

Information Note

Streamlined Arrangement for the Use of Ground Reinforcements in Adjoining Government Land for Excavation in the Development or Redevelopment of the Lot

This Information Note sets out the streamlined arrangement (“the Streamlined Arrangement”) implemented by the Lands Department (“LandsD”) for processing an application for permission to encroach into the stratum of the Government land adjoining a private lot by the use of ground reinforcements¹ (“the Encroachment”) pertinent to the excavation carried out in the lot.

Existing Practice

2. For an application to permit the Encroachment into the Government land (“the Disturbed Land”) adjoining the lot (“the Intruding Lot”) pertinent to the excavation in site formation or excavation and lateral support works in the development or redevelopment of the Intruding Lot, it is the existing practice of LandsD that the works should be confined within the lot boundary, **unless** there are exceptional geotechnical reasons to substantiate the Encroachment with the advice from the Geotechnical Engineering Office (“GEO”) of the Civil Engineering and Development Department (“CEDD”).

Streamlined Arrangement

3. To echo the Government’s directive in streamlining the development control and workflow as far as possible, and with a view to expediting the development process promoted by Development Bureau², LandsD will favourably consider an application for the permission for the Encroachment pertinent to the excavation carried out in the Intruding Lot (“the Permission”), **without** requiring the Authorized Persons (“AP”)/ Registered Structural Engineers (“RSE”)/ Registered Geotechnical Engineers (“RGE”) appointed by the lot owner to provide full justifications demonstrating the exceptional geotechnical reasons for the Encroachment as against alternative methods available.

4. A set of the site formation or excavation and lateral support plans (“the Plans”) prepared by the AP/ RSE/ RGE appointed by the lot owner, proposing the installation of the ground reinforcements³ and, as the case may be, the retraction of the ground reinforcements and reinstatement of the Disturbed Land or the removal of the anchor heads of the ground reinforcements (“the Works”) must be submitted to the Buildings Department for approval. It must be demonstrated that all the following criteria can be fulfilled:-

¹ The ground reinforcements may take the physical form of ground anchors, tie-backs, soil nails, dowels, etc.

² Development Bureau General Circular No. 1/2024 refers.

³ The Encroachment should be confined within the stratum of the Government land in accordance to the approved Drawings and should not involve any surface of the Disturbed Land.

- (a) the ground reinforcements installed or left-in the Disturbed Land will not compromise or sterilize the future long-term development potential and use of the Disturbed Land or adversely affect its stability;
- (b) the Disturbed Land is not required for development or other uses during the proposed period for carrying out the Works;
- (c) only embedded portion of the ground reinforcements not affecting any existing natural vegetation will be protruded into the Disturbed Land;
- (d) any pre-stressed use of the ground reinforcements will be de-stressed after use as part of the Works;
- (e) the ground reinforcements installed in the Disturbed Land will be retracted after use as part of the Works with the Disturbed Land reinstated or made of materials easily breakable⁴ by conventional drilling equipment (such as glass fibre reinforced polymer bars) if being left-in the Disturbed Land;
- (f) use of the ground reinforcements on the Disturbed Land is temporary⁵ in nature for the excavation in site formation or excavation and lateral support works in the development or redevelopment of the Intruding Lot;
- (g) the Works will be carried out and completed in accordance with the approved Drawings referred to in paragraph 5 hereof in all respects to the satisfaction of the Building Authority (“BA”) on or before the date proposed by the AP/RSE /RGE in the letter referred to in paragraph 8(b) hereof;
- (h) before making application for the Occupation Permit⁶ in respect of the development or redevelopment on the Intruding Lot (“the Occupation Permit”),
 - (i) for retractable ground reinforcements, they will be retracted with the Disturbed Land reinstated in accordance with the approved Drawings as referred to in paragraph 5 hereof in all respects to the satisfaction of the BA; or
 - (ii) for left-in ground reinforcements, all the anchor heads of the ground reinforcements will be removed in accordance with the approved Drawings as referred to in paragraph 5 hereof in all respects to the satisfaction of the BA;

⁴ GEO of CEDD’s decision as to whether the materials used for the ground reinforcements is easily breakable will be final and binding on the lot owner concerned.

⁵ This means that the Streamlined Arrangement is not applicable to the use of ground reinforcements on the Disturbed Land for purposes such as slope maintenance, stabilization and remedial works, etc. that are considered permanent in nature.

⁶ In both cases, if an application for the Occupation Permit relates to the Works or any part thereof, the Occupation Permit will not be issued by the BA before completion of the Works in all respects to his satisfaction.

5. Subject to the approval of the Plans by the BA (“the approved Drawings”) and the granting of a planning permission by the Town Planning Board (if required), LandsD may consider granting the Permission at nil fee except payment of the administrative fee and excavation permit fee.

Indemnity

6. The parent company of the lot owner (if any) (“the Parent Company”) is required to execute a Deed of Indemnity in favour of the Government indemnifying against any claims, liabilities, losses and damages arising out of the Works (“the said indemnity”) and agreeing to maintain the Government land adjoining or adjacent to the Disturbed Land and any slope thereon as mentioned in paragraph 7 hereof (“the Deed of Indemnity”). The said indemnity shall cease to have effect upon retraction of the ground reinforcements and reinstatement of the Disturbed Land or, as the case may be, removal of the anchor heads of the ground reinforcements, in accordance with the approved Drawings or, upon revocation of the Permission, reinstatement of the Disturbed Land, in all respects to the satisfaction of the BA and issuance by the BA of the Occupation Permit or, if there is more than one Occupation Permit, all the Occupation Permits.

7. As provided in the Deed of Indemnity, the Parent Company shall at its own expense and in all respects to the satisfaction of GEO of CEDD maintain the Government land adjoining or adjacent the Disturbed Land and any slope thereon if additional or new slope maintenance liability is created as a result of the Works, as decided by GEO of CEDD. A sample of the Deed of Indemnity is attached at **Appendix I** for reference.

Submission of Application

8. Lot owners who wish to make an application to LandsD for the Permission under the Streamlined Arrangement are required to submit the following documents:-

- (a) a set of the approved Drawings with the approval letter containing GEO of CEDD’s comments from geotechnical point of view, and the Planning Department (“PlanD”)’s comments from statutory planning perspective⁷;
- (b) a letter from the AP/ RSE/ RGE certifying:-
 - (i) the proposed extent and stratum of the Encroachment from the Intruding Lot into the Disturbed Land marked on the approved Drawings;
 - (ii) the proposed period required for carrying out and the estimated completion date of the Works;

⁷ A planning permission, if required, is one of the prerequisites for building plan approval.

- (iii) the ground reinforcements will either be retracted after use as part of the Works with the Disturbed Land reinstated or made of materials which are easily breakable by conventional drilling equipment if being left-in;
- (iv) before making application for the Occupation Permit,
 - (I) for retractable ground reinforcements, they will be retracted with the Disturbed Land reinstated in accordance with the approved Drawings in all respects to the satisfaction of the BA; or
 - (II) for left-in ground reinforcements, all the anchor heads of the ground reinforcements will be removed in accordance with the approved Drawings in all respects to the satisfaction of the BA; and
- (v) the integrity and safety of the development or redevelopment on the Intruding Lot will not be affected or compromised by the retraction of the ground reinforcements, the removal of the anchor heads of the ground reinforcements or the breaking of the ground reinforcements being left-in the Disturbed Land.

9. A Workflow regarding an application for the Permission is prepared at **Appendix II.**

Applicability

10. The Streamlined Arrangement is only applicable to the Encroachment into Government land, which has not been allocated to a Government department. For ground reinforcements encroaching Government land within a public road, street or footpath or future public road, street or footpath maintained or to be maintained by Highways Department, Highways Department would be the authority to consider and approve the Works. The Streamlined Arrangement is not applicable to the use of ground reinforcements outside the lot boundary for any other purposes, including slope stabilization purpose. Such use would be handled by LandsD in accordance with the prevailing land administration policy, which might require an application for lease modification subject to the payment of premium and administrative fee.

11. The Streamlined Arrangement takes effect from the date of this Information Note.

12. Nothing in this Information Note shall in any way fetter, affect or prejudice the rights of the Government, the Director of Lands and their officers under any Government lease or the Government's rights as the lessor or landlord, and all such rights are hereby reserved. Further, nothing in this Information Note including any words and expressions used shall in any way be construed as any variation or waiver of any provisions under any Government lease or affect, prejudice or bind the Government in relation to interpretation or enforcement of the terms and conditions of the lease or otherwise. Each application

submitted will be considered on its own merits by LandsD at its sole and absolute discretion.

13. This Information Note and the Appendices are issued for general information and reference purpose only. All rights to modify the whole or any part of this Information Note and the Appendices are hereby reserved.

Lands Department
7 July 2026

Appendix

- I Sample Deed of Indemnity to be executed by the Parent Company of the Lot Owner
- II Workflow for the Use of Ground Reinforcements in Adjoining Government Land for Excavation in the Development or Redevelopment of the Lot

Deed of Indemnity

THIS DEED OF INDEMNITY (“Indemnity”) is made on _____
(insert date of execution)

By _____,
(insert name of parent company)
 a company incorporated in accordance with the laws of _____
 whose registered office is situate at _____

IN FAVOUR of the Government of the Hong Kong Special Administrative Region (“the Government”).

WHEREAS:

- (A) The Government has agreed to grant permission for [_____], being our wholly owned subsidiary, to encroach into the Area to carry out the Works on the terms and conditions contained in the Permission Letter, to which this Indemnity is attached (“the Letter”).
- (B) We agree to enter into this Indemnity upon the terms and conditions hereinafter appearing.
- (C) Any specific term used in this Indemnity and defined in the Letter have the same meaning as in the Letter.

NOW IT IS HEREBY AGREED as follows-

In consideration of the Government agreeing to grant the permission for encroaching into the Area to
 _____,
(insert name of lot owner)

being our wholly owned subsidiary, we hereby agree and undertake that-

- (1) We shall indemnify and keep indemnified the Government from and against all liabilities, claims, losses, damages, expenses, charges, costs, demands, actions and proceedings whatsoever and howsoever arising whether directly or indirectly out of, in connection with or incidental to the Works, and any of the works carried out pursuant to the terms of the Letter. This Clause (1) shall remain in full force and effect until-

#[]For using retractable ground reinforcements

@ []For ground reinforcements that would be left-in

- (a) #[all the ground reinforcements have been retracted as part of the Works and the Area has been reinstated]/ @[all the anchor heads of the ground reinforcements have been removed] in accordance with the approved Drawings, or upon revocation of the permission to encroach into the Area, reinstatement of the Area, in all respects to the satisfaction of the Building Authority; and
- (b) the Building Authority has issued the Occupation Permit or, if there is more than one Occupation Permit, all the Occupation Permits in respect of the development or redevelopment on the Lot.

- (2) Notwithstanding anything herein contained, in the event that any additional or new slope maintenance liability in respect of the adjoining Government land is created by the formation of a new slope, the carrying out of any slope works, or otherwise, as a result of or arising out of the Works under paragraph 3(7) of the Letter, we shall at all times and at our own expense maintain the adjoining Government land and any slope thereon in good and substantial repair and condition in all respects to the satisfaction of the H(GEO). The decision of the H(GEO) as to whether a new slope is formed, slope works are carried out and any additional or new slope maintenance liability is created shall be final and binding on us.

Witness : _____
(Signature and name in block letters)

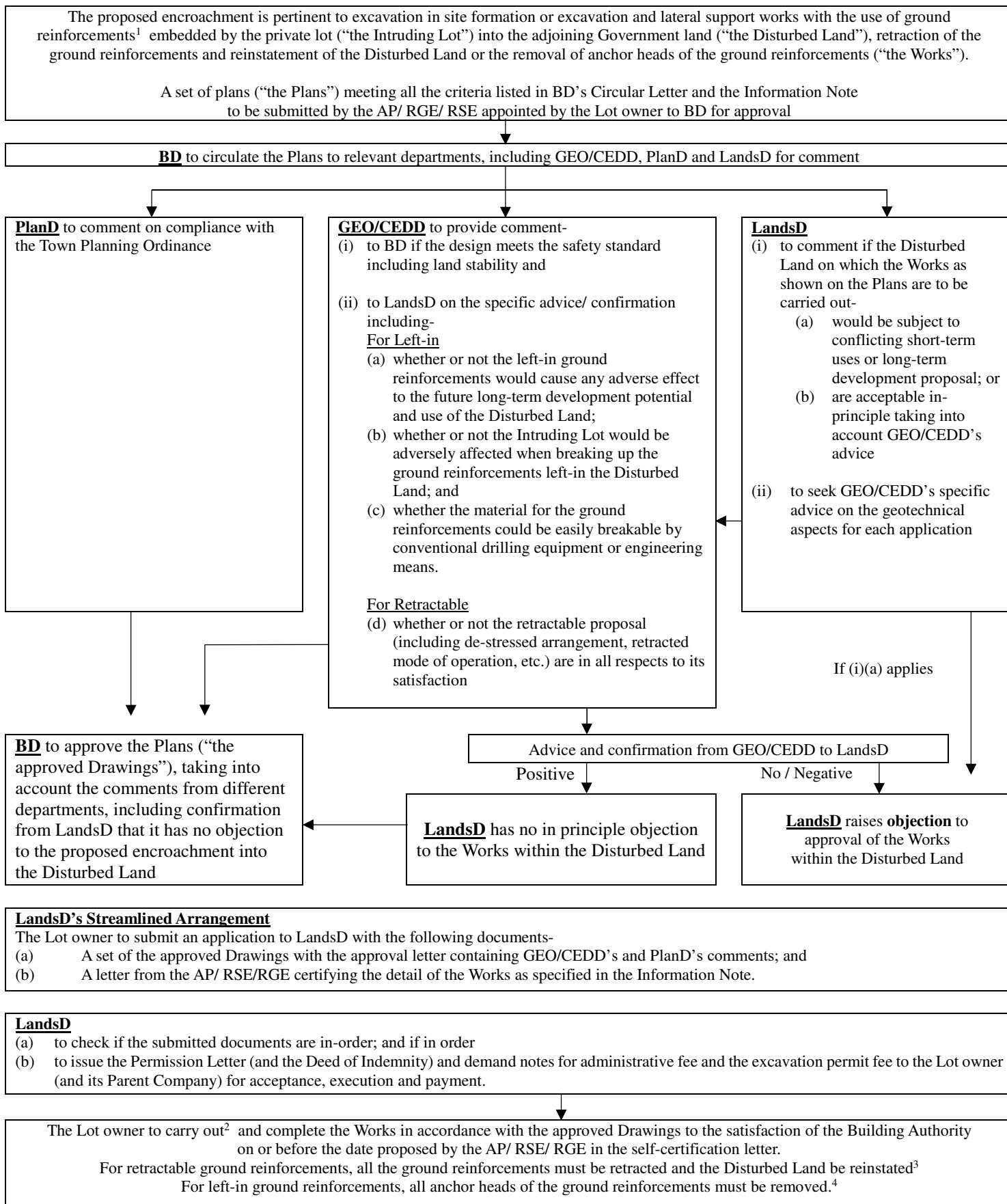
(Execution by)

Address of witness:

Occupation of witness:

c.c. C.B.S./ C.S.E.
C.G.E./
D.P.O./

**Workflow for the Use of Ground Reinforcements
in Adjoining Government Land for Excavation in the Development or Redevelopment of the Lot**



¹ For the avoidance of doubt, use of ground reinforcements on the Disturbed Land for purposes such as slope maintenance, stabilization and remedial works etc., that are considered permanent in nature, is not applicable.

² Only after the Permission Letter (and the Deed of Indemnity) has been duly executed and returned to LandsD.

³ All the ground reinforcements must be retracted and the Area must be reinstated in accordance with the approved Drawings to the satisfaction of the Building Authority before making application for the Occupation Permit in respect of the development or redevelopment on the Lot.

⁴ All anchor heads of the left-in ground reinforcements must be removed in accordance with the approved Drawings to the satisfaction of the Building Authority before making application for the Occupation Permit in respect of the development or redevelopment on the Lot.