



**Lands Administration Office
Lands Department**

Practice Note

Issue No. 2/2018

Processing of General Building Plans under lease¹

Lands Department (“LandsD”) acting in its capacity as a landlord will process and convey its comments and decision on a general building plans submission under lease as referred to LandsD for processing through the Centralized Processing System. To facilitate processing, any general building plans submission must satisfy the following requirements:-

- (i) Prior approval of Master Layout Plan, if required, is obtained.
- (ii) A submission should be accompanied by a Development Schedule to indicate the extent of compliance with the lease conditions. A sample Development Schedule and Guidance Notes for Preparation of the Development Schedule are attached at Appendix I and Appendix II respectively.
- (iii) For re-submissions or amendment submissions, the relevant parts of the plans so amended shall be suitably coloured to indicate the alterations/changes.
- (iv) Separate calculations of gross floor area and site coverage as defined under lease shall be provided unless they are the same as those under the Buildings Ordinance.

Submissions will be rejected under lease without scrutiny if the above requirements are not observed.

2. In preparing the Development Schedule, the Authorized Persons (“the APs”) are required to observe and comply with the points stated in the Guidance Notes attached at Appendix II. An incomplete or incorrect Development Schedule may lead to rejection without scrutiny under lease.

3. In cases where an owner wants to seek preliminary comments on the development proposal, he is advised to engage an AP or professional consultant to

¹ All references to “lease” in this Practice Note cover Government Lease or Conditions of Sale / Grant / Exchange, etc. (as the case may be) and “leases” shall be construed accordingly.

make an enquiry submission or to arrange a workshop meeting with District Lands Office² according to the administrative procedure as laid down in Lands Administration Office Practice Note 4/2018.

4. It must be noted that nothing in this Practice Note and its appendices shall in any way fetter or affect the rights of the Government, the Director of Lands and their officers under the relevant lease or the Government's rights as lessor / landlord, and all such rights are hereby reserved, and that nothing in this Practice Note and its appendices including any words and expressions used shall in any way affect or bind the Government regarding interpretation of the terms and conditions of the relevant lease.

5. LAO Practice Note No. 1/1994 is hereby superseded.

A handwritten signature in blue ink, appearing to read 'Thomas Chan', with a stylized, cursive script.

(Thomas CHAN)
Director of Lands
26 November 2018

² District Lands Office includes Building Plan Unit and other specialized sections where applicable.

Development Schedule

A. LOCATION & LOT NO. :

B. SITE AREA : m² (approx)

C. HEIGHT OF BUILDING

<u>Block</u>	<u>No. of Storeys</u>	<u>Proposed Height of Building</u>	<u>Height Restrictions under Lease</u>	<u>Special Condition Referred</u>	<u>AP's Confirmation (Dwg. No.)</u>
				SC	

D. LEASE REQUIREMENTS

<u>Items</u>	<u>Proposed</u>	<u>Required/Permitted under the Lease</u>	<u>Relevant Departments</u>	<u>Special Condition Referred</u>	<u>AP's Confirmation (Dwg. No.)</u>
1 User				SC	
2 Type of Building				SC	
3 Gross Floor Area				SC	
4 Site Coverage				SC	
5 Building Separation				SC	

<u>Items</u>		<u>Proposed</u>	<u>Required/Permitted under the Lease</u>	<u>Relevant Departments</u>	<u>Special Condition Referred</u>	<u>AP's Confirmation (Dwg. No.)</u>
6	Building Setback				SC	
7	Greenery requirement				SC	
8	Design and Disposition / Design, Disposition and Height		<i>(Please refer to the aspects that will be generally considered under DDH/DD clause stated in the LAO Practice Note 3/2014)</i>		SC	
9	Carpark				SC	
10	Loading and Unloading Requirements				SC	
11	Vehicular Access				SC	
12	Caretaker's - Office Accommodation				SC	
	- Quarters				SC	

<u>Items</u>		<u>Proposed</u>	<u>Required/Permitted under the Lease</u>	<u>Relevant Departments</u>	<u>Special Condition Referred</u>	<u>AP's Confirmation (Dwg. No.)</u>
13	Owners' Corporation and Owners' Committee office				SC	
14	Recreational Facilities				SC	
15	Non-building Area (e.g. Drainage Reserve Area and Waterworks Reserve Area, etc.)				SC	
16	Formation Areas (e.g. Green, Yellow etc.)				SC	
17	Tree Preservation				SC	
18	Landscaping				SC	

<u>Items</u>		<u>Proposed</u>	<u>Required/Permitted under the Lease</u>	<u>Relevant Departments</u>	<u>Special Condition Referred</u>	<u>AP's Confirmation (Dwg. No.)</u>
19	Other Special Requirements under Lease (e.g. footbridge, open space provision)				SC	

E. IN COMPLIANCE WITH THE MASTER LAYOUT PLANS APPROVED ON _____ (if applicable).

(signature of AP)

Name of AP

Guidance Note for Preparation of the Development Schedule

When preparing the Development Schedule, the Authorized Person (“the AP”) is required to observe and comply with the following points.

- (i) In preparing the Development Schedule, the AP must refer to the latest relevant lease governing the lot(s) in question and is advised to obtain a complete set of the lease documents from the Land Registry, if appropriate.
- (ii) Regarding the site boundary and other lease conditions involving graphical condition information, the AP is required to show and mark the lot boundary and any vehicular access / footbridge connection points, non-building areas, building setback, and other points or coloured areas (e.g. the Green Area, the Yellow Area and the Brown Area) within and outside the lot that are subject to specific requirements or restrictions under the lease in accordance with the plan attached to the lease on the Block Plan (in 1:1 000 or other appropriate scale) and the respective plans or drawings in General Building Plans (“GBP”) submission. Site coordinates of the Lot(s) should be stated close to the Block Plan;
- (iii) Regarding the column “relevant departments” in Part D of the sample Development Schedule at Appendix I, the AP is advised to refer to the list of responsible departments as mentioned in the notification letter issued by LandsD to the purchaser / grantee after the completion of land sale / grant, etc.;
- (iv) Regarding the column “required / permitted under the lease” in Part D of the sample Development Schedule at Appendix I, the AP is advised to state clearly the parameters stipulated and the areas within the lot that are subject to specific requirements and restrictions referred to in the relevant special conditions or clauses. For example, the maximum and minimum gross floor area figures stipulated in the total gross floor area restriction under lease;
- (v) Regarding the column “AP’s confirmation” in Part D of the sample Development Schedule at Appendix I, the AP is required to state how the development proposal shown on GBP complies with the lease conditions having regard to the restrictions stipulated in the respective special conditions or clauses, the guidelines stated in the relevant practice notes and the agreement of the relevant departments.
- (vi) Examples of the lease restrictions and sample wordings for the “AP’s confirmation” are prepared for general reference only.

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Items		Proposed	Required/Permitted under the Lease	Relevant Departments	Special Condition Referred	AP's Confirmation (Dwg. No.)																						
1	User	--	--	--	S.C. --	Complied with.																						
2	Residential GFA	--,--- m ²	Not less than -- m ² and not more than -- m ²	--	S.C. --	Complied with. Calculation of GFA in accordance with the lease and Coloured Building Plans are shown on Dwg. Nos. -- to --																						
3	Residential Parking Spaces	-- nos.	<table><tr><th>Size of each residential unit (m²)</th><th>Number of residential parking space</th></tr><tr><td>< --</td><td>1 space for every --.- units</td></tr><tr><td>-- ≤x< --</td><td>1 space for every --.- units</td></tr><tr><td>-- ≤x< --</td><td>1 space for every --.- units</td></tr><tr><td>-- ≤x< --</td><td>1 space for every --.- units</td></tr><tr><td>-- ≤x< --</td><td>1 space for every --.- units</td></tr><tr><td>≥ --</td><td>1 space for every --.- units</td></tr></table> With flexibility -- % or -- nos,, whichever is the lesser, With flexibility, -- % <table><tr><th>Size of each detached, semi-detached house (sq.m.)</th><th>Number of residential parking space</th></tr><tr><td>< --</td><td>--</td></tr><tr><td>-- ≤ x < --</td><td>--</td></tr><tr><td>≥ --</td><td>--</td></tr></table>	Size of each residential unit (m ²)	Number of residential parking space	< --	1 space for every --.- units	-- ≤x< --	1 space for every --.- units	-- ≤x< --	1 space for every --.- units	-- ≤x< --	1 space for every --.- units	-- ≤x< --	1 space for every --.- units	≥ --	1 space for every --.- units	Size of each detached, semi-detached house (sq.m.)	Number of residential parking space	< --	--	-- ≤ x < --	--	≥ --	--	--	S.C. --	Complied with. Please refer to the details shown on car parking provision schedule at Drawing No. -- as per LAO Practice Note 4/2006.
Size of each residential unit (m ²)	Number of residential parking space																											
< --	1 space for every --.- units																											
-- ≤x< --	1 space for every --.- units																											
-- ≤x< --	1 space for every --.- units																											
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≥ --	1 space for every --.- units																											
Size of each detached, semi-detached house (sq.m.)	Number of residential parking space																											
< --	--																											
-- ≤ x < --	--																											
≥ --	--																											

-- : referring to the figures to be inserted by the AP.

2. An incomplete or incorrect Development Schedule may lead to rejection of GBP without scrutiny under lease.
3. The Sample Development Schedule at Appendix I is not applicable to the GBP submissions for redevelopment under virtually unrestricted government lease referred to in LAO Practice Note No. 1/2017.
4. The development schedule is merely regarded as a cursory summary of the restrictions and requirements under lease which are relevant to the processing of GBP submissions but is not the lease itself. The AP shall upon request provide Lands Department and other relevant departments with supplementary information for the purpose of compliance checking.
5. This set of guidance notes may be amended or varied by the Lands Department at its sole discretion at any time.
6. This set of guidance notes and the sample Development Schedule in the Appendix I are issued for general reference only. Nothing in this set of guidance notes and the sample Development Schedule at Appendix I shall in any way fetter or affect the rights of the Government, the Director of Lands and their officers under the rele-

Appendix II
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vant lease or the Government's rights as lessor/landlord, and all such rights are hereby reserved, and that nothing in this set of guidance notes and the sample Development Schedule at Appendix I including any words and expressions used shall in any way affect or bind the Government regarding interpretation of the terms and conditions of the relevant lease.