

Sample of an Application

Application (in triplicate) for

Special Arrangement for a Lease Modification (or a Land Exchange)
for Redevelopment of an Industrial Lot

To : Chief Estate Surveyor/Development Control,
Industrial Buildings Revitalization Unit,
Lands Department

Dear Sirs,

(Address of the building or lot, Lot number)

*I/We, _____ (name(s) of the Applicant(s)) _____, [as the (*Sole Owner / Owners) of (*Lot No. _____ / Lots Nos. _____)] hereby apply for a (please specify [*and note paragraph 2 of Practice Note Issue No. 2/2019*]) in respect of the *Lease/ Special Condition No. _____ of Conditions of _____ / Special Condition No. _____ of New Grant No. _____) under which the *Lot No. _____/Lot Nos. _____ *is/are held. Details of the proposal are provided on separate sheet(s) attached to the application.

*I / We hereby expressly confirm and declare that :

- (i) *Lot No. _____ / Lots Nos. _____ *is/are situated in a zone designated for [*please specify which town plan zoning for the lot(s)*] according to the Outline Zoning Plan (OZP) no. _____ which *is/are outside "Residential" zone in the Main Urban Areas and New Towns referred to in Practice Note Issue No. 2/2019; and
- (ii) *Town Planning Board (TPB) approval letter on redevelopment above the maximum development intensity permitted under the OZP no. _____ has been given on _____;/ Application to Town Planning Board (TPB) for redevelopment above the maximum development intensity permitted under the OZP no. _____ has been submitted on _____; and
- (iii) *The occupation permit No. _____ is the latest occupation permit issued by the Building Authority for the building erected on *Lot No. _____/Lots Nos. _____ and the said building is a Pre-1987 industrial building as defined in Practice Note Issue No. 2/2019/ The building plans of the building erected on *Lot No. _____/Lots Nos. _____ were first submitted to the Building Authority for approval on or before 1 March 1987 and the said building is a Pre-1987 industrial building as defined in Practice Note Issue No. 2/2019;and
- (iv) The increased non-domestic plot ratio *as/if approved by TPB shall not result in exceeding the maximum non-domestic plot ratio allowed under the Building (Planning) Regulations of the Buildings Ordinance.

In order to facilitate consideration of *my / our application, *I / we attach the Checklist of Basic Requirements together with the required documents / information for your reference.

*I/We hereby expressly acknowledge and agree that if this application is approved by the Lands Department, the Lease Modification Letter/Conditions of Exchange must be executed by *me/us no later than three years from the date of the approval letter of the Town Planning Board on redevelopment intensity above the maximum permissible intensity.

*I / We hereby expressly warrant and declare that the above information provided in support of *my / our application is correct and genuine and *I / we expressly acknowledge that *I am / we are aware and accept that the decision on the application will be made by the Lands Department on the basis of the information supplied by *me / us and may be immediately cancelled in the event that such information is found to be false or misleading.

*I / We further expressly acknowledge that the personal data provided by *me / us in this application will be used by the Lands Department in connection with the processing of *my / our application. The provision of any personal data requested in the application form is voluntary. *I / We understand that if *I / we do not provide sufficient information, the Lands Department may not be able to process *my / our application.

*I / We hereby authorize the Lands Department to disclose *my / our personal data in the application and the attached documents to the Town Planning Board, the Building Authority, the Planning Department and such other Government Departments and any other body, organization or person(s) as it may see fit at its absolute discretion to obtain such information which is deemed relevant to *my / our application, whether on policy or any other grounds.

*I / We further authorize and direct and request any Government Department or other body which may be approached by the Lands Department to supply any and all information which it may require.

* *Delete as appropriate*

Yours faithfully,

Applicant(s)'s Signature: _____
(H.K.I.D. Card Number(s): _____)

Name of the Applicant(s) in Block Letters: _____

Address: _____

Telephone Number: _____

Date: _____

Notes :

- (1) Details of the proposed redevelopment or proposed uses under application will need to be provided on separate sheet(s) attached to the application.

- (2) All owners must sign in the capacity of applicants.
- (3) This application and the separate sheet referred to in Note (1) above should be submitted in triplicate.

Checklist of Basic Requirements
for Submission of an Application for
Special Arrangement for a Lease Modification (or a Land Exchange) for
Redevelopment of an Industrial Lot

A. Information / Documents that must be submitted ⁽¹⁾ :

General :

- (i) 2 copies ⁽²⁾ of a complete set of Government Land Grant documents (including all executed lease modification letters and extension letters, if any) affecting the property ⁽³⁾.
- (ii) A copy of an up-to-date location / site plan on an appropriate scale (normally 1:1000) showing the property.
- (iii) 2 copies ⁽²⁾ of a computer printout containing the historical and current ownership particulars of the property.
- (iv) (a) If any of the registered owners is a limited company, 2 sets of certified true copies of its Certificate of Incorporation, Certificate of Change of Name (if applicable) and Notice of Situation of Registered Office. For overseas companies, documents equivalent to the above should be produced.
- (b) If there are any chargees/mortgagees, letter(s) from chargees/mortgagees confirming that they have no objection to / agree to enter into the proposed lease Modification Letter/Conditions of Exchange.
- (c) In the event of the lot being in multiple ownership and unless otherwise consented to by Lands Department, a summary list (in duplicate) certified by the solicitor acting for the applicants containing the names of all registered owners/chargees/mortgagees/purchasers who have entered into an Agreement for Sale and Purchase of a unit or units ("Purchasers") (if any) of the property together with details of number of undivided shares held by each owner and an undertaking by the solicitor to inform the IBRU ⁽⁴⁾ of the Lands Department of any change in the names of the registered owners/chargees/mortgagees/purchasers between the date of application up to the date of the lease Modification Letter/Conditions of Exchange;
- (v) A copy of the Town Planning Board approval letter for the proposed uses or development, if applicable.
- (vi) If submitted by an agent, a written authorization from all the registered owners and purchasers (if applicable) of the property.

(vii) Details of the application clearly identifying the property concerned, the variations being sought in respect of any terms and conditions of the existing lease conditions including the modification of any restrictions and development parameters included in the existing lease conditions (e.g. proposed user, maximum gross floor area (GFA), site coverage, number of storeys/building height, etc.); and indicating :-

(a) whether the proposed redevelopment is above the maximum intensity permitted under the Outline Zoning Plan, and if yes, the proposed amount of GFA; and

Yes

No

(please provide detail)

(b) the total accountable GFA⁽⁵⁾ of the existing building (if applicable) by a schedule.

(viii) (a) 2 copies of all occupation permits⁽⁵⁾ issued by the Building Authority for the existing building under application; or

(b) 2 copies of the approval letter⁽⁵⁾ issued by the Building Authority showing the building plans first submitted to the Building Authority for approval were on or before 1 March 1987

B. Information / Documents that will facilitate the processing of the application ⁽⁷⁾ :

(ix) A copy of an extract of the relevant Outline Zoning Plan (together with the explanatory notes, as appropriate) showing the property.

(x) For an application which involves portion(s) of a lot, or sub-divisions of any lots, to assist the verification of site areas and site boundaries, all relevant assignment plans or Deed Poll plans should be provided together with any relevant information relating to the delineation of the boundaries of these sub-divisions.

(xi) 2 sets of sketch plans illustrating the proposed redevelopment⁽⁶⁾, if available.

(xii) 2 copies of any submissions approved by other relevant authorities relating to the development proposal or other relevant study

assessment reports, if applicable (e.g. Approved Master Layout Plans under the Town Planning Ordinance, Environmental / Traffic / Drainage Impact Assessment Reports etc.)

Notes :

- (1) Please put a tick in the relevant box if applicable unless otherwise specified; and delete as appropriate.
- (2) One set of documents should be certified by the Land Registry or by the solicitor acting for the applicant, while the other set may be a photocopy of the certified documents. Certification of the documents should be done not more than one month before submission of the application.
- (3) Property includes all lots involved in a lease modification or land exchange application.
- (4) IBRU refers to the Industrial Buildings Revitalization Unit of the Lands Department at Units 07-11, 27/F, CDW Building, 382-392 Castle Peak Road, Tsuen Wan.
- (5) The plans and documents should be certified by the Authorized Person acting for the applicant.
- (6) The proposal should be prepared and submitted by the Authorized Person or other competent professionals acting for the applicant.
- (7) Any other information may be supplied in triplicate on separate sheet(s) attached to the application.