

Summary of Items Discussed in 1/2013 APSEC Discussion Forum on 4 January 2013

	Items proposed by Convenors for Discussion	Summary of Discussion and BD's Responses
	Items raised by HKIA	
1.	<p><u>Suggestion to streamline submission process</u></p> <p>Feedback from fellow architects reveals that quite often due to inconsistent interpretation of regulations by BD's front line staff, APs have to approach CBS to seek for clarifications and/or redress. On the other hand, for complicated projects, it would be beneficial for both BD staff and the AP if the AP is allowed to explain the concept of his project to avoid misunderstanding. Understood that there is always the opportunity for AP to approach the CBS prior to submission of GBP or the possibility of submitting enquiry. However, most problems only emerge when the full set of GBP is available. Thus it is proposed that the AP is allowed a chance to present his scheme to the CBS, SBS and BS say 2 weeks after the first GBP submission to minimize misunderstanding.</p>	<p>The BD responded that they welcomed dialogue between AP and BD's staff but time might not permit a routine for AP to present his scheme in all cases. In addition, a period of 2 weeks after submission might not be sufficient for BD's staff to have an initial vetting of the scheme. In case a discussion was to be arranged, a timeline of 4 weeks after submission would be more appropriate.</p>

<p>2.</p>	<p><u>TCP 1 for tempered glass</u></p> <p>There are cases in which the TCP 1 for tempered glass is required to be directly employed by the RGBC. Usually, for the benefit of the project, we would expect the TCP 1 to have some knowledge of glass installation and such TCP usually comes from curtain wall/window subcontractors or from test laboratories. It does not have much meaning to require such TCP 1 to be employed directly by the RGBC. In fact, contract wise, the TCP 1 being employee of the subcontractor or the laboratory who are employed by the RGBC, the TCP 1 in anyway is employed by the RGBC. BD is requested to clarify whether there is such requirement in the light of what we have discussed on the subject in the Forum on 26-10-12 and why if there is such a requirement.</p>	<p>BD confirmed as long as the TCP 1 fulfills the requirements prescribed in the Code of Practice for Site Supervision, there is no requirement for the TCP to be under the direct employment of the RGBC.</p>
<p>3.</p>	<p><u>Greenery ratio</u></p> <p>Pursuant to item 17 in the Forum on 26-10-12, please advise whether it is correct to interpret that for phased development, the pro-rata area of greenery is based on site area.</p>	<p>The BD confirmed that for phased development, the area of greenery to be provided for each phase is based on the pro-rata principle.</p>

4.	<p><u>GFA for lift access to roof</u></p> <p>Presumably and according to established practice, lift access to refuge floor on roof or lift access to roof which is used solely for mechanical plants, the lift access will not be accountable for GFA calculation. If lift access is provided to a main roof which does not indicated to be of any use, will the lift and associated lobby on the roof be accountable for GFA?</p>	<p>Stair landing of reasonable size at private roof might be acceptable as non-accountable for GFA if there was no GFA accountable area at the roof and the roof would have no commercial activities. In addition to the stair landing, the provision of one lift (should be an accessible lift in the case of a communal roof) / lift hall of reasonable size serving such roof might also be acceptable as non-accountable for GFA.</p> <p>Such non-accountable GFA would not be subject to the overall cap on GFA concessions if there was no non-mandatory plant room at the roof.</p>
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<p>5.</p>	<p><u>Smoke seal</u></p> <p>Fellow architects reflect that smoke seal test is still not available in the local market. It is particularly critical in A&A projects as the duration of such projects is usually short and to obtain a foreign test certificate is time consuming and costly. The question is whether BD would allow a grace period for doors with smoke seal at least for A&A projects until such smoke seal test is available in the local market.</p>	<p>The BD have learnt from the industry that there were difficulties in sourcing doors with smoke seal fully complying with Clauses E9.1 and E9.2 of the FS Code. Being a general phenomenon, HKIS and HKIA, at the request of BD, would write to BD on behalf of the industry to apply for a grace period in the application of the smoke seal requirement and BD would take appropriate action ASAP.</p> <p>[Post-meeting note: The BD had reviewed the provision of smoke seal for fire doors and amended Clauses E9.1 and E9.2 of the FS Code as promulgated in the BA's Circular Letter (CL) issued on 22.1.2013. Concurrently, the corrigenda and clarifications announced in the said CL have also been uploaded to BD's website which would be incorporated in future edition of the FS Code.]</p>
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<p>6.</p>	<p><u>Revised PNAP APP-19</u></p> <p>We have used to use the term ‘architectural feature’ for architectural projections instead of identifying whether the projection is a fin, a moulding, eave or overhang. Subsequent to the issue of PNAP-APP-19 in Nov. this year, some BSs ask the APs to replace the word ‘architectural features’ in the GBP with one of the term included in the PNAP. Not does that matter but sometimes, the genuine feature, accepted to be exempted from GFA, just does not fit into any of the terms, such as feature on the roof. Please advise whether this is actually the requirement of BD throughout.</p>	<p>It has been common industry practice to accept the general use of the term “architectural feature” and the BD staff would be reminded of such practice. However, there was no objection to adopt the terms used in individual PNAP for easy reference in processing the modification application so as to relate to the criteria for granting modification generally laid down in that particular PNAP.</p>
<p>7.</p>	<p><u>Clause B9.1(b) of Part B of Fire Code</u></p> <p>“In the case of a building served by three or more required staircases, one in every three such required staircase may discharge through fire rated doors to an entrance hall ...” As ‘entrance hall’ is not defined in the regulations, please advise whether the ‘entrance hall’ in such case could be connected to a shopping arcade or a coffee shop, or under what condition could it be connected.</p>	<p>In response to the list of enquiries from HKIA, BD’s reply in April 2012 had clarified that such discharge through shopping arcade would still be permitted under Clause B9.1(b) of the FS Code, and the term “entrance hall” therein served to ensure that such required staircase would open to a position near the exit leading to the ultimate place of safety (i.e. not at the central part of the building).</p>

<p>8.</p>	<p><u>External pipe duct</u></p> <p>Per the discussion in the last Forum on 26-10-12, while there is still a difference in opinion on the degree of permeability of cover to the external pipe duct, it is believed that BD does not object in principle to the provision of ‘architectural disguise’ to external pipe ducts. As reflected by fellow architects, some BSs tend to reject any sort of ‘cover’, even if perforated, before any decision on the above is made. To facilitate the processing of GBP submissions, it is proposed that at least we come up with a minimum perforated percentage for case (i) external pipe duct containing soil & waste; and case (ii) external pipe duct containing only balcony/utility platform drain and/or A/C condensate pipe. For perforated percentage higher than the minimum, it has to be considered case by case.</p>	<p>The BD maintained the same stance on the performance requirements for external pipe duct stated in the summary of discussions at APSEC Discussion Forum on 26.10.2012. The BD would welcome members to put forward measures that could meet the performance requirements for accepting architectural screens to conceal external down pipes so as to incorporate in relevant draft PNAP for consultation with the industry.</p>
<p>9.</p>	<p><u>Ramp</u></p> <p>Under Clause 18 of Division 5 in COP for BFA 2008, “if the gradient of a ramp is 1 in 20 or steeper, the ramp shall be provided with” Based on such proviso, is it correct to interpret that a surface shallower than 1 in 20 is not considered as a ramp in terms of barrier free access requirement. To put in more practical case, the top of a dropped kerb is allowed to meet a surface shallower than 1 in 20 without meeting a so called flat surface first.</p>	<p>BD advised that further checking was required to see whether a ramp shallower than 1 in 20 should be considered as a “flat” surface in terms of barrier free provision.</p>

10.	<p><u>GFA calculation of air space beneath overhang floors</u></p> <p>As per attached drawing (Appendix I), the special units on the top few floors of a residential tower is different from the typical floors below resulting in a slight overhang way above the transfer plate at the lowest floor situated within an internal void of some 4.5 m by 7.5 m. At the overhang location, the air space is all enclosed by wall, sometimes structural wall and the space is visible from common area, i.e. common corridor or common staircase. Not to mention that all the owners in the building is governed by DMC forbidding them to make any alteration to the external wall, it would be extremely difficult for the owners to attempt any unauthorized building works under the circumstances mentioned above. Also, the area underneath the overhang space on the lowest floor has already been accounted for GFA calculation. The question is whether the air space between the lowest floor and the overhang floor is accountable for GFA calculation on a floor by floor basis. We would like to point out the we have been advised in previous occasions that if it is not a modification case, BD normally would not use the suspected possible UBW as ground for disapproval. In this case, the chance of UBW is practically nil.</p>	<p>The BD responded that whether the air space beneath an overhang had to be accountable for GFA calculation should be considered case by case. In general, overhang on the exterior would be more likely to be accepted than overhang in internal voids / lightwells as there was a possibility that internal voids tend to enlarge the bulk of the building.</p>
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	Item raised by AAP	
11.	<p><u>Height of protective barrier of curtain wall</u></p> <p>Further questions elaborated from previous forums (Ref: item 10 of APSEC forum on Mar 2012): Should min. 1.1mH protective barrier to be measured from finished floor level or finished surface of the 300mmH curb for curtain wall building with openable window? Can the concept of slanted curb for glass balustrade be applied for this case such that the 1.1mH is measured from finished floor level?</p>	<p>The same concept as in glass protective barrier shall apply. Reference should be made to Item 10 of the Summary of Items Discussed in the APSEC Discussion Forum in March 2012.</p>
12.	<p><u>No. of F.A. for bathrooms</u></p> <p>For internal bathroom(s) within a residential unit, modification has to be applied for non-provision of standard flue aperture as required under B(P)R 35A & PNAP APP-027. If there are more than 1 internal bathroom and only electric water heaters are provided for those internal bathrooms, how many flue aperture shall be provided (which will be sealed by the time of OP inspection)? i.e. only <u>ONE</u> F.A. to be provided for the <u>ONE</u> residential unit or <u>ONE</u> F.A for <u>EACH</u> internal bathroom? It is recommended to provide 1 no. of F.A. for 1 residential unit.</p>	<p>Every bathroom should be provided with a flue aperture as required under B(P)R 35A. Such provision should comply with PNAP APP-27.</p>

13.	<p><u>Discrepancies between ADM-2 and APP-151</u></p> <p>There are discrepancies between the list of GFA concession appended in Appendix G of PNAP ADM-2 and Appendix A of PNAP APP-151 as follows:</p> <p><u>GFA concession items found in APP-151 but not in ADM-2:</u></p> <ul style="list-style-type: none"> -“sunshade & reflector (item 27), -“minor projection such AC box, window cill, project window” (item 28) -“covered area under large projecting/ overhanging feature” (item 31) <p><u>GFA concession items found in ADM-2 but not APP-151:</u></p> <ul style="list-style-type: none"> -“other projection” (item 29) <p>Which list should be referred to in applying GFA concessions? Would BD please consider updating the GFA concession list in ADM-2 to match with the list in APP-151? Pease also clarify the wording difference between item 31 of APP-151 (covered area under large projecting/ overhanging feature etc.) and item 29 of ADM-2 (other projection).</p>	<p>The differences between the appendices were intentional to require area calculations of specific items only when necessary. However, BD would review the Appendices and would circulate for comments if changes were considered necessary.</p>
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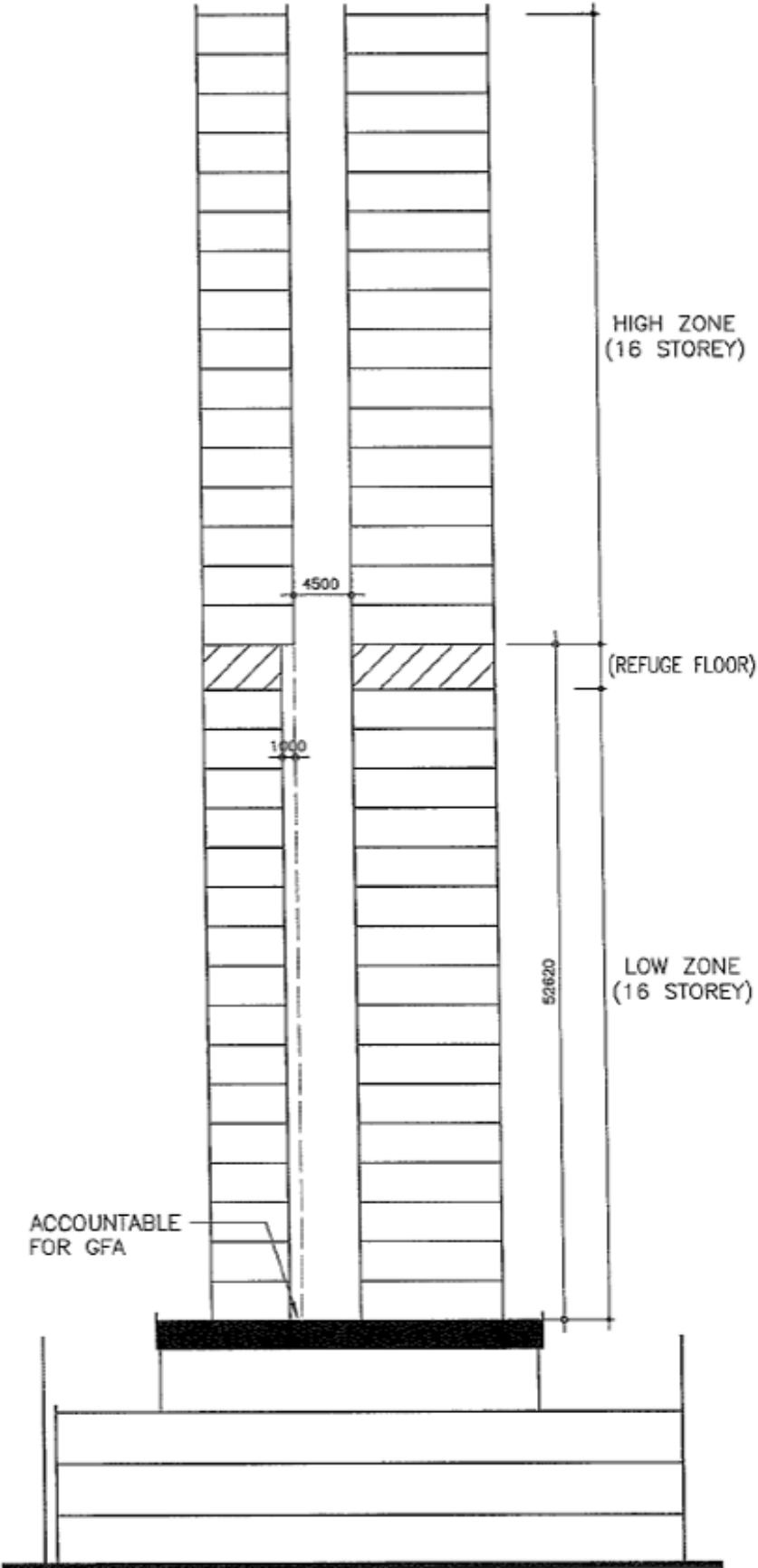
	Item raised by HKIE	
14.	<p><u>Processing System</u></p> <p>Will BD process Site Formation Plans before the submission of GBPs?</p>	<p>BD confirmed that approval and subsequent consent application for Site Formation and Natural Terrain Mitigation Works can be processed prior to the submission of GBPs.</p>
	AOB Items	
15.	<p><u>HKGBC proposed to tie up GFA concession with BEAM Plus rating</u> (Item raised by HKIA)</p> <p>HKIA mentioned that HKGBC promulgated a proposal to urge government to grant GFA concession based on BEAM Plus rating. HKIA requested BD to invite stakeholders and professional institute / association to take part in the consultation, if any, on this issue.</p>	<p>HKGBC’s proposal of linking GFA concession with BEAM Plus rating was a measure developed under the “HK3030 Campaign” aiming at achieving a low carbon sustainable built environment in Hong Kong. Meanwhile, the proposal was being considered by the HKSAR Government and the result was pending. BD noted the stakeholders’ requests of engaging them in the consultation exercise, if any, regarding this proposal. BD would relay their requests to the Development Bureau.</p>
16.	<p><u>Clarification of terms in PNAP APP-19</u> (Item raised by HKIA)</p> <p>HKIA expressed that there was ambiguity in some phrases in PNAP APP-19 and would like BD to clarify / review them, such as “Save for the areas covered by projecting features which provided a weather-protected shelter capable of functional use...” and “access to the covered area is not possible and abuse is unlikely” in paragraph 6.</p>	<p>BD would clarify / review the concerned terms / phrases in this PNAP. Meanwhile, BD clarified that in paragraph 6, save for the areas covered by projecting features which provided a weather-protected shelter capable of functional use and the clear height of the projecting feature was more than 7.5m above the covered areas, and either (a) the ratio of horizontal width of the</p>

		<p>covered area to the clear height of the projecting features above the covered area was not less than 1:8, OR (b) access to the covered area was not possible and abuse was unlikely, the covered areas would not be regarded as GFA and thus were not required to be included in the GFA calculation.</p>
17.	<p><u>Minor Works Control System for sub-vent project / property</u> (Item raised by AAP)</p> <p>AAP would like to know whether works carried out in sub-vented project / property should be under the purview of BD’s MWCS. The concerned works were mainly under repair / maintenance works contracts with government departments such as ArchSD and EdB, etc. as the project mangers. Copy of a relevant email between AAP, HKIA, DEVB and ArchSD was tabled at the Forum (Appendix II).</p>	<p>HKIA supplemented that ArchSD replied on this issue which repair / maintenance works contract under the purview of ArchSD for sub-vented project should follow the MWCS. HKIA clarified that all new repair / maintenance works contracts would be carried out in accordance with BD’s MWCS. The Forum noted that the concern on this issue involved those works carried out after MWCS implemented under the old / existing contracts which signed before the introduction of MWCS.</p> <p>BD requested AAP and HKIA to provide more background information for BD’s thorough consideration.</p> <p>(Post-meeting Note : AAP letter dated 22.1.2013 to the Director of Buildings titled “Application of the Minor Works Control System under the Buildings Ordinance to Government Projects” was responded by AD/CS on 30.1.2013.)</p>

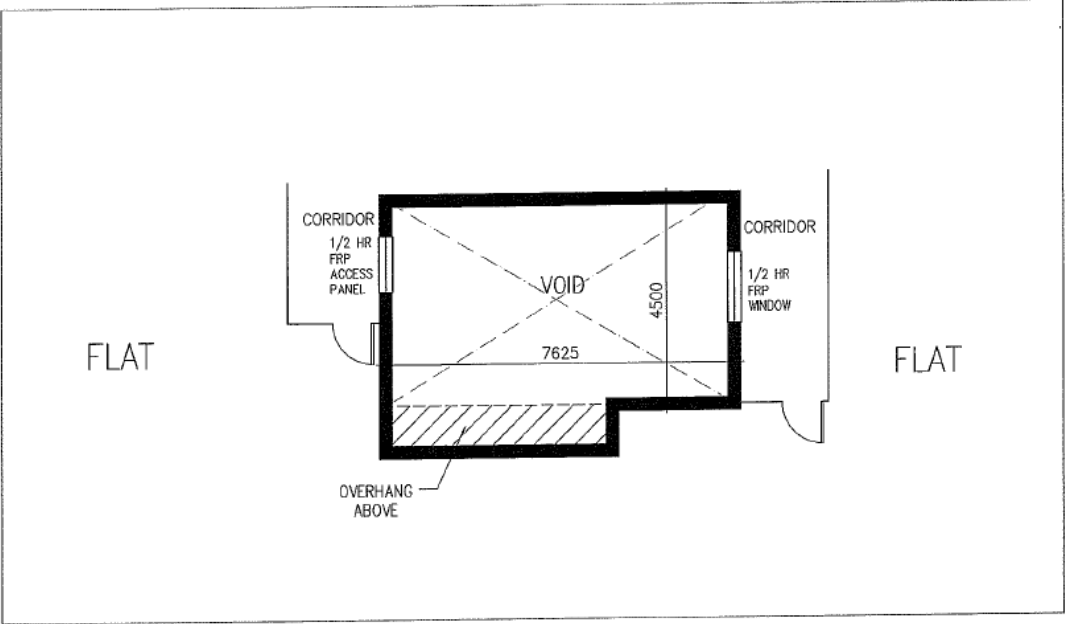
18.	<p><u>Calculation of GFA for cladding</u> (Item raised by HKIA) HKIA would like to know how GFA would be calculated for cladding which exceeded 90mm thickness.</p>	<p>Reference should be made to Item 15e of the Summary of Items Discussed in 5/12 APSEC Discussion Forum on 26 October 2012, i.e. the BD would consider such scenario on case-by-case basis.</p>
19.	<p><u>Minor Works Control System</u> (Item raised by HKIS)</p> <ol style="list-style-type: none"> 1. HKIS raised concern about the lengthy acknowledgement time for certificate of completion of minor works. 2. HKIS raised concern about the procedure of discharging orders issued by BD. Their members encountered situation where an order, involving MW items, could only be discharged upon receipt of the acknowledgement of certificate of completion of those MW items. HKIS opined that such procedure would hinder the order discharging process. 	<p>BD would relay HKIS's concern to respective Divisions and would reply in due course.</p>
20.	<p><u>BA14 acknowledgement</u> (Item raised by HKIS) HKIS raised concern about the lengthy acknowledgement time for Form BA14.</p>	<p>BD would remind colleagues to process BA14 acknowledgement in time.</p>

<p>21.</p>	<p><u>Fire Code – Firefighting and Rescue Stairway (FRS)</u> (Item raised by HKIA) BD’s BS requested staircase of FRS at basement to be provided with pressurization under Fire Code. HKIA would like BD to clarify whether this was the intention of the Fire Code.</p>	<p>BD clarified that there was no change regarding the requirements on ventilation to FRS under the FS Code.</p> <p>[Post-meeting note: Access staircase of a FRS would only need to be provided with natural ventilation at each storey above the ground storey according to Clause D19.1(b) of the FS Code (i.e. same as MOA Code 21), and Clause D19.1(a) was meant to complement Clause D21.1 in that natural ventilation requirement under Clause D19.1(b) could be omitted by the provision of a mechanical system for controlling the ingress of smoke (i.e. pressurization)].</p>
<p>22.</p>	<p><u>Wholesale conversion of industrial buildings</u> (Item raised by HKIS) Under PNAP APP-150, BA would adopt a pragmatic approach when considering curtain wall application for exemption from BO s.31(1). Would BA consider applying the same approach to cladding application?</p>	<p>BD noted HKIS’s proposal and would reply in due course. HKIA noted that the issue of cladding installation at existing buildings was also discussed by the Lands Sub-Committee. As such, HKIA was welcomed to provide more background information for BD’s reference.</p>

23.	<p><u>Application of BO s.31(1)</u> (Item raised by HKIA) HKIA came across situations where BD staff would not approve projections over street on the basis of Lands Department's objection under the lease. HKIA suggested BD to consider such building plan applications solely under the jurisdiction of BO s.31(1).</p>	BD noted HKIA's concern and would review the situations.
24.	<p><u>Application of BO s.31(1)</u> (Item raised by HKIE) HKIE raised similar concern as of item 23 which BD would not grant approval, in particular works related to soil nails on government land if Lands Department had any adverse comment.</p>	BD noted HKIE's concern and would review the situation.
25.	<p><u>Wholesale conversion of industrial buildings</u> (Item raised by HKIS) Building plans converting main roofs into refuge roofs without intermediate refuge floor for the purpose of satisfying the MOE requirement for interchange of staircases had been accepted in the past. However, it was noted recently that BD would not approve such plans. HKIS would like BD to advise whether the policy on this issue had been changed. Such change had imposed undue hardship on projects involving wholesale conversion of industrial buildings.</p>	BD replied that for proposals subjected to the provisions of the FS Code, including A&A works involving the change in use of the whole floor or the whole building, access between the staircases of the building / at the floor(s) with proposed works should be provided to comply with any one of the three modes as set out in Clause B8.2 of the FS Code. For the avoidance of doubt, the acceptable modes of access between staircases under MOE Code 11.2 as discussed in the APSEC Discussion Forum on 29.10.2011 would only be applicable to proposals designed according to MOE Code 1996 pursuant to section 39 of the BO. BD would review if there was any room to facilitate wholesale conversion of industrial buildings.



SCHEMATIC SECTION



PART PLAN OF LOW ZONE

Re: 17th communication meeting between HKIA, AAP, DEVB and ArchSD

From: cchu <cchu@wcwp.hk>

To: AAP <AAP@aap.org.hk>

Date: 28/11/2012 5:24:06 PM

thank you Dennis, for organizing the communication meeting.

there is a potentially serious professional negligence issue with sub-vented government projects since the enactment of the minor works regulations a year ago. technically speaking, sub-vented project requires formal submission to BD for approval and consent if it involves building works as defined in the buildings ordinance. the problem came about for some existing minor works and repair/maintenance works contracts procured from government departments such as ArchSD and EdB, etc., which were exempted works under the BO prior to, but became 'building works' after the introduction of the minor works regulations at end december 2011.

we have repeatedly urged the PMs to liaise/clarify with BD on the necessity to follow the minor works regime for sub-vented properties such as schools, hospitals/clinics, government rented offices, etc., prior to and after the new regulations was introduced, but with no avail, while the PMs are forcing us to proceed with the works, 'illegally' speaking. our requests have basically been ignored by the PMs, as their prime interest is to delivery the projects on time.

the situation is becoming critical as the number of work orders completed without BD submission has staggered in the past 6 months. technically, these are UWBs under the new minor works regulations, and it is putting the end-users and the APs in great jeopardy with the law. therefore, we would be obliged if you could draw the DevB & ArchSD's attention to the above. for everyone's benefits, it needs to be clarified/resolved at the policy level as a matter of urgency.

best regards

Clement Chu
Executive Director

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On 22/11/2012 5:36 PM, The Association of Architectural Practices wrote:

Dear Members,

Please be informed that the next Communication Meeting between AAP and the D

Best regards.

Dennis Lau

file:///C:/Users/056271/AppData/Local/Microsoft/Windows/Temporary Internet Files/... 21/12/2012