

## Summary of Items Discussed in 4/2016 APSEC Discussion Forum on 12 August 2016

	Items proposed by Convenors for Discussion	Summary of Discussion and BD's Responses
	<b>Items raised by HKIA</b>	
1.	<p><b><u>Approved Material for Rain Water Pipe</u></b>            B(SSSF, P, DWL)R 34(1)(b) states that <b>cast iron, steel, copper</b> (or other approved material) are acceptable material for use in <u>soil, waste, anti-syphonage, ventilating and overflow pipe</u>, and B(SSSF, P, DWL)R 34(2) stipulates that only <b>cast iron, copper</b> (or other approved material) are included as readily acceptable material for <u>rain water pipe</u>.</p> <p>As <b>Galvanized Iron (G.I.)</b> pipe and <b>Stainless Steel (S.S.)</b> pipe are commonly used materials for drains with small diameter, we would like to know if BD would readily consider G.I. and S.S. as “other approved material” for use as soil/waste and/or rain water pipe.</p> <p>In case special approval is required, could BD also advise whether there is a list of commonly accepted “other approved material” for streamlining the routine procedures of such application.</p>	<p>BD would readily accept galvanized iron (G.I.) and stainless steel (S.S.) for soil, waste and rainwater pipes. However, such materials and the relevant standards they met should be indicated on drainage plans.</p>
2.	<p><b><u>Drainage in Sunken Slab.</u></b>            According to the Summary of Discussion of ADF no. 2/2016, BD advised that a PNAP would be issued in due course where light weight concrete or sand should be used instead of concrete to backfill voids for laying drains in sunken slab. HKIA opines that cement sand mortar (without reinforcement) should also be allowed as it could also be readily removed when maintenance is required.</p>	<p>The BD advised that HKIA's proposed alternative backfill materials were acceptable. [Post meeting note: HKIA further proposed that the cement sand mortar (without reinforcement) should not be more than 1:3, and BD agreed.]</p>

<p>3.</p>	<p><b><u>AC Platform</u></b></p> <p>In view of the industry’s growing concern on the maintenance space and access of A/C platform, HKIA would like to propose the following measures for BD’s consideration:</p> <ol style="list-style-type: none"> <li>1. Where there is only a single layer of A/C units on the platform, allow 1.2m maximum height for the AC screen;</li> <li>2. Allow the maximum depth of AC platform (including screen) to be increased from 750mm to 1m;</li> <li>3. Allow discrete AC platforms to be connected and wrapped around building corners for the convenience of maintenance access; and</li> <li>4. Allow readily access to AC platform via utility platform, say through a metal gate.</li> </ol>	<p>To enhance safety of workers to maintain outdoor AC units but without having too much impact on building bulk and obstruction to natural lighting and ventilation, BD advised that they were prepared to (i) relax the maximum 750mm projection of AC platforms, (ii) accept the stacking up of ACs on platforms in order to reduce the extent of AC platforms and (iii) relax the limiting dimensions of the AC screens. Details would be confirmed after consultation with the industry workers.</p> <p>[Post meeting note: a circular letter giving details on the design guidelines and safety provisions was issued on 23.12.2016.]</p>
<p>4.</p>	<p><b><u>Acoustic Window</u></b></p> <p>With experiences gained from recent projects with environmental noise problem, we understand that the BD would normally accept the use of horizontal acoustic fins projecting not more than 750mm as they do not cause obstructions to prescribed windows.</p> <p>Considering the increasing trend on project sites being subject to environmental noise problem, HKIA suggested BD should update the extant PNAPs to incorporate the above commonly adopted noise mitigation measures for reference/information by relevant stakeholders.</p>	<p>The BD would consider that such 750mm projections (horizontal acoustic fins) from external wall usually applied to the base of top hung openable windows with limited extent as not causing obstructions to prescribed windows, and hence as an acceptable alternative or additional noise mitigating measure to the acoustic window promulgated in PNAP APP-130.</p> <p>[Post meeting note: PNAP APP-130 was revised on 23.12.2016 rationalizing the interpretation of openable windows under B(P)R 30 &amp; 31 encouraging the industry’s use of such in noise mitigation. The need for introducing horizontal acoustic fins should thus be reduced.</p>

		On the other hand, in an open seminar held on 19.11.2016 and the Joint APSEC BSC Meeting held on 2.12.2016, APs were highly encouraged by BD to provide cross ventilation to habitable rooms so as to enhance the efficiency of the reduced openable windows as stated in the PNAP. Light wells and re-entrants should be designed for when necessary.]
5.	<p><b><u>Green Roof</u></b></p> <p>HKIA suggests BD should consider incorporating certain greening works on roof which are minor in nature into the Minor Works Control System.</p>	BD would, in the process of preparing the Laymen’s Guide for Roof Greening, also consider the suggestion of introducing relevant new MW items.
6.	<p><b><u>Manoeuvring Space for Barrier Free Access to Refuse Collection Room</u></b></p> <p>As per paragraph 31(2) of the Design Manual for Barrier Free Access 2008, a space of not less than 1500mm x 1500mm shall be provided within 3500mm of <u>every dead end</u>.</p> <p>In this regard, please clarify if it is acceptable when such space is NOT provided immediately in front of the access to a Refuse Collection Room (RCM) at a typical domestic floor; providing that such 1500mm x 1500mm space is located at a reasonable distance away from the RCM for the wheelchair user to manoeuvre back to his/her original position.</p>	BD shared the same understanding. There was no requirement of providing a 1500mm x 1500mm space immediately in front of the access to a Refuse Collection Room (RCM); provided that such space was available at a reasonable distance from the RCM.
7.	<p><b><u>Second Set of Submission Plan for Streamlining GBP Approval</u></b></p> <p>Regarding HKIA’s earlier proposal under item 8 of ADF no. 3/2016 dated 27 May 2016, would BD please kindly advise on progress of the relevant review.</p>	BD had responded vide item 8 of the confirmed summary of discussion in ADF 3/2016.

8.	<p><b><u>Covered Area Underneath Lowest Balcony/ Utility Platform</u></b></p> <p>Considering the criteria of exempting the covered area underneath lowest balcony/utility platform from GFA/SC calculations (i.e. not less than 40% perimeter of the covered area is not enclosed above safe parapet height and faces into the open air) as per JPN 1 and 2, it appears that they are meant to refer to those covered areas at private flat roofs/gardens.</p> <p>In other words, for those covered areas (underneath lowest balcony/utility platform) at communal garden/landscaped areas at ground or podium level, the exemption criteria as referred to in PNAP APP-42, para. 26 should prevail instead, and the said covered area underneath lowest balcony/utility platform in such circumstances shall NOT be subject to the 10% overall GFA concession cap. Please advise if our understanding is correct.</p>	BD shared the same understanding.
<b>Item raised by HKIE</b>		
9.	<p><b><u>Form BA 5</u></b></p> <p>Two clarifications on the use of Form BA5 are raised below:</p> <p>(a) New Statutory Forms (BA form) have been uploaded in BD's website. Please advise whether the old BA forms can still be used during the transitional period.</p> <p>(b) Please advise whether we can use the Certificate of Registration No. of AP/RSE/RGE to replace HKID No. in the Section 2 (Details of the Applicant) of the new Form BA 5. Please refer to the attachment.</p> <p> Extracted New F.BA5 (HKIE).pdf</p>	<p>BD advised that the old BA Form might still be used during the transitional period but such would not be accepted from 1.11.2016 onwards.</p> <p>BD advised that their Electronic Forms Submission System could not recognize the Certification of Registration No. of AP/RSE/RGE. If AP/RSE/RGE did not wish to show their HKID No., they would have to use hard copy for submission.</p>

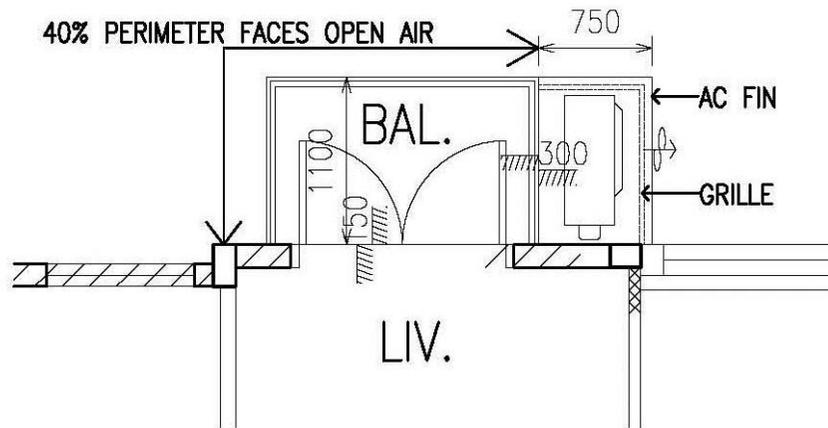
	<b>Item raised by AAP</b>	
10.	<p><b><u>Validity of Building Plan Approval</u></b></p> <p>(a) PNAP APP-97 para 14 states that s.16(3)(d) of the BO will NOT be invoked to refuse consent due to changes in draft OZP enacted after GBP approval.</p> <p>(b) But para 10a of Annex 1 of Circular Letter of Dec 2012 implies that draft OZP enacted after the GBP approval will need to be followed before the modifications validity can be extended.</p> <p>The certainty of redevelopment potential and investments provided under PNAP APP-97 is totally defeated under the modification validity practice, since ALL projects require modifications one way or another.</p> <p>Even a simple project with only a modification of natural lighting to staircase will be subject to immense uncertainties. This seems to contradict with PNAP APP-97 and the decision of previous Appeal Case (31 Robinson Road)</p> <p>If BD continues with this practice stated in para 10a of Circular Letter, we consider that it would be necessary to change ALL standard modifications to regulations without further delays.</p>	<p>BD explained that exemption had always been a discretion by the BA taking into account the special facts and circumstances of each case and could not be considered having the same status of an approval without basing on exemptions. Extension of exemption will follow the principle laid down in para. 10 of Annex 1 of the Circular Letter dated 31.12.2012.</p> <p>In considering whether an exemption (with progress of project identified as “without due diligence”) could be extended when there was a change in OZP, it would be the BA’s duty to consider whether the renewal of such exemption would render the proposal inducing adverse effect to the environment in the context of the revised OZP. After the expiry of such Form BD106, the plans would be considered as submitted afresh. Exemptions resulting in contravention of the OZP current at the time of considering the renewal would not be renewed. For example, if there was a reduction in GFA (PR) or SC under the new OZP, exemption for balconies from such would naturally not be extended.</p> <p>On the other hand, exemptions on issues like lighting and ventilation which were seldom controlled under OZP would still be favourable considered for an extension, unless there were also changes in relevant requirements.</p>
11.	<b><u>Validity of Modifications</u></b>	

	<p>Also regarding para 10a of Annex 1 of Circular Letter of Dec 2012, please clarify when will changes in OZP or planning circumstances be 'relevant' to the modifications or exemptions?</p> <p>For example, will a change of height limit in OZP be relevant to a project with GFA exemptions modifications for balconies? Or GFA exemption for plant rooms?</p>	Ditto
12.	<p><b><u>Validity of Modifications</u></b></p> <p>Where an Approved Plan contains modifications and there has been no change in circumstances since approval which may adversely affect the approved proposal, what is the procedure for getting a new BD106 with a new expiry date?</p>	<p>For no change in circumstances, BD would accept a fresh Form BA16 covering all previously granted modifications and process relevant building amendment plans (if submitted). A new Form BD106 would be issued with a new expiry date the period of which might be 2 years or shorter from date of expiry of the previous Form BD106 or if applicable, from the date of approval of the building amendment plans.</p>
13.	<p><b><u>Horizontal Screen under PNAP APP-42</u></b></p> <p>We wish to know the progress of BD's review on the allowable width of horizontal screen and associated changes to PNAP APP-42 (changing the name from horizontal screen to covered walkway etc.) following discussion under Forums 4/2015 item 11 and 5/2015 item 14.</p>	<p>The proposal had been relayed to the Consultant for the review of the B(P)Rs for consideration and incorporation the draft recommendations as appropriate. In the meantime, Form BA 16 on application for covered walkway of more than 2m wide would be considered on case basis. The size of population served thus the traffic load of the route and the chance of abusive use would be taken into account.</p>
14.	<p><b><u>Open Space</u></b></p> <p>B(P)R25(1) requires open space to be provided at the rear or partly at the rear and partly at the side. B(P)R25(2) requires domestic building to be at</p>	<p>BD would consider modification/exemption for the open space on the individual merits of each case; standard modification is considered not</p>

	<p>least 1.5m from rear boundary.</p> <p>For very long site abutting narrow street, provision of open space at the rear or partly at the rear and partly at the side is difficult. When building set back is needed for SBD, the situation becomes even more awkward. Since space around building has already been controlled by site coverage as well as prescribed window, it seems that the open space requirement is redundant from building 'health' or 'environmental' point of view.</p> <p>Currently there is no standard modification for open space (except for hotel). We suggest BD should formulate the criteria to allow standard modification for non-compliance with B(P)R25 so that handling of such modifications can be more effective.</p>	<p>appropriate for the time being.</p>
<p>15.</p>	<p><b><u>Curtain Wall at Ground Floor or Floor with Flat Roofs or balcony</u></b></p> <p>Provided that requirements under PNAP APP-2 can be followed, curtain wall at Ground Floor or Floor with Flat Roofs or Balconies can also be ignored and the external face of the structure (beam / slab / columns) can be considered as the external wall for the purpose of PR and SC calculations, except the part of the curtain wall providing access to outside / flat roof / balcony .</p> <p>Would BD confirm our understanding is correct.</p>	<p>BD shared the same understanding.</p>
<p>16.</p>	<p><b><u>AC Platform at Balcony</u></b></p> <p>The size of residential units is market driven and has become smaller and smaller. This has created a lot of problems for providing AC platform. We note the following typical arrangement can provide flexibility and help to resolve a lot of technical and design problems. However, since the allowable projection of the AC fins from prefabricated façade is confined to</p>	<p>BD stated that the arrangement was not acceptable due to the likely abusive use.</p>

be 750mm, GFA exemption for this type of AC fins is not feasible under the current practice.

It seems that the arrangement does not contradict with the principles of balconies or building bulk considerations and has also credits from maintenance point of view. We suggest that 750mm AC fin projecting from the side of the balcony can be acceptable.



17. **Open Kitchen**

Open kitchen arrangement enables the provision of large number of small units within sites.

To improve the design of open kitchen further (apart from fire safety and hygiene concerns under the regulations), provision to shield the noise and control the smell is considered beneficial. One of such solutions is to provide some forms of "shield" or "partitioning" between the open kitchens and the living areas.

We wish to know whether the shield / partition having the following features may be acceptable by BD:

BD shared the same considerations. In addition, BD would also consider the possible abuse inducing health and safety problems after occupation.

	<ul style="list-style-type: none"> <li>● Lighting of the open kitchen to be ensured – adopting glass material for the shield / partition</li> <li>● Ventilation of the open kitchen to be ensured – shield / partition will not completely enclose the open kitchen but permanent gaps / openings without shutter / door satisfying 1/16 of the open kitchen area</li> <li>● Performance of the FSI for open kitchen to be ensured – ensure operation of the smoke detector / sprinkler will not be affected by the shield / partition.</li> </ul> <p>We understand individual cases will have to be considered with the merits of the design, but it would be very useful to know more about BD’s general criteria.</p>	
18.	<p><b><u>PNAP APP-130 Acoustic Window at Curtain Wall</u></b></p> <p>When PNAP APP-130 type acoustic window is provided, the required thickness of the window is usually about at least 250mm, accommodating 175mm wide air gap and double frames.</p> <p>In the case of prefabricated façade, only 150mm thickness of the façade can be exempted from GFA calculation. The GFA issue for the remaining 100mm thickness necessary to accommodate the acoustic window has caused uncertainties, in particular when the criteria of 'projecting windows' under PNAP APP-19 cannot be met or can only be met with huge difficulties.</p> <p>Similar problem occurs with curtain wall, except that there is no alternative with the 'projecting window' approach.</p> <p>We suggest that BD should allow the additional 100mm thickness at acoustic window at prefabricated façade to be exempted from GFA</p>	<p>BD was concerned about the further impact on building bulk and did not agree. [Post meeting note: In the revised PNAP APP-130 issued on 23.12.2016, the ventilation performance of the 100-175mm gap between the window and the inner noise screen need not be assessed thus providing flexibility to the industry in designing the overall thickness of acoustic windows.]</p>

	<p>calculation without having to meet the projecting window criteria under PNAP APP-19. Similarly the additional 50mm thick at curtain wall where acoustic windows are located shall be allowed to be disregarded for the purpose of PR / SC.</p>	
19.	<p><b><u>COP FS B13.1 and Entrance Gate at lot boundary leading to open landscape garden</u></b></p> <p>In some cases, MOE staircases may discharge onto landscape area which has hard-paved routes connecting to an entrance gate at the fence wall along lot boundary. .</p> <p>It is our understanding that such entrance gate is allowed to swing inward, and does not need to swing in the direction to the exit.</p> <p>Would BD confirm if our understanding is correct.</p>	<p>According to Clause B5.2 of the FS Code, every exit route leading to ultimate place of safety should not be closed with doors or gates unless such doors or gates are capable of being readily opened from the inside and in the direction of the exit route without the use of key.</p> <p>Therefore, if the landscape area was considered as ultimate place of safety, the entrance gate would be permitted to swing inward.</p>
	<b>AOB items</b>	
20.	<p><b><u>BFA Access to Greenery</u></b></p> <p>(Item raised by AAP)</p> <p>Item 29 in 2/2016 APSEC Discussion Forum held on 18.3.2016 confirmed that BFA access to the communal facilities of an estate of single family houses should be required. Please clarify whether it is necessary to provide BFA access to the greenery in the site required under PNAP APP-152.</p>	<p>BD confirmed that if the said greenery area was part of the common area, then BFA would be required.</p>
21.	<p><b><u>Proof of the ownership / realistic prospect of control of site</u></b></p> <p>(Item raised by BD)</p> <p>Members' views are sought on whether the applicants should be required to</p>	<p>BD explained that if the outstanding titles could not be acquired</p>

<p>confirm in the Form BA5 that the project proponents had already acquired full ownership or realistic prospect of control over the site shown on the building plans and whether plans without such confirmation should still be processed or not.</p>	<p>eventually or shortly after approval, BD's resources to handle submissions without full ownership or realistic control over a site might be wasted. Furthermore, the site under B(P)Reg 19, 20 and 21 cannot be established.</p> <p>[Post meeting note: BD had been accepting agreement from outstanding owners for the applicant to submit GBP as having realistic prospect of control of the site thus facilitating applicant's submission of GBP for early approval prior to obtaining full ownership.]</p> <p>Members generally did not support the proposal of BD not processing plans without full ownership or control as owners who had acquired a significant portion of a site should be regarded as having a genuine intention on implementing the development as the corresponding investment would be substantial. One member stressed that obtaining the first approval of general building plans as early as possible would be crucial for a property development and suggested BD should adopt a more flexible approach on the ownership issue so that more urban renewal could be speeded up. Another member supplemented that time was required to complete the process of compulsory sale under Land (Compulsory Sale for Redevelopment) Ordinance. The advanced approval of general building plans would give indication on the development potential of the project facilitating negotiations in the acquisitions of outstanding units, securing compliance with the planning requirements thus avoiding adverse effects of subsequent changes in planning requirements as well as proceeding in lease modification, etc.</p>
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		<p>Members also stated that the current practice, i.e. to process GBPs without full ownership with a view to disapproving but allowing resubmissions or amendments to clear the non-ownership issues so that a relatively certain scheme could be obtained prior to acquiring full ownership, should continue in the interim.</p>
22.	<p><b><u>Mini Store</u></b> (Item raised by BD) Members' views are sought on the proposal by FSD on increasing the provision of windows for facilitating firefighting in mini-store in industrial buildings?</p>	<p>Members generally did not support FSD's proposal as the window provision should be provided in accordance with the design and use of the buildings. For example, it was unreasonable to provide excessive windows in warehouses. They would consider enhancement on FSI provision might be a better solution to serve the purpose.</p>