



**Planning Department  
Practice Note for Professional Persons  
No. 1/2004**

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**Processing and Compliance Checking of Landscape Submissions  
related to Planning Applications**

**Purpose**

1. In approving a planning application under section 16 of the Town Planning Ordinance, the Town Planning Board (the Board) may, taking into account the nature of the proposed development and its visual and landscape impacts, impose a planning condition requiring the submission and/or implementation of a Landscape Master Plan (LMP) (previously also termed Master Landscape Plan) or landscape proposal.
2. This Practice Note covers landscape submissions for private developments and is not applicable to landscaped areas to be handed back to Government or formed outside the lot boundaries. Its purpose is to:
  - (a) set out the guiding principles for requiring the submission and/or implementation of LMPs or landscape proposals; and
  - (b) explain the arrangement for processing outstanding landscape conditions for planning applications approved before the issue of Joint Practice Note No. 3 (JPN3) by Building, Lands and Planning Departments in August 2003.

**General Principles for Requiring Submission of LMP or Landscape Proposal**

3. The LMP in this Practice Note refers to the landscape submission prepared in accordance with the basic requirements specified in Appendix A of JPN3.
4. As a general principle, landscape submission will be required, either as part of a planning application or as a planning condition of an

approved application, where new landscape features are necessary to fulfill planning objectives and/or landscaping is necessary to mitigate any adverse landscape/visual impacts created by the proposed development. The landscape submissions can be in the form of a LMP or a landscape proposal, depending on the circumstances as set out below.

#### Submission of LMP

5. In general, LMP will be required under the following circumstances:
- (a) developments at visually sensitive locations or in areas of special landscape character where appropriate landscape treatment is necessary to ameliorate visual impact and conserve natural features;
  - (b) large-scale developments or developments requiring comprehensive planning with scope for creation of new landscape features, e.g. developments within “Comprehensive Development Area” zones;
  - (c) developments within “wetland conservation areas” and “wetland buffer areas” as defined in the Town Planning Board Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance; and/or
  - (d) developments which would likely involve felling and/or transplantation of extensive or valuable trees within or adjacent to the application site.
6. The applicant can refer to Appendix A of JPN3 for the format of LMP.

#### Submission of Landscape Proposal

7. In other circumstances, landscape proposal which is a more simplified landscape submission than LMP may already be adequate for the nature of the proposed development. Landscape proposals may be applicable to developments which would have less significant

visual/landscape impact, or mainly for visual enhancement to improve the general environment. Such developments may cover residential, commercial, industrial or other types of developments, including New Territories Exempted Houses, temporary uses and utility installations, as appropriate.

8. The exact scope of the landscape proposal will depend on the nature of the development and of the site. Landscape proposal can consist of some or all of the following requirements, including the overall landscape design of the development, boundary landscape treatment, planting proposal and landscape treatment on slopes and stilted structures. Adequate plans, cross-sections, and other supplementary information are to be submitted as and when required.

### **Approval of Landscape Condition and Compliance Checking**

#### LMP to fulfill both planning condition and lease condition

9. Applicants should refer to JPN3 and LandsD PN6/2003 on Compliance of Landscape Clause under Lease for LMP submission to fulfill both the planning condition and the lease condition at the same time.

#### LMP or landscape proposal to fulfill planning condition only

10. A Registered Landscape Architect (RLA) registered under the Landscape Architects Registration Ordinance or any competent person should submit the LMP with details as specified in Appendix A of the JPN3 or any subsequent amendments thereof to Planning Department (PlanD) for approval. For landscape proposals, the submission may also be made by a RLA or any competent person.

11. LMP or landscape proposal submitted for compliance with planning condition only will be processed within six weeks from the date of receipt. When LMP or landscape proposal is approved by PlanD, the landscape works could be commenced on site, unless the planning condition or lease condition also requires approval to be obtained for tree felling or transplanting and such approval has not yet been obtained.

12. In order to speed up the checking of compliance of landscape works, the applicant may appoint a RLA to certify that the LMP or the landscape proposal has been implemented in accordance with the approved LMP or landscape proposal respectively and submit a Self-certificate of Compliance (SCC) to PlanD. Under the self-certification system, if the as-built landscape features deviate slightly from the approved LMP or landscape proposal, the RLA should submit the SCC together with copies of the approved LMP or landscape proposal with the minor amendments duly coloured to PlanD for record and to facilitate compliance checking, if deemed necessary. A standard SCC format is attached at Annex A.

13. Sites with SCC submitted will be entered into a register by PlanD and randomly selected for compliance checking at a rate of ten percent initially. This ratio will be subject to revision from time to time. The RLA and/or the applicant will be notified if the site is selected for random checking within 2 weeks from the date of receipt of SCC. If the site is selected, PlanD may carry out a full compliance check and the RLA and/or the applicant will be notified of the result within 4 weeks from the date of receipt of SCC.

14. If the RLA and/or the applicant do not receive any response from PlanD within 2 weeks from the date of receipt of SCC, the LMP clause or the landscape proposal clause under the planning conditions will be deemed to have been complied with.

15. For sites without SCC submitted, a full compliance checking based on the approved LMP or landscape proposal will be carried out by PlanD.

### **Arrangement for Processing Landscape Conditions for Planning Applications Approved before the Issue of JPN3**

16. For LMP and landscape proposal already approved by PlanD prior to the issue of JPN3 in August 2003, if the applicant does not elect to follow the self-certification system, and/or the lease does not make provision for landscape submission as a basis for compliance checking, full compliance checking will be undertaken by PlanD. If the applicant opts to follow the self-certificate system, he should confirm in writing to PlanD. The applicant should consult the Landscape Unit of PlanD to confirm if

any supplementary landscape information would be required for the purpose of satisfying the self-certificate system.

17. Should there be minor amendments to the LMP approved before the issue of JPN3, the applicant is encouraged to revise the LMP to meet the requirements of JPN3. For major amendments, the requirements of JPN3 should be followed. In this regard, reference should be made to the TPB Guidelines No. 19B on Minor Amendments to Approved Development Proposals. Revision to approved LMP will be processed within four weeks from the date of receipt.

18. Where planning permission has been granted prior to the issue of JPN3 and the planning condition of obtaining approval of LMP has not yet been fulfilled, the requirements and procedures of JPN3 should be followed.

### **Enquiries**

19. Applicants are welcome to contact the District Planning Office and the Landscape Unit of PlanD for enquiries on any case specific issues and special landscape matters respectively.

20. This Practice Note will take immediate effect.

(B C K Fung)  
Director of Planning  
Planning Department  
Date : 7 October 2004

First Issued: October 2004

[PlanD PN.doc-1.2004]

**Standard SCC Format**

**To: The DPO/ \_\_\_\_\_, Planning Department**

Self-certificate of Compliance of Landscape Works

Lot No.:

Address:

Section 16 under TPO Cap.131 Planning Application No.:

I/We, \_\_\_\_\_, hereby confirm that the applicant of the above application has appointed or authorized me/us to act on his/their behalf to submit a self-certificate of compliance of landscape works.

I \_\_\_\_\_, hereby confirm that I am a Registered Landscape Architect (Registration No. \_\_\_\_\_) registered under the Landscape Architects Registration Ordinance.

I confirm that the landscape submission as detailed on the LMP or the landscape proposal plan (drawing no(s). \_\_\_\_\_) approved by the Planning Department or the Town Planning Board on dd/mm/yy has been implemented satisfactorily \*without variation from the approved LMP or the approved landscape proposal.

\*Please note that there are variations between the LMP or the landscape proposal approved by Planning Department or the Town Planning Board on dd/mm/yy and the completed landscape works on site. Copies of the aforementioned plans duly coloured to indicate the variations are attached.

\*\*Signature: \_\_\_\_\_

Name of RLA: \_\_\_\_\_

Date: \_\_\_\_\_

PlanD official chop: \_\_\_\_\_

Date of receipt of this self-certificate: \_\_\_\_\_

\* Delete as appropriate

\*\* RLA's signature must be supported with the membership chop