

Sample of an Application

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

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

Dear Sirs,

(Address of the building or lot, Lot number)

*I / We, _____ (name of the Applicants) _____, as the *Sole Owner / Owners of Lot No(s). _____, hereby apply for a _____ (please specify) _____ [*and note paragraph 1 of Practice Note No. 2/2019 as varied and supplemented by Practice Note Nos. 2/2019A and 7/2024*] in respect of *the Lease / Special Condition No. _____ of Conditions of _____ / Special Condition No. _____ of New Grant No. _____ under which Lot No(s). _____ 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(s). _____ is / are situated in a zone designated for [*please specify the 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 No. 2/2019 as varied and supplemented by Practice Note Nos. 2/2019A and 7/2024.
- (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 _____.
- (iii) *Occupation Permit No. _____ is the latest occupation permit issued by the Building Authority for the building erected on Lot No(s). _____ and the said building is a Pre-1987 industrial building as referred to in Practice Note No. 2/2019 as varied and supplemented by Practice Note Nos. 2/2019A and 7/2024 / The building plans of the building erected on Lot No(s). _____ 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 referred to in Practice Note No. 2/2019 as varied and supplemented by Practice Note Nos. 2/2019A and 7/2024.
- (iv) The increased non-domestic plot ratio *as / if approved by TPB shall not result in the maximum non-domestic plot ratio allowed under the Building (Planning) Regulations of the Buildings Ordinance being exceeded.

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 (LandsD), 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 under the relevant OZP.

*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 LandsD on the basis of the information supplied by *me / us and *my / our application may be immediately rejected 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 LandsD 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, LandsD may not be able to process *my / our application.

*I / We hereby authorize LandsD 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 LandsD 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.

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

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

General :

- (i) A copy of an up-to-date location / site plan on an appropriate scale (normally 1:1000) showing the property ⁽²⁾.
- (ii) A copy of a computer printout (either hard copy or soft copy) containing the current ownership particulars of the property.
- (iii) (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 or sub-divided into undivided shares and unless otherwise consented to by LandsD, 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 (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 ⁽³⁾ 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.
- (iv) A copy of the Town Planning Board approval letter for the proposed uses or redevelopment, if applicable.
- (v) If submitted by an agent, a written authorization from all the registered owners and purchasers (if applicable) of the property.
- (vi) 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 relevant Outline Zoning Plan, and if yes, the proposed amount of GFA; and

Yes

No

(please provide detail)

- (b) the total accountable GFA of the existing building (if applicable) by a schedule ⁽⁴⁾.

- (vii) (a) 2 copies of all occupation permits ⁽⁴⁾ issued by the Building Authority for the existing building on the site under application; or

- (b) 2 copies of the approval letter ⁽⁴⁾ issued by the Building Authority showing the building plans of the existing building were first submitted to the Building Authority for approval on or before 1 March 1987.

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

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

- (ix) For an application which involves portion(s) of a lot, or sub-divisions of any lot, 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.

- (x) 2 sets of sketch plans illustrating the proposed redevelopment ⁽⁵⁾, if available.

- (xi) 2 copies of any submissions approved by other relevant authorities relating to the redevelopment 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) Property includes all lots involved in a lease modification or land exchange application.
- (3) IBRU refers to the Industrial Buildings Revitalization Unit of the Lands Department at 27/F, CDW Building, 382-392 Castle Peak Road, Tsuen Wan.
- (4) The plans and documents should be certified by the Authorized Person acting for the applicant.
- (5) The proposal should be prepared and submitted by the Authorized Person or other competent professionals acting for the applicant.