areas to be handed back to the Government or areas to be formed outside lot boundary or government land designated by colour (Coloured Areas) on the lease plan, the concerned B/D will be responsible for compliance checking both at the submission and implementation stages in accordance with the relevant clauses under lease, JPN 3 and DEVB TC(W) No. 6/2015.
 |  |

\* Select as appropriate

#Fill in as appropriate

□ Tick as appropriate

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Personal Information Collection Statement*

*PLEASE READ THE FOLLOWING*

*BEFORE COMPLETING THIS FORM*

*1. The information provided in this application, its attachments/ enclosures or any documents submitted will be used by Lands Department for the purposes of considering and processing application for deemed compliance on the completed LMP/LP for compliance with the landscape clause under lease and for other purposes related to such application.*

*2. The provision of the information in this application, its attachments/ enclosures or any documents submitted is required for administering compliance with the lease conditions. The provision of personal data in this application is obligatory. Your application will not be processed if you fail to provide all the information as requested.*

*3. All the information provided in this application, its attachments/ enclosures or any documents submitted may be disclosed to other government bureaux/ departments for the purposes mentioned in paragraphs 1 and 2 above.*

*4. You have the right of access and correction with respect to personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance (Cap. 486). Such right of access incudes the right to obtain a copy of the personal data provided in this application on payment of the applicable charge.*

*5. Enquiries on the personal data collected, including the request for access to and correction of the data, should be addressed to the Departmental Personal Data Controlling Officer of Lands Department, 20/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.*