Summary of Items Discussed in 4/2020 APSEC Discussion Forum on 26 November 2020

	Items proposed by Convenors for Discussion	Summary of Discussion and BD's Responses
	Items raised by HKIA	
1.	**<u>Non-Mandatory Feature or Non-essential Plant Room</u>** Footnote 4 to item 20 in Appendix A of PNAP APP-151 states that area of non-essential plant rooms including hot water boiler room, filtration plant room for swimming pool in a hotel, etc. may be exempted under Building Planning Regulation (B(P)R) 23(3)(a), provided that the pre-requisites and overall cap of 10% as required under PNAP APP-151 are complied with. For other non-domestic buildings, e.g. sports hall or commercial building, we would like to clarify whether the same non-essential plant rooms (i.e. hot water boiler room, filtration plant room for swimming pool, etc.) can be similarly exempted from GFA calculation provided that the pre-requisites and overall cap of 10% as required under PNAP APP-151 are complied with. For other non-mandatory features or non-essential plant rooms that are not listed in footnote 4 of item 20, we would also like to enquire if they can be exempted from GFA calculation, provided that they are genuinely designed to serve the intended purpose as well as complying with the pre-requisites and overall cap of 10% as required under PNAP APP-151. Common examples of the said features/plant rooms include:	BD advised that plant rooms, other than those described under paragraph 11 of PNAP APP-2 and PNAP APP-151 that might be exempted from GFA calculations, were GFA accountable. Grease trap room and sump pump room for F&B facilities were GFA accountable while irrigation water tank and plant room for greenery might be exempted from GFA calculation subject to the provision of environmentally friendly systems under paragraph 4 of PNAP APP-2.

	1. Grease trap room and/or sump pump room for F&B facilities; and 2. Irrigation water tank and plant room for greeneries.	
2.	**<u>AC Platform Combined with Balcony/UP</u>** Where AC platform is to be combined with Balcony and/or UP as per Appendix B of the CoP on Design for Safety - External Maintenance 2019 ("the DfS Code"), it is not uncommon that such AC platform is to be designed as an integral part of the Balcony/UP so as to achieve a coherent and decent outlook with incorporation of the following features: 1) Same external finishing treatment, such as with 90mm thick cladding and/or architectural features along the outer perimeter of the combined balcony/UP/AC platform; 2) Aluminium ceiling above the whole combined balcony/UP/AC platform; and/or 3) For the uppermost combined balcony/UP/AC platform, having a top roof/cover over the whole combined feature. Please refer to the following diagrams illustrating the above examples, which configurations are developed on the basis of Figure 3 in Appendix B of the Code:	BD had no objection in principle provided that the screen of the AC platforms could meet the requirements under Appendix B of the DfS Code and no part of any wall finishes/cladding should project beyond the site boundaries.

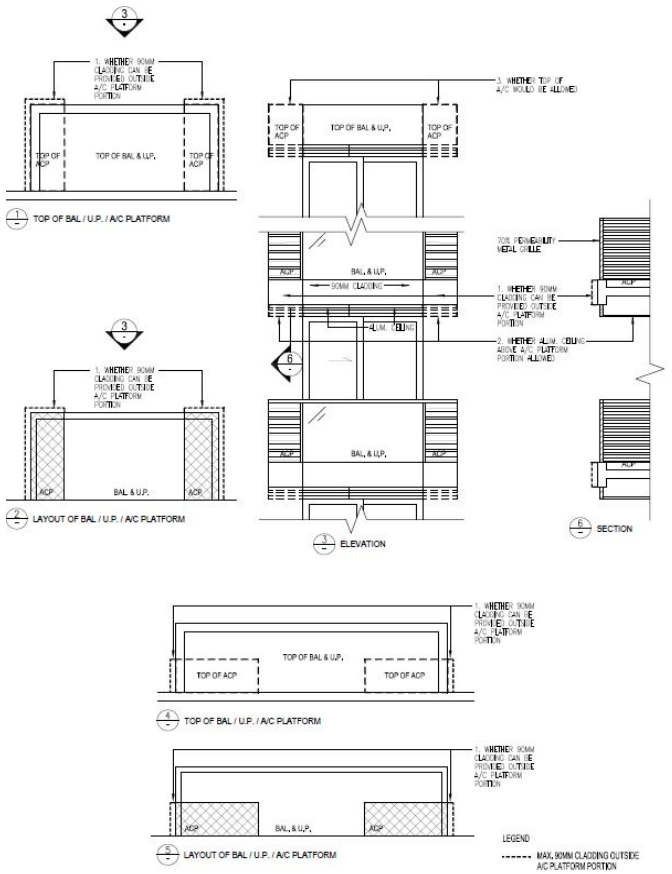


Figure 3: AC Platforms in combined Balcony and UP (one AC platform is also acceptable)

We are of the opinion that these design/amenity features have minimal implication on the building bulk and should be considered acceptable by BD. Please confirm if our understanding is correct.

3	**<u>Code of Practice on Design for Safety - External Maintenance 2019</u>** As per item 17 of ADF 5/2019 held on 22.11.2019, BD advised that "*whether the short side of the AC platform if not for the purpose of air intake/ exhaust could be changed to solid design would be further reviewed in the Technical Committee on the Code of Practice on Design for Safety-External Maintenance.*" We would like to further follow up on the issue.	BD advised that the matter was discussed at the meeting of TC on the DfS Code held on 8 October 2020. Noting that different designs in intake and exhaust system of AC were available in the market, the screens and protective barriers as appropriate should satisfy the permeability requirements set out in paragraph (g) of Appendix B of the DfS Code. To this end, the proposed solid design was considered not acceptable.
4	**<u>Sunken Slab at G/F of the House/ Garden Unit of Apartment Block</u>** Sunken slab design is commonly adopted by the industry for accommodating pipeworks associated with bathroom/ lavatory/ kitchen in domestic unit and the design should comply the requirements as stipulated in paragraph 5 of PNAP APP-93. It is our understanding that such sunken slab arrangement could also be adopted at the G/F of house as well as garden unit of apartment block where the floor slab is situated directly on grade, subject to that appropriate access panels and cleaning eyes are provided to facilitate maintenance of pipeworks inside the G/F sunken slab. Under such circumstances, Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation (B(SSFPDW&L)R) 54 will not be applicable and hence there is no need to adopt cast iron pipes for such pipeworks.	BD advised that according to paragraph 3(d) of PNAP APP-93, for domestic buildings other than those intended for single occupancy or single family residence, no pipeworks for a unit shall protrude into the unit under separate occupancy on the floor below. To provide flexibility in the design of pipeworks to satisfy the requirement set out in paragraph 3(d) of PNAP APP-93, sunken slab arrangement was an acceptable solution to facilitate drainage repair and maintenance of domestic units in multiple occupancy/ownership by providing access to drainage pipes from individual unit concerned without the need for obtaining access from another unit. The design of which should comply with the requirements as stipulated in paragraph 5 of PNAP APP-93.

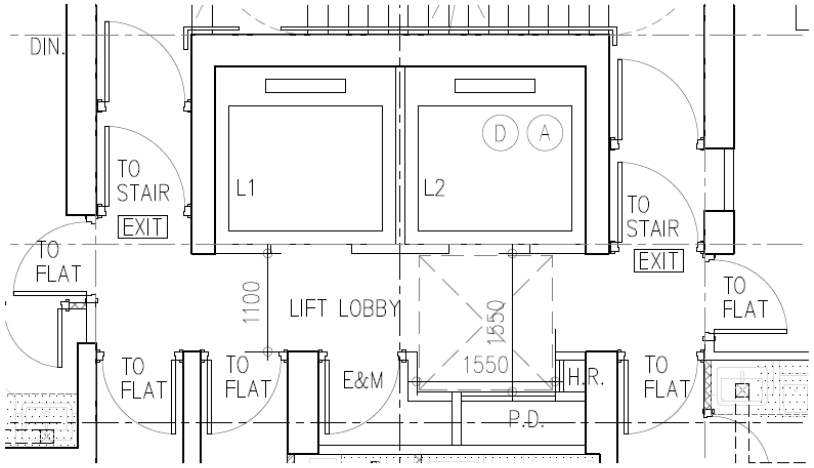
	Please confirm if our understanding is correct.	B(SSFPDW&L)R 54 was about the design and construction of drains and sewers under buildings. It specified the design and construction requirements for underground drains and sewers which were considered different from those stipulated in paragraphs 3(d) and 5 of PNAP APP-93 regarding the access to drainage pipes for maintenance and repair. For underground drains and sewers, their design and construction should comply with B(SSFPDW&L)R 54.
5.	**<u>Pedestrian Walkway Required under Lease</u>** In some occasions, the land leases may require the Grantee to provide pedestrian walkways/footpaths or similar passages within private lots to permit public to have free and uninterrupted access to certain features such as existing grave(s) located within or outside the lots. The alignment and/or width of such pedestrian walkways may not be specified under the respective lease. Would BD please clarify that such pedestrian walkways are not required to be deducted from site area for PR/SC calculation under the Buildings Ordinance.	BD advised that if the pedestrian walkway/footpath required under the lease was specified as a "right-of-way" to the public or adjoining lot owners, it should be excluded from site area under B(P)R 23(2)(a).

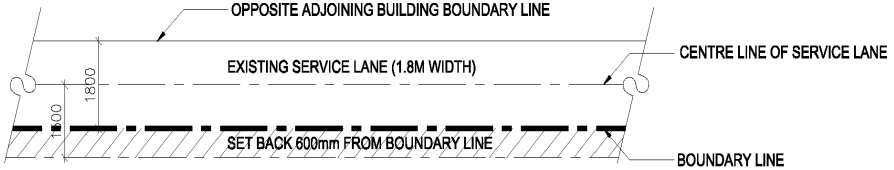
6.	**Fire Safety Management Plan for Open Kitchen of Single Family House** Clause F5.8 of the Fire Safety Code 2011 (FS Code 2011) states that "*If open kitchen in flats are provided in accordance with C13.4, the following conditions should be incorporated into the fire safety management plan and DMC, where applicable, to ensure the implementation and operation of following fire safety provisions:…*" For site with only one single family house provided with open kitchen, our understanding is that the requirement of preparation/submission of fire safety management plan is not applicable, as there will neither be any management office nor DMC available for such development. Please confirm if our understanding is correct.	BD advised that the fire safety provisions for open kitchen should be incorporated into the fire safety management plan and DMC, where applicable, under Clause F5.8 of FS Code 2011.
7.	**Evidence of Realistic Prospect of Control** It has been our understanding that either of the following cases can be considered as valid evidences/proofs that an applicant for approval of GBP has realistic prospect of control of the land concerned: 1. The applicant's acceptance of the Provisional Basic Terms Offer (PBTO) issued by the Lands Department; and 2. The District Lands Conference has in-principle approved the relevant land grant submitted by the applicant.	BD advised that HKIA's understanding was correct and the cases quoted could be considered as valid proofs in demonstrating realistic prospect of control of the land forming the site by the applicant.

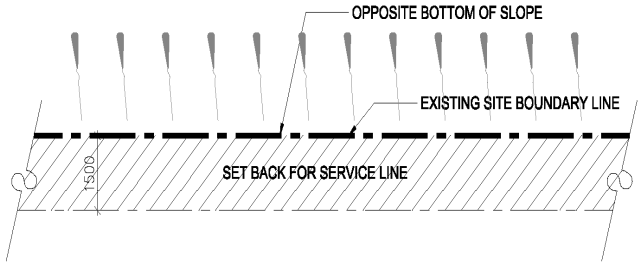
	However, we noted recently that only the issuance of binding basic terms offer with premium by Lands Department is considered as a valid evidence for proving realistic prospect of control of the land concerned, which deviates from our long understanding. This will have a profound implication to development programme and we would like to seek BD's clarification on the issue.	
	Items raised by HKIE	
8.	**<u>Code of Practice for Foundation 2017</u>** Over the past 2 years, various items regarding the subject CoP have been discussed and agreed in the TC on the Code of Practice for Foundation. Would BD please advise if the discussion items can be promulgated for industry's adoption and better application of the Code.	BD advised that the items discussed and agreed in the TC on the CoP for Foundation would be promulgated via amendments to the CoP. It was expected that the proposed amendments would be promulgated by December 2020.
9.	**<u>Code of Practice for Site Supervision 2009</u>** While the frequency level of site inspections for TCP T3 and T5 are clearly stated in the CoP for Site Supervision 2009 and the Technical Memorandum for supervision Plans 2009, the required inspection frequency for the Directorate Site Supervisor (DSS) is not specified. The CoP only states the circumstance under which the supervision by a DSS may be required but there is no guidelines on the inspection frequency. In some projects, the RGE is required to propose a frequency of inspection for DSS while the frequencies in other case might range from "monthly", "fortnightly" or even "weekly" inspection.	BD advised that the required inspection frequency by a DSS would be considered and imposed by GEO on a case by case basis. The RGE was advised to approach GEO during plans submission stage to discuss the inspection frequencies at different construction stages if necessary. Members of HKIE suggested to include some guidelines on prescribed inspection frequency of DSS in the CoP for Site Supervision 2009 and would raise the issue in the TC on the CoP for Site Supervision for further deliberation.

	Would BD please advise on the consideration regarding the different frequency of inspection for DSS for better resources planning. Upon receiving the required DSS inspection frequency, can RGE discuss with BD/GEO to rationalise the frequency of inspections, e.g. over different stages of works instead of one constant frequency over entire duration?	
10..	**Obsolete Version of Computer Program** In making amendment submissions, computer program used in the previous approved submissions may already be expired and updated. The renewal of these previously accepted computer programs may not be made by the program developer as they may develop alternative versions or new programs. Would BD please advise whether these expired programs adopted in previous approval submissions can still be used in the subsequent amendment submissions?	BD advised that according to PNAP ADM-6, the RSE/RGE was responsible for applying for renewal of prior acceptance of computer programs. RSE/RGE was reminded to duly observe the validity and expiry date of such programs in making plans submissions. For subsequent amendment submissions using the same computer programs adopted in the first submission, the RSE might use the same but expired programs provided that the RSE confirmed that there was no bugs identified in the programs during their execution.
11.	**Submission of Monitoring Data and RGE T5 Report** In most of the projects, BD required the project RSE to submit the factual monitoring data on a bi-weekly basis. Meanwhile, the RGE in the same project with significant geotechnical content is also requested to submit a bi-weekly RGE T5 report instead of monthly report as per previous practice. In such circumstance, we suggest BD to accept a combined document to avoid duplicated effort for both BD/GEO and RSE/RGE in	BD advised that monitoring data signed by RSE and RGE T5 report signed by RGE were two different documents which should be submitted and handled separately. The T5 report usually only required cumulative monitoring results to be presented in graphical form with an interpretation of the monitoring results. To streamline the submission, the RSE/RGE might submit the RGE T5 report and monitoring data

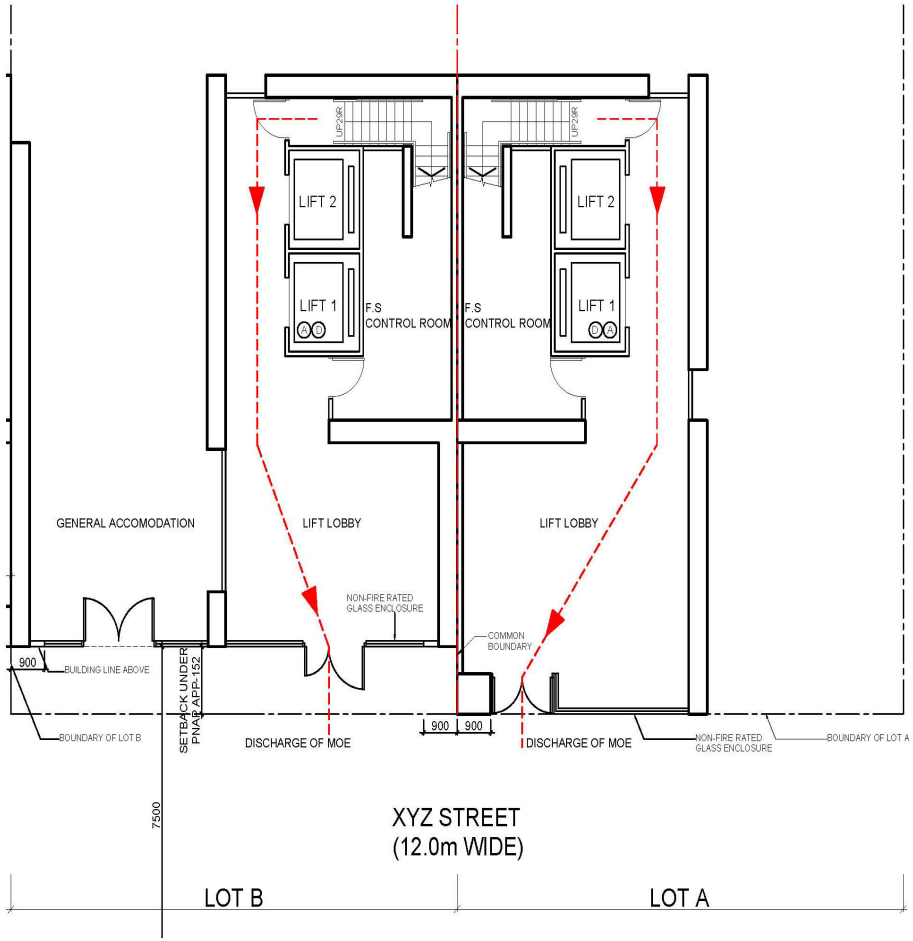
	handling repetitive data.	under one covering letter.
	Items raised by AAP	
12.	**<u>Refuge Floors</u>** Clause B18.2(b) and Clause B18.2(e) of FS Code 2011 states that *"The net area for refuge should be not less than 50% of the total gross floor area of the refuge floor and should have a clear headroom of not less than 2300mm"* and *"The area for refuge should be open-sided above safe parapet height on at least two opposite sides to provide adequate cross ventilation;…"* We opine that: 1. The 2300mm clear headroom requirement is not applicable for E/M services (drenchers, lightings, speakers, etc.) and signage (exit signs, exit directional signs, etc.), provided that a clear height of 2000mm should be maintained; 2. There is no requirement on the top level of the "open-sided above safe parapet height" Please advise if our interpretation is correct.	BD advised the area for refuge should have a clear headroom of not less than 2300mm pursuant to Clause B18.2(b) of FS code 2011. While there were no specific requirements on the "open-sided above safe parapet height" stipulated in Clause B18.2(e) of FS Code 2011, adequate cross ventilation should be provided.
13.	**<u>Lobby to a Fireman's Lift</u>** Referring to Clause D11.1 of FS Code 2011, "*each point of discharge from*	As regards the sketch plan provided, BD advised that AAP's

	a fireman's lift to the floor served…, should be through a lobby having a floor area of not less than 2.25 m^2 and a minimum dimension of 1.5m". The layout below providing a 1.5m x 1.5m clear space in front of the fireman's lift door would satisfy this requirement, please advise if our interpretation is correct.  	interpretation was correct provided that other requirements including the provision of MoE and access for persons with a disability were complied with.
14.	**<u>Staircases, Lift Shafts and Lobbies Passing Through Non-domestic GFA Accountable Areas Leading to Domestic Towers in a Composite Building</u>** If the captioned features also serve non-domestic GFA accountable areas at podium floors, they could be calculated for either domestic or non-domestic GFA.	BD advised if the features leading from domestic towers also served non-domestic GFA accountable areas at podium floors, such features might be counted as non-domestic GFA in a particular floor where it was solely for non-domestic use.

	Would BD please confirm if our understanding is correct.	
15.	**<u>Service Lane</u>** B(P)R 28 requires that every domestic building shall be provided with a service lane, would BD please confirm if the following scenarios are considered acceptable: <u>Scenario 1</u> When there is an existing service lane of 1.8m wide adjoining the site, the building on the site is to set back 600mm from the lot boundary such that 1.5m width measured from the centreline of the service lane to the building on the site is provided. Upon development of the opposite site, a lane of not less than 3m wide could be achieved.  PLAN OF EXISTING SERVICE LANE (SCENARIO 1) (CLASS A SITE) <u>Scenario 2</u> When there is no existing service lane and the site is abutting an existing	BD advised that, pursuant to paragraph 10 of PNAP APP-73, the long-term objective was that upon full development of abutting sites, a lane would be direct and have an unobstructed width of not less than 3m. In this connection, if there were sites abutting on both sides of the lane, a setback of 1.5m on each side would be acceptable, otherwise a setback of 3m should be provided. For Scenario 1, if the existing 1.8m service lane was a public lane, then a setback of 600mm would be acceptable on each side On the other hand, if the existing 1.8m service lane was a private lane (no matter the site had the right of way over such private lane), a setback of 1.5m should be provided. For Scenario 2, if there was no building site at the other side, then a setback of 3m should be provided.

	slope, the building on the site is to set back 1.5m from the lot boundary as shown in the diagram.  PLAN OF SET BACK FOR SERVICE LANE OF REDEVELOPMENT (SCENARIO 2) (CLASS A SITE)	
	AOB Items	
16.	**<u>Discharge on Ground Level</u>** (Item raised by AAP) We would like to confirm if our understanding on the following is correct. Under Code of Practice of Fire Safety in Buildings 2011 Clause 5.3, if any part of any building is within a distance of not more than 900mm from the site boundary of the adjoining site, the external walls and roofs of that part should have an FRR of not less than that of the internal elements of construction. Discharge of MOE through lift lobby to the street is acceptable and the external enclosure facing street does not require FRR	BD advised that the requirements under Clause C9.7 of FS Code 2011 were not applicable to "Lot A" under the specified situation but applicable to "Lot B" according to AAP's sketch.

	construction, which is represented by “Lot A” in the diagram. However, for S.B.D. under PNAP APP-152, building setback is required if the street abutting the site is less than 15m. Under the aforesaid scenario a common boundary between adjoining lot is exposed at the setback portion as shown at “Lot B” in the diagram. Since the set back area can be regarded as Ultimate Place of Safety for Mean of Escape, the requirement under Clause C9.7 of Code of Practice of Fire Safety in Buildings 2011 shall not be applicable to this scenario and therefore no FRR construction is required for the glass screen wall except the 900mm fire rated separation between two different lots.	

		
17.	**Stating alternative Uses of the Building** (Item raised by AAP) For commercial development, it is not uncommon that the uses of the	BD advised that specific use of the building should be indicated on the

	building may not be decided or finalised during building plan submission stage, for example the tower floors may be used as "Office" or "F&B". Provided that the design of the building could accommodate both uses (e.g. MOE, floor loading, sanitary provision, etc.), will BD accept the alternative uses of the tower floors in the GBP?	GBP for approval. Upon completion of the building development, the use would be specified on the Occupation Permit accordingly.
18.	**Perforated Construction for the Portion of AC Platform Projecting More than 750 mm** (Item raised by BD) Noting that the 150 mm wide perforated construction of AC platform required under paragraph 2(a) of Appendix C of the DfS Code would complicate the structural design and construction and might not benefit the natural lighting and ventilation of building, TC on the DfS Code accepted the recommendation to dispense with such requirement in the meeting held on 8.10.2020. The concerned revision will be promulgated in due course.	Members noted TC's recommendation and welcomed the proposed revision.