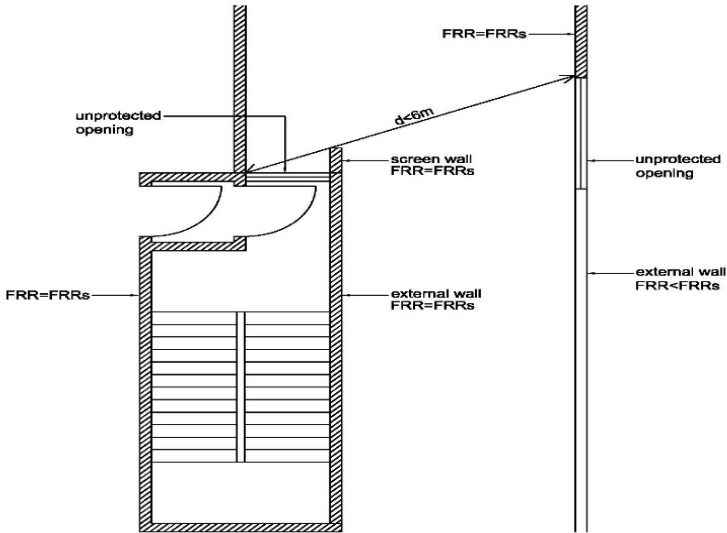


Summary of Items Discussed in 4/2019 APSEC Discussion Forum on 23 August 2019

	Items proposed by Convenors for Discussion	Summary of Discussion and BD's Responses
	Items raised by HKIA	
1.	<p><u>Application for Consent to Commence Superstructure Works for GBP involving Bonus PR/SC for Dedication/Surrender of Land under Regulation 22 of B(P)R</u></p> <p>For building plans involving dedication/surrender of land under regulation 22 of B(P)R in return for bonus PR/SC, Appendix E of PNAP ADM-2 requires the Deed of Dedication or Agreement to Surrender be executed and registered at the Land Registry prior to application for consent to commence the building works. However, it is usually a lengthy process for Lands Department to agree on the content and execute the Deed of Dedication or Agreement to Surrender with the lot owner.</p> <p>Please therefore consider if the commonly used BD106 condition for dedication as specified in paragraph 10 of PNAP APP-108, i.e. OP will not be issued before the execution of the Deed of Dedication, can be adopted instead of requiring the said Deed/Agreement to be executed before application for consent to the commencement of works.</p>	<p>BD noted that it took time for the preparation and execution of the Deed of Dedication or Agreement to Surrender. In this regard, BD had been adopting a pragmatic and flexible approach on a case merit basis to facilitate the AP in making application for consent to commencement of works in phases by excluding the portion with bonus GFA.</p>
2.	<p><u>PNAP APP-161 – Modular Integrated Construction (MiC)</u></p> <p>(i) Paragraph 1 of PNAP APP-161 mentions that “<i>MiC is a construction method that employs the technique of having freestanding volumetric modules...</i>”. Please clarify what is meant</p>	<p>AP/RSE were encouraged to make use of the pre-submission enquiry service as mentioned in PNAP ADM-19 and/or the pre-acceptance mechanism for granting in-principle acceptance (IPA) to individual MiC systems for</p>

<p>by “freestanding”.</p> <p>(ii) Paragraph 2(a) of PNAP APP-161 states that “<i>6% of the MiC floor area ... may be disregarded from the GFA of the development...</i>”,</p> <p>(a) Since the MiC may solely or partly be adopted for GFA non-accountable uses such as M/E plant rooms, pipe ducts, etc., please clarify whether any GFA non-accountable uses within the MiC are to be fully accountable for calculating the 6% of GFA exemption.</p> <p>(b) Similarly, since part or whole of MiC may also be subject to GFA Concession under PNAP APP-151 (e.g. 50% of green balconies/UP, and non-structural prefabricated external wall), please clarify how the 6% of GFA exemption be calculated in such cases.</p> <p>(iii) Please clarify if similar concession to site coverage calculation would be provided as part of the incentive to promote MiC, since site coverage restriction may be equally critical for site with site coverage restriction under OZP. Concession in GFA but NOT in site coverage calculation may imply that the incentive provided in the PNAP does not apply to such cases.</p> <p>(iv) Please advise the level of details of the MiC components to be shown on GBP for the sake of applying for the 6% GFA exemption.</p>	<p>enquiries about MiC proposals. BD further advised that the submission for IPA and GBP could be made concurrently to streamline the approval process.</p> <p><i>[Post-meeting note: A briefing session to practitioners was held by BD on 16.9.2019 to facilitate understanding on the new/revised PNAPs on MiC including the general principles in granting GFA exemption under PNAP APP-161 and plan submission process for MiC projects.]</i></p>
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<p>3.</p>	<p><u>Installation of Stove in Open Kitchen for OP Inspection</u></p> <p>Would BD please clarify if installation of stove in open kitchen is required at the time of OP inspection for situations where the location of stove is critical to demonstrate compliance with the open kitchen requirements, such as the 2m distance measured from the nearest corner of the stove to the door knob.</p>	<p>Stove at open kitchen was not required to be installed at the time of OP inspection, save and except for those situations where the location of stove was critical to demonstrate compliance with the open kitchen requirements, such as the 2m distance measured from the nearest corner of the stove to the door knob pursuant to item 7 of ADF 1/2016.</p>
<p>4.</p>	<p><u>FRR Screen Wall</u></p> <p>Corrigenda issued in Sept 2013 for the FS Code 2011 refers. Example (b) was incorporated to Diagram C2 with the addition of FRR screen wall. Would BD please clarify whether the unprotected opening at less than 6m measured horizontally from the unprotected opening of the required staircase as illustrated in the sketch below comply with the Code.</p> 	<p>(Item withdrawn by HKIA during meeting.)</p>

<p>5.</p>	<p><u>Smoke Seal Lobby for Lift Doors at Basement</u></p> <p>As per Item 3(c) of ADF 5/2013 held on 18.10.2013, BD confirmed that the smoke seal lobby at basement did not require to have any specific FRR (for non-fireman lift lobby), providing that its construction should be able to perform its function as a smoke seal lobby under the relevant criteria of the testing standards.</p> <p>However, there are recent cases that AP has been asked to provide 4hr FRR to such non-fireman lift lobby at basement, on the reason that the lift door is provided only with an FRR of -/120/- rather than an FRR of -/240/-. We opine that this is not the intention of the FS Code 2011. Our understanding is that the lift shaft/lift landing door at basement will only need to be provided with an FRR of -/120/- as per Clause C9.1 of the FS Code 2011, whereas the respective non-fireman lift lobby at basement will also NOT be required to have any specific FRR as confirmed in item 3(c) of ADF 5/2013. Please confirm if our understanding is correct.</p>	<p>Item 3(c) of ADF 5/2013 was still applicable.</p>
<p>6.</p>	<p><u>Clear Height of Balcony/Utility Platform</u></p> <p>For residential development where AC outdoor units/gas heaters, etc. are to be accommodated at the space above suspended ceiling of balconies/utility platforms, it was clarified by BD earlier that the minimum clear height below such suspended ceiling has to be 2.5m.</p> <p>We understand that such clear height can be measured from the structural floor level of such balcony/utility platform to the underside of the</p>	<p>BD advised that HKIA's understanding was correct.</p>

	<p>suspended ceiling regardless of floor finishes pursuant to the established practice of BD as per paragraph 2 of PNAP APP-5. Please confirm our understanding is correct.</p>	
<p>7.</p>	<p><u>Display Kitchen</u></p> <p>While a kitchen in a restaurant has to comply with Clause C13.2 of the FS Code 2011, display kitchen, i.e. kitchen with opening protected by fire shutter with appropriate FRR, instead of a solid fire barrier is not uncommon. We are given to understand that such a configuration is acceptable in the case of a restaurant license application, which authority is the FEHD, but may not be acceptable in the case of a hotel or club house license application, which authority is the HAD.</p> <p>Despite the Building Authority has no direct jurisdiction over these license applications, BD is still the authority over matters in connection with the fire safety of a building, as well as the technical advisor to the licensing authorities on fire safety aspect. We would therefore like to ask if BD could provide relevant guidelines on the matter so that the acceptance criteria on display kitchen could be aligned amongst the different situations.</p>	<p>BD advised that different licensing authorities had to exercise the control under the purview of their concerned Ordinance and the respective requirements.</p>
<p>8.</p>	<p><u>EVA to Virgin and Redevelopment Sites</u></p> <p>We would like to know if a site previously occupied by temporary building(s) under Short-term Tenancy granted by Lands Department is to be considered as a virgin or redevelopment site under FS Code 2011.</p>	<p>Pursuant to Section 3 of Part A of FS Code 2011, “virgin site” means a site where there is no temporary or permanent building, including a building exempted from the Buildings Ordinance under the Buildings Ordinance</p>

		<p>(Application to the New Territories) Ordinance, in existence before. Nevertheless, special consideration would be given on case basis should circumstances so warrant, for example, the scale of the existing building as compared with the overall area of the site.</p>
<p>Item raised by HKIE</p>		
<p>9.</p>	<p><u>Requirement of Tension Proof Load Test</u></p> <p>For piles carrying reverse tension and compression, e.g. rock socketed mini-piles or pre-bored H pile, Clause 5.3.3(1)(a) of CoP for Foundations 2017 stated that proof tension load test is normally required unless the tension capacity is taken as less than half of the compression capacity.</p> <div style="border: 1px solid red; padding: 5px; margin: 10px 0;"> <p>Proof test is normally required to justify the tension capacity of piles unless such capacity is taken as less than half of the compressive capacity resulting only from shaft friction and bond between the pile and the surrounding soil. In any case, the adequacy of the related soil mass and rock cone supporting the pile should be checked for uplifting effect.</p> </div> <p>However, some officers have been exercising a rule of requesting tension proof load test to be carried out should the design tension capacity of the pile exceed 25% of its design compression capacity (i.e. 50% of allowable bond stress in tension and the allowable bond stress is taken as 50% of allowable bond in compression).</p> <p>We would like to seek clarification on the inconsistency.</p>	<p>BD confirmed that the proof tension loading test requirements of pile foundation shall follow Clause 5.3.3 (1)(a) of the CoP for Foundations 2017.</p>

<p>10.</p>	<p><u>Steel H-piles Driven to Bedrock</u></p> <p>Clause 5.4.11 of CoP for Foundations 2017 stated the technical concerns of the piles driven to refusal and laid down the design and construction requirements for those piles with pile bases terminated on or very close to bedrock.</p> <p>Clause 5.4.11(2)(b) defines the bedrock to be not inferior to Category 1(d) defined in Table 2.1.</p> <div style="border: 1px solid red; padding: 5px; margin: 10px 0;"> <p>(b) Piles should be founded on or close to rock not inferior to category 1(d) defined in Table 2.1. Piles may be considered as founded on rock when driven to refusal by using sufficient driving energy. Driven to refusal means the actual penetration of a pile is not more than 10mm per 10 blows and the requirements specified in item (5)(d) are complied with;</p> </div> <p>We would like to enquire shall such requirement be extended to cover meta-sedimentary rock (Category 2 rock as defined in Table 2.1 of the CoP) which was newly introduced in CoP 2017 and other rock materials, e.g. Grade III, marble and sedimentary rocks, for which the final set behavior is pretty much similar to driven to refusal.</p>	<p>BD advised that the subject item would be thoroughly reviewed in the Technical Committee (TC) for the CoP for Foundations.</p> <p><i>[Post-meeting note: HKIE has submitted a discussion paper on the captioned to the TC for discussion in the forthcoming meeting in Oct 2019.]</i></p>
<p>11.</p>	<p><u>Approval of ELS Plans before Submission/Approval of Piling and Pile Cap Plans</u></p> <p>This issue was discussed before. BD agreed that ELS plans could be approved before the submission or approval of piling and pile cap plans.</p>	<p>BD agreed in-principle that ELS plans could be approved before the submission of piling and pile cap plans. However, the layout of pile cap</p>

	<p>This allows practitioner more flexibility. However, some area engineers have different view on this and refuse to approve or acknowledge ELS plans submission before approval of piling plans. It would be grateful if BD could clarify this.</p>	<p>and/or any other sub-structures should be shown on the ELS plans for considering the extent and depth of excavation and the removal sequence of the struts. Consent for bulk excavation would not be granted prior to the approval of piling and pile cap plans.</p>
<p>12.</p>	<p><u>Installation of Temporary Pile Wall along Site Boundary before Installation of Socketed H-piles</u></p> <p>For site with adjacent sensitive buildings/structures, BD would request installation of temporary pile wall before installation of socketed H-piles. To avoid confusion and to make better provision in the submission of foundation plans, we would like to clarify the following:</p> <p>(i) It is understood that the term “sensitive building” should refer to (a) Heritage Buildings which is abutting the site; (b) Buildings found on shallow footings and rested on soil; (c) Building in dilapidated conditions, for which BD orders may have been served.</p> <p>(ii) It is also understood that there is a “10m zone” guideline that socketed H-piles could be carried out without the installation of the temporary pile wall even if there are sensitive buildings/structures nearby as trial socketed H-pile installation will be conducted. We would like to clarify the “10m” shall be measured from the relevant sensitive structures and not the site boundaries of the subject site.</p>	<p>BD advised that:</p> <p>(i) The installation of temporary pile wall is considered as precautionary measures required in accordance with paragraph 5.4.2 of CoP for Foundations 2017. The purpose of the requirement is to prevent ground loss and soil from falling into the pre-bored hole during the boring operation.</p> <p>(ii) This precautionary measure should be applied to the site with weak soil condition, and/or at close vicinity to settlement sensitive structures, roads or underground services. The requirement shall be imposed based on consideration of site specific conditions and is not preferable to be limited to certain particular types of buildings as proposed.</p> <p>(iii) The “10m zone” is based on the assumption that the sensitive buildings/structures are located at close vicinity of the site. Therefore, the 10m should be measured from the site boundary. If the sensitive buildings/structures are far away from the site, the said</p>

		<p>precautionary measures may not be required.</p> <p>(iv) BD would accept the submission of record plan of the as-built temporary pile wall certified by RSE as proof of completion of precautionary measure upon consent application for the socketed H-piles. Other supporting documents, except record plan, could be submitted later together with the Form BA14. In addition, RSE might also consider applying for partial consent as necessary.</p>
13.	<p><u>Cantilevered Reinforced Concrete Structure</u></p> <p>Under paragraph 9 of Appendix A to PNAP APP-68, a construction report and Form BA14 should be submitted upon completion of the works for “<i>external cantilevered slabs with a span exceeding 750mm exposed to weathering</i>”.</p> <p>And there is footnote mentioning that “<i>For the purpose of this practice note, cantilevered structures under permanent solid cover located at not greater than one storey height and of at least the same plan area as such solid cover may be considered as not exposed to weathering</i>”.</p> <p>Would BD please clarify, for AC platform with cantilever slab more than 750 on typical floors (i.e. one over each other with the same plan area), can the cantilever slab be treated as not exposed to weathering (except the uppermost uncovered slab), and therefore, submission of construction report and Form BA14 required under PNAP APP-68 would not be required.</p>	<p>BD confirmed that the submission of construction report and Form BA14 would not be required for AC platform with clear span exceeding 750mm provided that the criteria stated in the footnote of PNAP APP-68 were fulfilled.</p>

Items raised by AAP	
<p>14. <u>JPN5 – Building Height Restriction</u></p> <p>Before the issuance of JPN5, swimming pool and its pool deck with the pool bottom level and pool deck level above the building height limit under OZP were allowed on roof, as long as the remaining main roof area within OZP height limit is more than 50% of the tower footprint.</p> <p>However, since the promulgation of JPN5, swimming pool and deck on roof are no longer allowed since such are not included in the examples of ancillary structures in footnote 6 of JPN5.</p> <p>We understand that forbidding swimming pool at main roof level is not the intention of the JPN. There are also other limitations for swimming pool provisions under LAO practice notes of LandsD. Therefore, we suggest to follow the old practice and include swimming pool and its pool deck on main roof as an example of ancillary structures.</p>	<p>Since PlanD was the authority on building height restriction as stipulated in JPN5, the issue would be referred to PlanD for clarification in the Joint Sub-committee on Streamlining Development Control under LDAC.</p>
<p>15. <u>Registration of Undertaking Letter to Land Registry</u></p> <p>We wish to confirm with BD whether the following undertaking letters are required to be registered at the Land Registry or not:</p> <ul style="list-style-type: none"> (i) Paragraph 7 of PNAP APP-2: Undertake to submit documents (curtain wall projecting over street for wholesale conversion projects) (ii) Paragraph 2(iii) of Appendix A to PNAP APP-2: Undertake to carry 	<p>Registration of undertaking letters from developer or owner would only be required for certain situations as stipulated in relevant PNAPs and modification conditions. In some cases, registration of undertaking letters might not be required, e.g. relevant requirements or obligations would have been incorporated in the DMC approved by LACO upon OP application. For undertaking letter required to be registered but could not be done upon OP application due to special circumstances, consideration would be given</p>

	<p>actions regarding DMC / Sales Brochure for voids</p> <ul style="list-style-type: none"> (iii) PNAP APP-104: Undertake to carry out action regarding DMC for recreational facilities (iv) PNAP APP-93: Undertake to carry out action regarding DMC for external pipe ducts (v) Paragraph 6(d) of PNAP APP-151: Undertake to submit various documents (vi) Paragraph 6 of PNAP APP-156: Undertake to submit provisional and final energy efficiency reports (vii) Paragraph 14(b) of PNAP APP-42: Undertake to carry out action regarding DMC for counters, guard rooms, etc. <p>We note that JPNs and paragraph 6(c) of Appendix D to PNAP APP-152 (i.e. for greenery areas) explicitly required the registration of undertaking letters to Land Registry while some PNAPs do not. We also note that registration of some of the above (those requiring submission of documents and unrelated to DMC) were refused by Land Registry recently.</p>	<p>on case basis.</p>
AOB Items		
16.	<p><u>Thickness of Transfer Plate</u> (Item raised by HKIE)</p> <p>Paragraph 6 of PNAP APP-5 stipulates the design criteria for thickness and area of transfer plate under tower blocks for non-accountable GFA. Would BD please clarify whether column drop would be taken as part of transfer plate in determination of its thickness.</p>	<p>To facilitate a thorough discussion, HKIE would submit examples with figures for BD's consideration.</p>

17.	<p><u>Streamlining of Structural Submissions</u> (Item raised by BD)</p> <p>Further to item 9 of ADF 3/2019 held on 24 May 2019, BD advised that internal standard checklists for processing structural submissions relating to secondary structural elements including aluminium claddings and glass balustrades would be put on trial to facilitate the structural submission process.</p>	<p>Members welcomed BD's initiative and advised that HKIE had approached certain façade consultants/specialists to streamline the structural submissions for curtain walls. Sample drawings for structural submission would be shared with BD for further comment.</p>
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