

**Specific Criteria for Consideration of Applications for Lease Modification
including Land Exchange for Development of Land
in Hung Shui Kiu /Ha Tsuen New Development Area**

1. **Confinement within the designated development sites** – the surrender of lots for land exchange will be confined to private lots lying within the relevant designated development site mentioned in paragraph 3 of PN No. 1/2024 and shown on the Reference Plan. Surrender of lot(s) lying outside the designated development site will not normally be accepted.
2. **Ownership, Size and Configuration** – all private lots to be surrendered should be under the ownership of a single owner or joint venture owners as the Applicant. The Surrender Site (i.e. the proposed site to be surrendered) should have an area meeting the following criteria –
 - (a) for sites earmarked for “Commercial”, “Other Specified Uses” (“OU”) annotated “Commercial & Residential” or “OU” annotated “Port Back-up, Storage and Workshop Uses” in the Hung Shui Kiu and Ha Tsuen Outline Development Plan – not less than the total area of the private land within the designated development site concerned, excluding land subject to minor adjustment of the development site boundary that will not adversely affect the development layout of the site. The planning intention is to pursue a single development for each of these designated development sites. If the Applicant has acquired 90% or more (but less than 100%) of all private land within the designated development site, he may apply for the relaxed land ownership criterion for his application as per paragraphs 8 to 10 of PN No. 13/2023 (the Applicant should indicate in his land exchange application if he is applying for the relaxed land ownership criterion). The Re-grant Site (i.e. the site to be re-granted in exchange of the Surrender Site if approved) shall also conform to the site boundary of the designated development site concerned, subject to minor adjustment of the development site boundary that would not adversely affect the development layout of the site. For avoidance of doubt, the above does not imply any intention or obligation on the part of the Government to make available government land adjoining or intervening the private land within the designated development site to enable the Re-grant Site to conform to the development site layout of the designated development site.
 - (b) for residential sites – not less than 4 000 m² (which is a reasonable size to achieve a decent residential development with supporting facilities). If the Applicant has acquired 90% or more (but less than 100%) of all private land within a designated development site and also meets the minimum land

ownership requirement of 4 000 m², he may apply for the relaxed land ownership criterion for his application as per paragraphs 8 to 10 of PN No. 13/2023 (the Applicant should indicate in his land exchange application if he is applying for the relaxed land ownership criterion). The application site should be reasonably regular in shape with no intervening private lots not owned by the Applicant (i.e. lots to be surrendered comprising the application site should be contiguous), except for residual lots being sought for Government resumption under the relaxed land ownership criterion mentioned above. For application prepared on the basis of meeting the minimum size requirement (i.e. not less than 4 000 m²) only without including all private land within the designated development site and without resort to the relaxed land ownership criterion, the Applicant should submit layout plans to demonstrate the feasibility of decent and practical development(s) fully utilising the land of the designated development site concerned, and the satisfaction of other applicable criteria in this PN.

3. **Access** – the provision of proper vehicular access to the application site is feasible.
4. **Compliance with the Outline Zoning Plan** – proposed use and development parameters of the application site should comply with the relevant Outline Zoning Plan.
5. **No adverse implications** – the proposed development at the application site should not cause insurmountable problems to the planning, layout and urban design of the surrounding area, and will not jeopardize or hamper the development potential or vehicular access of adjacent lands under different ownerships.