

Summary of Items Discussed in 5/2014 APSEC Discussion Forum on 10 November 2014

	Items proposed by Convenors for Discussion	Summary of Discussion and BD's Responses
	Items raised by HKIA	
1.	<p><u>Implementation Time of New Interpretations Clarified under APSEC Discussion Forums (ADF)</u></p> <p>For decisions subsequent to ADF discussions that clarify definitions or interpretations of issued PNAP, Codes of Practice, etc., such decisions should be applicable to projects with relevant site works not yet commenced. Please confirm that the applicability of such decisions, similar to that for new PNAP and Codes of Practice, will be determined in relation to whether the relevant consents (foundation, superstructure, etc.) are obtained before the decisions.</p>	<p>While the BD acknowledged that there might be difficulty encountered by the developer and AP for projects under construction, the developer and AP could discuss with the BD case officers if there were genuine difficulty. The BD would consider the situation on a case by case basis. The BD advised that when a clarification was made on items that would affect ongoing projects, the BD might consider clarifying the applicability in the ADF.</p>
2.	<p><u>Disregarded GFA for Bicycle Parking Spaces under B(P)R 23(3)(b)</u></p> <p>Under B(P)R 23(3)(b), the BA has the discretionary power to disregard from GFA calculations any floor space that he is satisfied as constructed and intended to be used solely for, inter alia, parking <u>motor vehicles</u> and loading and unloading of <u>motor vehicles</u>. Please clarify if:</p> <ol style="list-style-type: none"> a. parking spaces for <u>bicycles</u> are also falling within the meaning of the B(P)R 23(3)(b) b. the relevant criteria under paragraph 16(b) of PNAP APP-2 also apply to bicycle parking spaces c. 100% GFA concession will be granted for aboveground bicycle spaces 	<p>The BD had adopted a practice to disregard centralised bicycle parking spaces from GFA calculations subject to the following :</p> <ol style="list-style-type: none"> (a) such provision should be required under the lease; (b) the no. of bicycle parking spaces should comply with the relevant lease condition, and (c) the parking spaces should be provided in the common area and might be provided on G/F.

		<p>The BD also advised that such bicycle parking spaces would not be counted as part of the 10% GFA concession cap under PNAP APP-151.</p> <p>However, the BD reminded that the above was not applicable to bicycle parking spaces for single family houses, unless they were provided as a centralised provision in the common area.</p>
3.	<p><u>Calculations of Signage in Internal Space</u></p> <p>With reference to Paragraph 5 of PNAP APP-126, a signboard shall not be accountable for GFA and SC calculations if the signboard does not create an enclosed or partially enclosed floor space. Please clarify if internal signboards protruding at internal space such as voids / atriums of shopping malls are to follow guidelines as set out for external signboards under PNAP APP-126.</p>	<p>The BD advised that exclusion of GFA would be considered for internal signboards following the guidelines as set out in PNAP APP-126 on a case by case basis such as whether the signage would form enclosed space at the voids / atriums of shopping malls.</p>
4.	<p><u>Fan Rooms for Underground Car Parks and Irrigation Pump Rooms</u></p> <p>For underground car parks, mechanical ventilation is a necessity. By the same token, for provision of site coverage of greenery, plant room must be provided for accommodating irrigation pump. In this connection, please advise if Fan Rooms for underground car parks and Irrigation Pump Rooms for provision of site coverage of greenery can be regarded as essential plant rooms in the context of PNAP APP-151.</p>	<p>The BD considered that underground Fan Rooms of reasonable size serving underground car parks were essential plant rooms in the context of PNAP APP-151, and they would be disregarded for GFA calculations as well as not to be subject to the 10% GFA concession cap. Fan Rooms located on G/F serving basement car parks had to be justified. Aboveground Fan Rooms serving aboveground car parks would not be considered part and parcel of the car parks unless it was demonstrated that mechanical ventilation was necessary for the car</p>

		<p>parks, which should be open-sided.</p> <p>As irrigation plant rooms accommodating irrigation pump sets and water tank were essential for serving greeneries as required under the SBD Guidelines, HKIA opined that irrigation plant rooms should be treated as mandatory plant rooms in the context of PNAP APP-151 and be disregarded from GFA calculations. HKIA would further supplement their viewpoint for BD's consideration.</p>
5.	<p><u>Structural Submission for Stone Cladding</u></p> <p>Under PNAP, submission of structural plans and calculations to BD for approval is not required for stone cladding below 6m. However, a Structural Engineer of BD requested us to write on the structural plans (for stone cladding above 6m for a new building project) that those stone cladding below 6m would be submitted under Minor Works submission if we did not submit for approval structural plans and calculations for those stone cladding below 6m. Please clarify.</p>	<p>The BD confirmed that submission of structural plans and calculations to BD for approval was not required for stone cladding below 6m, provided that the location and extent of the stone cladding below 6m were clearly shown on the GBP.</p>
6.	<p><u>Height of Fence Wall</u></p> <p>Please advise the maximum allowable height for fence wall at the following locations under normal circumstances:</p> <ol style="list-style-type: none"> Site boundary; Private garden of each house for estate-type house development; and Party fence wall between private gardens/flat roofs. 	<p>The BD had no specific guidelines or restrictions on the allowable height of a fence wall. HKIA elaborated that the height of a fence wall might be due to site topography or under functional consideration, such as a minimum of 6m for school playgrounds. As the DLO already exercised stringent control on residential developments, HKIA considered that the BD might not need to control the height and design</p>

		<p>of the fence wall if it was not affecting safety and health requirements stipulated in the Buildings Ordinance. The BD responded that they would consider HKIA’s view and review this issue and discuss with the LandsD.</p>
<p>7.</p>	<p><u>MOE for Occupant Capacity Over 3000</u></p> <p>FS Code 2011 Table B2 states that for occupant capacity over 3000, “the number of exit doors, exit routes and their width should be determined by the Building Authority”. In the previous MOE Code, it is allowed to use “linear extrapolation” to determine the requirement for capacity over 3000. In contrast, the commentary in the new FS Code states that “floors containing more than 3000 people may be designed by fire engineering”.</p> <p>Please clarify if “linear extrapolation” is still acceptable, or if fire engineering approach is required for any population over 3000.</p>	<p>The BD advised that the MOE provisions for a floor with an occupant capacity exceeding 3,000 people without adopting a fire engineering design might be considered subject to :</p> <ul style="list-style-type: none"> (a) the no. and width of exit doors and exit routes for the WHOLE floor should fulfill the minimum requirements derived from the linear extrapolation of such requirements from Table B2; and (b) the subject floor should be divided into compartments with an occupant capacity not exceeding 3,000 people such that each of them should fulfill the minimum requirements in Table B2 INDEPENDENTLY (i.e. without relying on exit doors / exit routes of other compartments). <p>The BD highlighted that fire engineering approach might be required for a floor with an occupant capacity exceeding 3,000 people such as stadium, performance venue and exhibition hall.</p>
<p>8.</p>	<p><u>Code of Practice for Fire Safety in Buildings 2011 (FS Code)</u></p>	

<p>a. FS Code Clause C9.4</p> <p>Each element of construction of a required staircase including the landings and supports enclosed within the walls having the required FRR need not have an FRR but must be noncombustible. Is FRR required for an external staircase where no other building is within 6m of the staircase?</p> <p>b. FS Code Clause C14.2</p> <p>Every basement that is enclosed on four sides should be provided with smoke outlets, which should be provided to every fire compartment in the basement. Is the minimum number of smoke outlet(s) for each compartment one or two? If it is the latter, why?</p> <p>c. FS Code Clause B8.2</p> <p>Where two or more required staircases are needed, people using one required staircase should be able to gain access to at least one other required staircase at any time, without having to pass through other person's private premises. Is such access required on a floor not served by the staircase (i.e. if the staircase merely passes through the floor)?</p>	<p>The BD advised that no FRR was required for an external staircase if no street, lot boundary, building, etc. mentioned in Clause C9.7 was within 6m of the staircase. However, the external staircase should be non-combustible as required under Clause C9.4.</p> <p>The BD explained that since a through draught should be created for smoke outlets to perform their function, a minimum of two smoke outlets were required for each compartment unless a dynamic smoke extraction system would be provided in accordance with Clause C14.3.</p> <p>The BD also clarified that the smoke outlets should be not more than 30m apart to facilitate firemen's operation.</p> <p>The BD advised that each case would be considered on its own merits and circumstances. The BD suggested that the requirements under Clause B8.2 would be followed up by the Technical Committee on FS Code.</p>
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	Items raised by HKIS (Convenor: Sr Andrew KUNG)	
9.	<p><u>FS Code Clause C13.4(c)</u></p> <p>Pursuant to Clause C13.4(c) of the FS Code, a full height wall having an FRR of not less than -/30/30 separating an open kitchen and the flat exit door should be provided. A concrete block wall of 100mm is erected to meet the FRR requirement. It is common that minor building services fixtures like lighting switches or videophones with conduits are installed at the wall, and so the wall thickness is reduced locally at those building services fixtures.</p> <p>Please advise whether additional fire-rated boards are required at those locations with building services fixtures where the wall thickness is reduced. For argument's sake, we do not expect additional fire-rated boards are required at fire rated wall separating between residential flat units (i.e. different occupancies) when we install those minor building services fixtures.</p>	<p>The BD noted that a 100mm thick wall constructed of solid brick of clay or concrete should have a FRR of 60 minutes. Hence, additional fire rated boards might not be required at isolated locations with MINOR building services fixtures where the wall thickness would be reduced.</p>
10.	<p><u>Compliance Implied by Approval of Building Plans</u></p> <p>On obtaining approval of building plans from the BA, the AP assumes the followings:</p> <p>a. Despite curtailed checking by the BA, fundamental issues under the Buildings Ordinance, such as calculations on GFA and site coverage, should have been examined in details by the BA prior to indicating approval. Request from the BA for submission of amendments to address comments from the BA, if such being valid, should not apply to fundamental issues still.</p>	<p>Regarding Items (a) and (b), the BD considered that APs should have the responsibility to ensure the submitted building plans would be in compliance with the BO and its subsidiary regulations.</p> <p>For item (c), BD confirmed that the recently issued PNAP should have already specified the effective date where appropriate.</p>

	<p>b. For items relying on the discretion of the BA for the approval, such as items without explicit specification on the maximum dimensions under the Buildings Ordinance, the first approval by the BA under the building plans is taken as approval given by the BA upon exercising his discretion. The AP does not expect any inconsistency in the BA thereafter, when submissions are made to the BA subsequently but without amending the item on which discretionary power has been exercised.</p> <p>c. Provisions under the building plans of a proposed development, and the subsequent minor amendments, should follow requirements under the version of PNAPs in operation when the building plans were first approved and with consent issued by the BA, unless it has been provided otherwise expressly under the revised version of PNAP.</p> <p>Please confirm that our understanding is correct.</p>	
	<p>Items raised by AAP (Convenor: Ms Carolin FONG)</p>	
<p>11.</p>	<p><u>Air Conditioning Plant Room</u></p> <p>PNAP APP 42 para 8, it was stated that the following would be considered reasonable in the absence of detailed design layout of the plants.</p> <ul style="list-style-type: none"> ● AC Plant Room not exceeding 1% of total GFA of a building, and / or ● Air Handling Units, not exceeding 4% of the total GFA of each floor on which they are situated <p>It was also mentioned that IF the above percentages are exceed, full justification must be provided and Director of EMSD's advice may be sought.</p>	<p>The BD confirmed that the practice as stated in PNAP APP-42 should be followed. Hence, for AC or AHU rooms of areas within the respective limits stated in PNAP APP-42, a detailed plant layout and justifications should not be provided. Regarding AC or AHU rooms of areas exceeding the respective limited stated in PNAP APP-42, a detailed plant layout with full justification should be submitted in support of the building proposal for BD's consideration and referral to EMSD.</p>

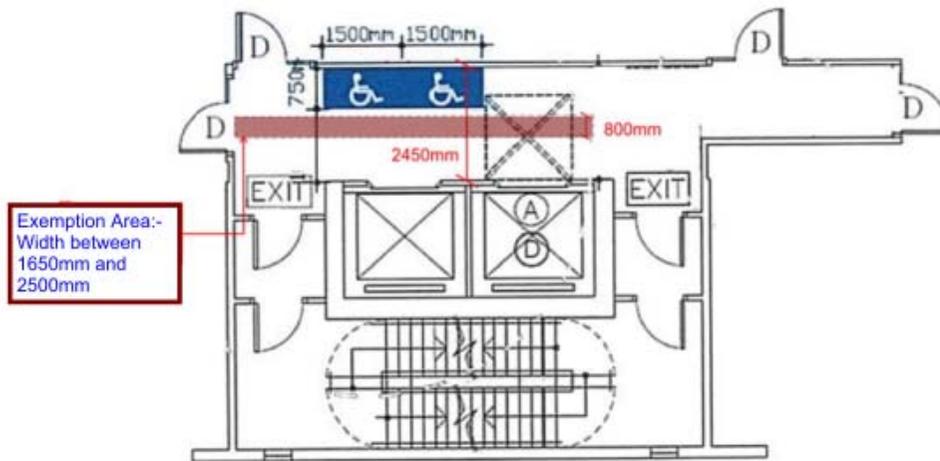
	<p>However we find the actual practice in obtaining GBP approval seems to look at the requirement differently. That is, AC and AHU plant rooms must not exceed the stated percentages in any case. If these are exceeded, there is no chance for obtaining EMSD's feedback even when detail substantiation of plant room layout and sections are provided. At same time when these rooms are considered 'big' close to (but not more than) the maximum percentages, EMSD's no objection must also be obtained before the plans can be approved.</p> <p>Please confirm that what is stated in the PNAP should be followed instead.</p>	
12.	<p><u>Store Room within a Domestic Flat</u></p> <p>Recent comments from the BD on GBP submission were received by various members regarding the sizing of store room and its location and access arrangement within the domestic flat. Sometimes, BD officers do not accept non-provision of prescribed windows for a store room if it is considered 'too large' or it is entered through the kitchen.</p> <p>We request the BD to provide details on the criteria under which the store room can be considered to be for storage and no prescribed windows requirements need to be followed.</p>	<p>The BD advised that a utility room or store room without prescribed window and entered through a kitchen had been accepted, similarly for small store room.</p> <p>In response to AAP's enquiry on BD's internal guidelines regarding the acceptable dimensions of such utility room or store room without a prescribed window, the BD advised that there were no such guidelines or hard and fast rule on the sizes and remarked that such design had been approved all along these years and could be found in many completed projects.</p> <p>The BD would take into account the size, location and design of a room in domestic premises as well as the overall design of the premises when considering whether such room should be regarded as a</p>

		<p>habitable room for the purposes of regulations 30 and 31 of the B(P)R irrespective of their designated use as “study room”, “games rooms” or “store”. For instance, if the size of such room would be disproportional to the flat size, a prescribed window should be provided.</p>
13.	<p><u>Buildings Department Internal Guideline</u></p> <p>Following AAP's letter to the BD early this month, we note that many of our member practices have appealed to the Association about cases of building plan disapproval due to non-compliance with approval criteria stipulated in the BD’s internally published guidelines.</p> <p>In recent years, we can appreciate that the BD has made a lot of efforts in re-engineering the plan processing system with a view to facilitate building professionals in the approval process. There is also a useful mechanism in place where BD’s interpretation and discretion on approval criteria are spelled out in form of Practice Notes to avoid uncertainties.</p> <p>We believe the internal guidelines, which are unknown to the practicing professionals and revised from time to time, are working against the intents and purposes of the current system. They are causing unnecessary hardship as a result of building plan disapproval and design changes. We urge the BD to have the internal guidelines formally published on BD’s website or in form of Practice Notes so that the approval requirements are made known to the public in a transparent manner.</p>	<p>The BD explained that not all internal guidelines should be relevant or ready to be incorporated in a PNAP. However, the BD would keep in view the request from the industry and where appropriate publicise relevant internal guidelines concerning plan submissions to the industry via suitable channel such as a PNAP and Circular Letter.</p>

14. Temporary Refuge Spaces (TRS) and Wider Corridor / Lobby

FS Code Section 4 Clause B30 – Addenda and Consequential Corrigenda to the FS Code for the Provisions of Means of Escape for Persons with a Disability in Case of Fire and JPN1 refer. Please kindly clarify the followings:-

- If TRS (emergency use only) are provided within the Fireman's Lift Lobby (naturally ventilated) of Typical Residential Floors, please clarify which calculation for widen lift lobbies exemption shall be used as per below diagrams:



Scenario 1

Exemption portion in front of TRS

= Overall width (2450mm) - 1650mm

= 800mm

The BD confirmed that **Scenario 3** should be adopted in calculating the exempted GFA for the provision of a wider common corridor / lobby under JPN 1.

	<p>Scenario 3 Exemption portion in front of TRS = Overall width (2450mm) - TRS (750mm) - width for required exit route (1050mm) = 650mm</p>	
15.	<p><u>Storey Height above Transfer Plate</u></p> <p>For residential developments, there is a general practice of an E&M zone above the transfer plate allowing flexibility in diversion of pipe works through transfer plate openings. Please clarify that this E&M zone does not account for the total floor-to-floor height of storey above transfer plate. The floor-to-floor height of storey above transfer plate should be accounted from the top of this E&M zone to the structural floor level of floor above.</p>	<p>The BD confirmed that the depth of E&M zone above the structural transfer plate should NOT be included in the floor to floor height of the storey above the transfer plate for the purpose of regulation 23(3)(a) of the B(P)R.</p>
16.	<p><u>Floor Height of Residential Units</u></p> <p>According to guidelines, maximum 3.5m floor height is allowed for typical domestic floor and maximum 4.0m floor height is allowed and limited at the top floor of residential tower to foster a better and quality environment for special units at top floor. However, there shall be case where the special units are not designed at the top floor but at the lower floor with private garden.</p> <p>Would like to enquiry if the BD would accept for the allowance of maximum 4.0m floor height to be at the top floor or to be at another one residential floor to foster a better and quality environment for special units.</p>	<p>The BD advised that the norm for a 3.5m maximum storey height for domestic flats and a 4.0m maximum for the topmost domestic floor had been adopted for a considerable period of time. A research on the development of such norm would be required and if necessary, the BD might consider informing the industry of such requirements. Item 13 above refers.</p> <p>On the question raised by AAP regarding whether there could be flexibility on the location of a floor with 4.0m storey height, the BD advised that it would be considered on a case by case basis.</p>

	AOB Items	
17.	<p><u>Electrical Charging for Car parking spaces</u> (Item raised by AAP)</p> <p>PNAP APP-2 para 16 (i) requires that ALL car-parking spaces to be disregarded from GFA are electric vehicle (EV) charging-enabling.</p> <p>According to HKPSG, at least 30% of car-parking spaces shall be electric vehicle charging enabling.</p> <p>We also understand that Housing Department Projects normally require 20% of car-parking spaces to be electric vehicle charging enabling. A similar range is adopted for other government projects also as far as we are aware of.</p> <p>The large number of EV charging-enabling car-parking spaces in private development applying for GFA concession adds immense pressure to the size of transformer rooms, HV switch room, electrical meter rooms and spaces for electrical wiring etc.</p> <p>While we understand the government's target to promote the use of electric vehicle in HK, it seems that the demand for 100% EV charging in car park will not happen in the foreseeable future.</p> <p>In this regard, we suggest the BD to reduce the required percentage of EV charging-enabling car-parking for projects applying for GFA concession to a</p>	<p>The BD advised that the 100% requirement might be proposed by the EMSD and it was considered appropriate in order to meet the future demand for charging for electric vehicles.</p>

	range similar to the HKPSG requirements and other Housing / Government projects.	
18.	<p><u>Clarification of Application of BO 16(1)(i)</u> (Item raised by HKIE)</p> <p>HKIE would like to seek clarification if BD would still treat the re-submission as fresh application when the items disapproved under section 16(1)(i) of the BO are omitted in the re-submission.</p>	<p>The BD confirmed that regulation 29(3) of the B(A)R should be applicable to submissions disapproved under section 16(1)(i) of the BO.</p>
19.	<p><u>Implementation of the Requirements of the TRS</u> (Item raised by BD)</p> <p>Stakeholders might wish to note that the Circular Letter dated 17 September 2014 clarifying the “consent” scenario for application of TRS requirements.</p>	<p>The BD supplemented that Form BA10 should be submitted for those cases with the consent for the commencement of foundation works before the expiry of the 3 month period.</p>