



## **Application for Special Waiver for Conversion of an Entire Existing Industrial Building**

With immediate effect, this Practice Note (“PN”) varies and supplements Lands Department Lands Administration Office (“LAO”) PN Nos. 6/2019 and 6/2019A. Except as varied and supplemented by this PN, all other information and provisions in LAO PN Nos. 6/2019 and 6/2019A remain valid. This PN and LAO PN Nos. 6/2019 and 6/2019A are hereinafter collectively referred to as “the PNs”.

### **Time frame for applications**

2. The time frame for receipt of applications for the purpose of LAO PN No. 6/2019 as specified in paragraph 1 therein as varied by paragraph 2 of LAO PN No. 6/2019A is extended. The words “on or before 31 October 2024” in paragraph 2 of LAO PN No. 6/2019A are varied to “on or before 31 December 2027”.

### **Refinement measure for pre-1987 industrial buildings**

3. For an application for a special waiver to convert the use of an entire existing pre-1987 industrial building (“pre-1987 IB”)<sup>1</sup> at nil waiver fee submitted under LAO PN Nos. 6/2019 and 6/2019A, if it is approved, the condition of designation, reservation and restriction of not less than 10% of the total accountable Gross Floor Area (“GFA”) calculated under the Buildings Ordinance, any regulations made thereunder and any amending legislation of the existing industrial building (“IB”) after conversion (“Designated Portion”) for specific uses (“Specified Uses”) and the associated provisions as set out in paragraph 3(a) of LAO PN No. 6/2019 will be dispensed with. For the avoidance of doubt, an application for a special waiver for conversion of an entire existing IB (other than a pre-1987 IB) which has reached the age of 15 years or more, if approved, will continue to be subject to such requirement (i.e. to designate not less than 10% of total accountable GFA for Specified Uses after conversion) and the associated provisions as set out in paragraph 3(a) of LAO PN No. 6/2019.

4. For on-going applications involving pre-1987 IBs submitted pursuant to LAO PN Nos. 6/2019 and 6/2019A and received by the Lands Department (“LandsD”) before the date of this PN and a special waiver has not yet been approved and granted, the applicants may submit revised conversion works proposals for the existing building and revised schematic

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<sup>1</sup> A pre-1987 IB refers to building built on an industrial lot (as defined in footnote 2 of LAO PN No. 2/2019) which was wholly or partly constructed on or before 1 March 1987, or was constructed in accordance with building plans first submitted to the Building Authority for approval on or before 1 March 1987.

plans for parking floors (if necessary) that reflect the deletion of the Designated Portion and the proposed Specified Uses of the Designated Portion in the original applications to LandsD for consideration. Such submission of revised conversion works proposals and plans would not be regarded as a new application. If the pre-1987 IBs under special waiver applications are the subject of planning applications approved by the Town Planning Board (“TPB”), the applicant should obtain the necessary statutory approvals under the Town Planning Ordinance and submit a copy of the TPB approval letter for the revised conversion works proposals in the deletion of the Designated Portion.

5. The sample of application attached at Appendix I to this PN supersedes the one in Appendix I to LAO PN No. 6/2019.

### **Other points to note**

6. For the avoidance of doubt, IBs which have completed redevelopment under the industrial building revitalisation scheme promulgated in LAO PN Nos. 1/2010, 1/2010A and 1/2010B or the industrial building revitalisation scheme promulgated in LAO PN Nos. 2/2019 and 2/2019A are not eligible for an application under the PNs.

7. Every application submitted to LandsD pursuant to the PNs will be considered on its own merits by LandsD at its absolute discretion acting in its capacity as a landlord. The PNs shall not constitute any representation on the part of the Government or give rise to any expectation on the part of the applicant that any application submitted to LandsD will be processed or approved.

8. This PN is issued for general reference purposes only. All rights to modify the whole or any part of this PN are hereby reserved.



( Maurice Loo )  
Director of Lands  
31 October 2024