



THE HONG KONG INSTITUTE OF
SURVEYORS

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(By fax 2845 3489 and post)

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Development Bureau
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11 Ice House Street
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Dear *Carrie*,

**Proposed new and revised PNAPs/JPNs on
Building Design to Foster a Quality and Sustainable Built Environment**

We were briefed and consulted on the draft revised PNAPs/JPNs on “Building Design to Foster a Quality and Sustainable Built Environment” via the Building and Planning Sub-committees under the LBAC in mid-November last year. We have submitted our detailed views and comments on the same to the two sub-committees through our representatives in the said committees albeit in a very short time frame. A copy of our comments is enclosed for your attention and reference.

While we trust the respective authorities would take serious considerations of our comments which may be more on the technical perspective, we would like to highlight herewith our views on the principal issues for your attention and consideration in finalizing the implementation details.

The Hong Kong Institute of Surveyors (the “HKIS”) is in general supportive of the primary objective of the policy on sustainable and quality built environment for improving the built environment through enhanced building design. However, in the context of the overall built environment, we believe a **total** approach through comprehensive and thorough town planning would be the most critical element in formulating the control framework and parameters for the land use, transport, building density and building bulk design.

In this connection, we have already pointed out in our detailed comments that design of a particular building or building site is only a lower tier factor in addressing the quality and sustainability problem. A holistic consideration of the cityscape, land use distribution, road and street layout traffic condition, visual impact and ventilation requirements of the district and the entire district as a whole at the top tier controlling parameters and framework is called for. We consider that any new control measures on building design should be based on and tied in with a testified town plan with due assessment and consideration of the air ventilation and visual impact of a district from a more macro perspective. It would be pre-mature to push through any drastic changes to the long established practice and administration policy on building design, in particular the Gross Floor Area (GFA) concessions and building set back requirements, without the benefit of

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an overall review of the town plan and the relevant transport policy in car parking provisions.

As the proposed administrative measures are formulated without given due regard to the characteristics, geographical features and existing built form of the immediate neighbourhood of a particular building site, **we have great reservation** that this set of new measures could produce the intended solutions to the subject matter.

Moreover, we do not consider that control of the building bulk can only be achieved by limiting the GFA concessions. Reducing GFA may reduce the building bulk in theory, but, there should be agreeable yardsticks or parameters for the acceptable building bulk before determining the limit of GFA based on the current legal provisions.

Along the principle stated above, we wish to propose the following actions be taken together with the implementation of the new measures stipulated in the subject PNAPs & JPNs:-

- a. Conducting a comprehensive review of the town plans on individual area/district basis to determine the desirable building height limit, district open space, street frontage and passageway provisions etc.
- b. Considering any building set back requirements which shall be determined and assessed on a greater geographical environment and be implemented by way of statutory town planning control means.
- c. Appointing Planning Department to conduct area by area AVA studies and assessment to determine the building separation and building permeability requirements of the building blocks or sites.
- d. Aligning the requirements and interpretation of all design control parameters between Planning Department, Lands Department and Buildings Department.
- e. Conducting a comprehensive car parking space provisions review to provide a reconciled government policy on town planning and building design for car park provisions.

On the issue of tightening GFA concessions, we consider the existing rights allowed under the prevailing law have to be respected, protected and preserved. It is not proper for the government to derogate the legal principles and legislation intent of the relevant Building Regulations by way of mere administrative measures. There are already clear and explicit statutory provisions under B(P)R 23(3)(b) and 23A(3) that allow certain floor space to be disregarded from the gross floor area calculations for the purposes of site coverage and plot ratio calculations. We consider it not prudent to alter the long established and accepted practice without a formal amendment to the relevant law through a comprehensive consideration and review of the entire building design control regime.



For those uses or spaces already covered by the above regulations any overall GFA concessions cap imposed are not proper. We consider it is not appropriate to implement the new policy and measures just by way of issuing PNAPs/JPNs, an administrative arrangement without proper legal backup considering that certain existing provisions under the law are amended in effect. In particular the drastic change in the provisions of GFA concessions for car parks is a typical deviation of the law.

Moreover, we suggest the government to differentiate the features mainly benefiting the daily operation, maintenance and management of the building and the safety and convenient use of the building users and bona fide visitors from those for pure or exclusive enjoyment of the individual occupants or owners. The former should not be subject to the overall 10 percent GFA concessions cap in order to provide incentive for the provisions of enhanced building design for sustainable and quality built environment. The lumping of profit generating features and non-profit generating features under the same 10% cap may eventually deprive of the opportunity of provisions of genuinely needed facilities in the future building design.

Finally, we wish to summarize the following our views on the proposed new measures:-

- a. The categorization of the building design elements/features that would be subject to the 10% overall GFA cap should be relaxed to allow for provisions of genuine building design and features beneficial to the building users at large, building maintenance and management and the city environment in light of our comments stated above.
- b. The required fulfillment of pre-requisites for the GFA concessions application should match with the actual industrial practice and working procedures.
- c. The Sustainable Building Design Guidelines should be simplified and modified in a more user friendly way to facilitate easy adoption and application by the industry. The guidelines should allow building professionals to ascertain the development potential and design constraint effectively and easily. Certainty and clarity are equally important in any statutory and administrative provisions on planning and building control.
- d. The proposed criteria for GFA concession for car parks should be reviewed to facilitate the car park design of sites with such genuine need. We maintain the view that any car parks mandatorily required should be excluded from GFA calculation similar to the spirit of the treatment of the “mandatory feature or essential plant room” whether it is located underground or aboveground. If the government wishes to reduce the building bulk due to car park design, a new transport policy should be formulated in due course to lower the car park provision requirements.

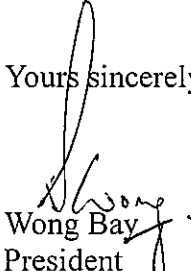


- e. This new practice has to be clearly spelt out and allowed for under the land grant conditions as they may have implications on GFA and Site Coverage (SC) calculations under the lease. There is a need to streamline the processing of lease modification required for exemption of GFA and SC calculations following the BD's approval. In particular, the use of standardized documentation is suggested for modifications not involving premium calculations to minimize time taken in processing modifications and approval under the DD and H clauses. Although BD's practice in granting exemption may be followed under the lease, it is suggested that items that have premium implications are listed in the practice notes.

In view of the complexity and the highly technical nature of the subject matter which involves a number of contentious issues, we opine that the government should not rush for implementation but to allow sufficient time for the preparation of documentation works as well as for the industry and concerned professionals to acquaint with the implementation of details and new technical requirements. Instead of rushing for the tentative implementation date of 1st of April, 2011 i.e. less than three months from now, we urge the government to consider deferring implementation of those more complicated and contentious measures to a later date for the industry to deliberate and get familiar with the changes.

Should you have any queries, please do not hesitate to contact us.

Yours sincerely,


Wong Bay
President

Encl. Comment to Buildings Department dated 12 December 2010
 Comment to Planning Department dated 28 December 2010

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Item	Reference	Comments
1.	Overview	<p>HKIS has submitted its views on the subject via the response to the public engagement exercise launched by the Council for Sustainable Development (SDC) in 2009. We are in support of the overall objective of securing and attainment of better and enhanced building design to foster a quality and sustainable built environment, however, we have also pointed out that design of a particular building or building site is only a lower tier issue or factor in handling the problem. It requires a holistic consideration of the city space, use distribution, road and street mapping, traffic, visual impact and ventilation requirements of the entire district and city as a whole as the first tier controlling parameters and framework.</p> <p>Specific study and assessment of each individual district and street block is required in order to identify the actual town planning and building design problems and thus provide a meaningful base to define the realistic and practical planning and design requirements for the buildings.</p> <p>We note the proposed measures and new requirements on building design via these set of PNAPs and JPNs are formulated without consideration of the characteristics, geographical features, existing built form of the immediate neighbourhood of the building site. Obviously, we have great reservation that this set of new administrative measures could provide genuine yet practical solutions to the subject matter.</p> <p>Moreover, we do not believe it is right if the government is equating control of building bulk to limiting GFA concessions. Reducing GFA may reduce the building bulk in theory, but, there should be agreeable yardsticks or parameters as what is the acceptable building bulk before determining how much we want to reduce the GFA.</p>

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	Principle issues	
2.	Development control skeleton	<p>Along the principle stated above, an overall framework or city design skeleton in a 3-dimensional form shall be decided and provided in the first place. In this connection, we wish to reiterate that the following actions shall be taken and implemented together with the implementation of the new policy and measures stipulated in the subject PNAPs & JPNs:-</p> <ol style="list-style-type: none"> a. Comprehensive review of the town plans on individual area/district basis to determine the desirable building height limit, district open space, street frontage and passageway provisions and etc. b. Any building set back requirements shall be determined and assessed on a greater geographical environ perspective and be implemented by way of statutory town planning control means. c. Planning Department should conduct area by area AVA study and assessment to determine the building separation and building permeability requirements of the building blocks or sites. d. Requirements and interpretation of all design control parameters between Planning Departments, Lands Department and Buildings Departments shall be aligned. e. A quick and comprehensive car parking space provisions review shall be completed in due course to provide a harmonized government policy on town planning and building design for car park provisions.
3.	GFA Concessions Cap	<p>There are clear and explicit statutory provisions under B(P)R 23(3)(b) and 23A(3) that allow certain floor space to be disregarded from the gross floor area calculation for the purposes of site coverage and plot ratio calculation.</p> <p>B(P)R 23(3)(b) provides that: "In determining the gross floor area for the purposes of regulations 20, 21 and 22, the Building Authority may disregard any floor space that he is satisfied is <i>constructed or intended to be used solely</i> for parking motor vehicles, loading or unloading of motor vehicles, or for refuse storage chambers, refuse storage and material recovery chambers, material</p>

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	<p>recovery chambers, refuse storage and material recovery rooms, refuse chutes, refuse hopper rooms and other types of facilities provided to facilitate the separation of refuse to the satisfaction of the Building Authority, or for access facilities for telecommunications and broadcasting services, or occupied solely by machinery or equipment for any lift, air-conditioning or heating system or any similar service. (L.N. 406 of 1987; 39 of 2000 s. 7)"</p> <p>B(P)R 23A(3) provides that:</p> <p>"In determining the gross floor area of a hotel building or the hotel part of a building for the purposes of regulations 20, 21 and 22, the Building Authority may disregard any floor space in that hotel building or the hotel part of that building that he is satisfied is <i>constructed or intended solely</i> for use as-</p> <ul style="list-style-type: none">(a) a place for picking up and setting down persons departing from or arriving at the hotel by vehicle; or(b) any of the following-<ul style="list-style-type: none">(i) a laundry, a carpentry workshop, a mechanical or electrical workshop;(ii) an area for storing dry goods, food, beverages, linen or furniture;(iii) facilities for the welfare of staff including staff canteen, changing room and rest room for staff; <p style="text-align: center;">or</p> <ul style="list-style-type: none">(iv) other supporting facilities as may be approved by the Building Authority." <p>It is a widely accepted principle that in determining whether the space "may be disregarded" by the BA the genuine use and extent of such provisions of each individual item or space shall be relevant and not the cumulating effect of such concessions. Apart from the regulations, there are already clear guidelines in the extant PNAPs as to what scale and extent of each individual provision are considered reasonable. This principle shall not be deviated unless the law is changed.</p>
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	<p>On this basis, for those uses or spaces already covered by the abovementioned regulations there should not be any overall GFA concessions cap imposed.</p> <p>We consider it is not appropriate to implement the new policy and measures just by way of issuing of PNAPs/ JPNs which is basically an administrative arrangement without proper legal backup considering that certain existing provisions under the law are altered in effect.</p>
	<p>Technical issues</p> <p>4. APP-xx -General</p> <p>a. We are in support of promoting green, energy efficient and sustainable building design in order to achieve a quality and sustainable built environment. However, we consider the present draft PNAP is not able to set out a fair, reasonable and effective control framework to achieve such aims.</p> <p>b. The PNAP states explicitly that the measures apply to “exempting or disregarding green and amenity features from GFA and/or site coverage calculations”. In this connection, it shall be important to differentiate the GFA concessions under the provisions of the extant B(P)Rs and those green and amenity features as referred to in this PNAP. Accordingly only those additional green and amenity features shall be subject to the new measures particularly the 10% cap.</p>
<p>5. APP-xx Para 2-3</p>	<p>Sustainable Building Design Guidelines Detailed comment on the Guidelines is provided under PNAP APP-xxx.</p>

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6.	<p>APP-xx Para 4-5 and Appendix A</p> <p>Overall Cap on GFA Concessions</p> <p>a. Apart from the comment in Item 4 above, we consider those uses and spaces provided solely for the common benefit of the users or visitors of the buildings and for the promotion of better and effective building maintenance and management shall not be subject to the overall cap. Otherwise, it will result in building design that would be in contrary to the public policy of facilitating better building management and maintenance.</p> <p>b. The separation of counting the 10% cap to domestic and non-domestic portion of a building would result in complicated and unnecessary manipulation of area figures and difficulties in differentiating the split of the concession area e.g. how could the pipe ducts, lift shafts, A/C rooms, counter, guard room, lavatory for watchman and management staff, owners' corporation office, SMATV room, plant room for environmentally friendly system, etc that may serve the entire building be separately counted?</p> <p>c. The differentiation and definition of mandatory feature or essential plant room from non-mandatory or non-essential plant room is vague and appears to be arbitrary. The understanding of whether a feature or plant room is essential or non-essential may be different from building to building. Obviously, A/C plant room and AHU room in a commercial building, hotel, exhibition and convention centre etc shall be essential but may not be so in a domestic building. It is therefore critical for BD to categorize the spaces in a more holistic, realistic and fair approach. A clear definition of "essential" or "non-essential" shall be given.</p>
7.	<p>APP-xx Appendix A Items 3-4</p> <p>a. Welcome to maintain the statutory allowed uses for hotel to be excluded from the new measures and respecting the original legal spirit. However, it reflects a gross contradictory treatment to other types of building. In this respect, item 2.3 of Appendix A shall also not be subject to the new measures.</p>

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8.	APP-xx Appendix A Items 5-13	<p>a. Understanding that some of the features are for enjoyment/benefit of exclusive owner/unit such as balcony and utility platform and they should be subject to the overall cap. However, other features such as acoustic fin, wing wall, wind catcher and funnel and noise barrier are purely green features for the general benefit of the building as a whole and sometimes be required under the planning permission and lease conditions. To a certain extent, they are also "beneficial to public" and thus should not be discouraged by these new measures. Alignment of PD, LD and BD on these requirements should be made.</p> <p>b. Moreover, it is logically absurd to impose a more stringent requirement on a building design for provision of a genuine green feature. These amenity features are "practical needs" and unlikely to be abused. It will become a deterrent rather than an encouragement of green building design.</p>
9.	APP-xx Appendix A Items 14-25	<p>a. Item 14 - Putting concessions cap on the amenity features for the better management of buildings is not in line with the desire of general public and public policy as it will deter the developer's intention to provide such feature for fear of scarpifying the opportunity of provision of other more "profit making" features such as balcony and utility platform.</p> <p>b. Item 15 –</p> <p>i) voids in residential recreational facilities such as the upper part of indoor ball courts and swimming pools are essential design thus area of which should not be counted twice. Swimming pool filtration plant room if put in the void space under the pool or pool deck should be allowed to be excluded from the 10% cap as there is not additional floor space or bulk being created. Developers would opt to omit the swimming pool in new development due to the lack of available GFA concessions quota for filtration plant room design.</p>

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		<p>ii) Putting covered walkway under the cap is undesirable as it is one of the most important amenity features that benefit all users of the building particularly the aged and persons with disability but again it would be easily sacrificed by many developers.</p> <p>c. Item 16 – putting covered space under a residential tower into landscaped and play area is in itself a sustainable way to utilize the available space of a building. This long established practice has not been seen as a common way to unnecessarily increase a building bulk. In fact, it could assist the ventilation over the podium deck and benefit the adjoining environment as well. It is not reasonable to require such design be subject to compliance with the onerous requirements of the pre-requisites in para.6. These amenity features are controlled under DMC and chance of abuse is very remote.</p> <p>d. Item 17 – Putting the horizontal screen/covered walkway, trellis in common area of the building under the cap is undesirable as it is one of the most important amenity features that benefit all users of the building particularly the aged and persons with disability but again it would be easily sacrificed by many developers.</p>
10.	APP-xx Appendix A Items 19-20	<p>Item 19 – would the exhaust air duct mounted at external be considered as chimney shaft? A clear definition of the term shall be given. How the GFA would be counted?</p> <p>Item 20 – the definition of pipe duct and air duct should be clarified. Whether uncovered ducts similar to light well could be excluded from the new control? What if it is uncovered shaft or duct, i.e. non-accountable GFA?</p>
11.	APP-xx Appendix A Item 22	<p>a. What is the definition of “void”? Any minimum plan size for a void?</p> <p>b. Why only void “in front of” cinema, shopping arcade etc could be allowed but not in the centre or at side etc?</p> <p>c. What is the meaning of “... with operational needs or have operational justifications”?</p>

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12.	APP-xx Appendix A Items 29	It will require alignment of PD, LD and BD on the interpretation and treatment of these covered areas under large projecting/ overhanging feature.
13.	APP-xx Para. 6	<p>Pre-requisites for Granting GFA Concessions</p> <p>a. The pre-requisites under sub-para. (b) and (c) are considered pre-mature at the time of GBP submission.</p> <p>b. The estimation of energy performance/consumption of the proposed building would require more elaborated design of E&M systems and plants for the building. It will be more realistic and meaningful to submit the same to BD upon commencement of the superstructure works. In fact, as the standard form at Appendix B does not specify any minimum performance of the energy performance for the purpose of the GBP submission, the data should not affect the consideration of the GFA concessions application.</p> <p>c. The BEAM Plus assessment embraces a wide spectrum of considerations including site planning and building design features, construction details, use of temporary and permanent construction materials, plants and equipment, control on construction processes (wastes and nuisance etc), indoor environmental quality (including air quality, thermal comfort, lighting, acoustics and noise etc) etc. Usually a provisional assessment would need to consider and make reference to materials and information relating to over 70 assessment items as listed in the BEAM Plus document. According to the past experience of other BEAM projects, we reckon that a minimum lead time for preparation for the provisional assessment and the receipt of the Provisional Assessment result would require at least one year to one and a half years from confirmation of the preliminary building design layout, i.e. after approval of the GBP. It is not reasonable and rational to commence any detail design and material specification works not until an initial set of GBP is approved by the government. Again, if there is not any particular minimum BEAM Plus rating that a building design should attain</p>

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	<p>before the granting of the GFA concessions application, there is no need to rush for such a Provisional Assessment result and at such an unrealistic time frame. Submission of the Provisional Assessment result before the OP application would be more meaningful and realistic.</p> <p>d. The requirement on submission of the Final Assessment of the BEAM Plus certification within 3 months of issuance of OP is also unrealistic in many cases. It is the trade practice that many fixtures and fittings, interior fitting out works and lighting installations, landscaping works will only be carried out after issue of OP. In many cases, it would take at least 3 to 6 months to complete the said works and a further few months for the issue of the Final Assessment result. Therefore, it will not be practical to have the Final Assessment result ready for submission to BD within 3 months of the date of the OP.</p>
<p>14. APP-xxx -General</p>	<p>Sustainable Building Design Guidelines</p> <p>This PNAP is drafted based on a very thorough study on the same subject by a consultant. This PNAP only extracts the study result or recommendations without providing any background information or explanation as how these control yardsticks or parameters are derived from. We are unable to comprehend and comment on the reasonableness and effectiveness of such design requirements. However, the entire guidelines are too complicated to understand and apply.</p>
<p>15. APP-xxx -Building Separation Paras 4 - 11</p>	<p>Building Separation</p> <p>a. The assessment criteria and computation method and process are very complicated and difficult to follow. A more detailed elaboration on the terms used and the computation procedures of the worked examples are required. More worked examples are required for better understanding of the implications of the separation requirements.</p>

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	<p>b. The definition or interpretation of Lp is too stringent if the intervening space between two blocks is less than 15m will still be counted as a continuous façade. It will render the development potential of many medium size building site be under-utilized when considering the height restriction imposed under many OZPs and set back requirements altogether. This will be most pertinent for redevelopment sites at urban area.</p> <p>c. In all, a more user friendly assessment approach and criteria shall be adopted to facilitate more certain and unambiguous determination of the design constraints.</p>
<p>16. APP-xxx Para 12-17 and Appendix D</p>	<p>Building Set Back</p> <p>Building set back at portion within 15m height for shadow sites (e.g. those with less than 15m deep site) will render substantial restriction to the economical design of the podium. Many sites in the urban areas are fronting on streets less than 11-12m but with a depth of the site of not more than 13-14m. A compulsory set back of the frontage by say 2m would have very detrimental effect to the effective shop space available taking into consideration of the plant rooms, transformer room, TBE room etc requirements for the building. BD should consider whether certain relaxation to those difficult sites could be available. Otherwise, it would severely hinder the redevelopment or regeneration opportunity of these aged districts.</p> <p>a. The building set back is NOT a mandatory but only a "semi-voluntary" measure. If no GFA concession is applied, there is still an opportunity of NO set back of some building sites (i.e. there is NO guarantee). There may be situation that only a few pockets of set-back are provided along a long street defeating the original objective of this measure. The objective of improving the district or street ventilation by way of this administrative arrangement is NOT practical at all, the problem still exists.</p>

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	<p>b. The government should conduct scientific study to the urban areas to identify any “ventilation black spots” and implement the necessary road widening of building set back policy through the town plan. This will be more practical and fair to all land owners as compared to the currently proposed “one off” measure.</p> <p>c. It is still doubtful as to the effectiveness of the resultant “street canyon” in improving the street level ventilation. For a long and narrow street, whether more polluted air will be trapped at the set-back pockets?</p> <p>d. Clarifications on para. 13 (b) and the diagrams in Appendix D are required. What is the definition of “a communal podium garden is provided”? Why there are different treatment to 13(a) and 13(b) situations?</p> <p>e. Please clarify the calculation of street level under para. 14(g)(ii). A 7.5m level variation seems very substantial.</p> <p>f. The requirements of setting aside the set back area as common area would be too harsh as the clear height of the set back area would have at least 15m and thus no abuse in use is possible.</p>
<p>17. APP-xxx Para. 18-21 and Appendix D</p>	<p>Site Coverage of Greenery</p> <p>a. The threshold of 1,000m² site area for mandatory provision of greenery area is too stringent. Provision of 10% greenery area at pedestrian zone for site just over 1,000m² or about would mean a significant sacrifice of the valuable floor space and severely restrict the design. The minimum site area for application of this greenery requirement should be reviewed.</p> <p>b. Designation of all greenery areas as common areas is unnecessarily restrictive.</p> <p>c. How to calculate the green coverage for trees?</p>

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18.	JPN 1 Para 4	Why original sub-item (f) for Sunshades and reflectors be omitted?
19.	JPN 1 Para 7	Whether government lease by way of land exchange would fall in the meaning of para 7?
20.	JPN 1 Para 9	The amendment provides that the D of Lands may (not "will") exempt the balconies from GFA calculation subject to conditions in Appendix A. Unlike before, there is chance that the D of Lands may not grant such concessions even the same is approved by D of Buildings. Similar situation may arise for sky garden design. The alignment of Lands Department, Planning Department and Buildings Department on this issue is required.
21.	JPN 2 Para 6	The original para 6 is deleted but there is no other explanation as to the premium charging policy on these items.
22.	JPN 2 Appendix B	The diagrams are not yet updated to reflect the new 150mm thickness restriction on prefabricated external walls and the new projecting window restrictions.
23.	APP-2 Para 10	Please clarify the meaning of the amended phrase "ducts for air-conditioning (except air ducts)". Ducts for air-conditioning are also air-ducts.
24.	APP-2 Para 11	Sometimes, plant rooms at basement and adjoining to exit staircases may require walls thicker than 100mm to achieve 2 to 4 hours FRP.
25.	APP-2 Para 14	Carparking Spaces a. Carparking spaces provided under the requirements of the land lease and planning permission should be entirely exempted from GFA calculation under the spirit of B(P)R 23(3)(a).

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- b. Construction of basement for provision of car parks is not environmentally friendly as it will result in more excavation, dumping of soil, construction traffic and nuisance, and increased burden on future operation, maintenance and management. If the government wishes to reduce the building bulk due to aboveground car parks, the transport policy on car parking provision should be amended to match the desired change. Unless and until the new transport policy is implemented, we do not see it is fair to impose the new restrictions of allowing aboveground car parks be entitled to only 50% GFA concession.
- c. In any event, more flexible approach should be adopted for car parks at sloping sites or sites with basically low rise development or the quantity of car parks provided is small where no significant impact would be caused by the car parking structure.
- d. More flexible treatment should be given to small site where deep basement excavation is not technically preferred.
- e. For redevelopment sites at built up districts, we do not see provision of above-ground car parks in podium would create any excessive building bulk that may affect the adjoining environment as long as the building set back, site and building permeability and site greenery are provided as per the latest requirements. Visual impact due to podium construction in urban areas is usually not so critical in view of the built form of many existing buildings, particularly when the overall building height is restricted by the new OZPs in many areas.
- f. What is the meaning of "remote areas" (Para 14(b)(vi))? A clear demarcation plan shall be required to avoid ambiguity and uncertainty.

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	<p>g. We would reserve our comments until the revised guidelines for carparking in HKPSG or the new Traffic Policy has been implemented.</p> <p>h. In fact, for above-ground car parking podium conforming to the Sustainable Building Design Guidelines and within the height restriction stipulated by the OZP or lease conditions, we do not see there would be any significant visual impact to the surrounding areas. It will complicate the approving process if visual impact, such a subjective consideration is taken as a key assessment factor.</p>
<p>26.</p>	<p>APP-19 Para. 5</p> <p>The new restriction on 100mm projection of the projecting window will defeat the original design function and objective of "bay window or projecting window". Virtually, the 100mm projection becomes a window fin feature. The reduced projection will not provide the benefit of allowing extra daylight entering the building at the side panes of the projecting window. We puzzle on the reason and rationale behind the change.</p>
<p>27.</p>	<p>APP-93 Para. 3 (b)(II)</p> <p>a. Open pipe wells should be similar to light wells which are not GFA accountable. It would take up a significant portion of the concession cap if the area is counted at every floor level of the building. Such discouragement of the better design is not appropriate.</p>
<p>28.</p>	<p><i>Conclusion</i> –</p> <p>a. The categorization of the building design elements/features in Appendix A of the PNAP-xx Building Design to Foster a Quality and Sustainable Built Environment should be refined to allow for provisions of genuine building design and features beneficial to the building users at large, building maintenance and management and the city environment in light of our comments stated above.</p> <p>b. The required fulfillment of pre-requisites for the GFA concessions application should match with the actual industrial practice and working procedures.</p>

**HKIS's Comments on
 "Proposed new and revised PNAPs/JPNs on
 Building Design to Foster a Quality and Sustainable Built Environment"**

	c.	The Sustainable Building Design Guidelines in PNAP-xxx should be simplified and modified to a more user friendly way to facilitate easy adoption and application by the industry. The guidelines should allow building professionals to ascertain the development potential and design constraint effectively and easily. Not easy to adopt in case of design changes and GBP amendments.
	d.	The criteria for GFA concession for car parks should be reviewed to facilitate the car park design of difficult sites. The new traffic policy should be announced in due course to tally with the new building policy. We maintain the view that any car parks required by the government policy should be excluded from GFA calculation similar to the spirit of the treatment of the "mandatory feature or essential plant room".

- End -

By HKIS
 12 December 2010



THE HONG KONG INSTITUTE OF
SURVEYORS

28 December 2010

Director of Planning Department
Planning Department,
The Government of the HKSAR,
17/F., North Point Government Offices,
333, Java Road, North Point,
Hong Kong.

Dear Sir,

Comments on draft PNAPs dated 12 Nov 2010

The proposed draft PNAP's have been discussed in the Planning Subcommittee on 23 November, 2010 during which I had voiced my preliminary comments.

The Task Force on Building Design Guidelines and Sustainable Development of HKIS had a meeting on 23 December 2010 during which I understood that the Building Sub-Committee's representative Mr. Vincent Ho had submitted his comments on the new set of draft PNAPs on 17 December 2010. The Lands Sub-Committee's representative was out of town until early next year.

As a Planning Sub-Committee representative, I supported and generally agreed with the views put forward in Mr. Vincent Ho's submission and the details comments, (A copy is not enclosed here).

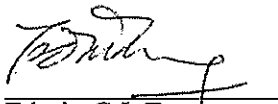
However, as a Planning Sub-Committee member, I have additional overall comments (as in the attached paper) in addition to Mr. Vincents Ho's comments which will form part of my submission.

Although the proposal was subject to wide consultation in 2009, the technical aspect and details could not be properly consulted within a short period of one month since 23 November 2010 and the HKIS Council has not yet discussed on the subject. Thus it is not taken to say HKIS all agree to the proposals.

I would be grateful if you could transmit the same to Buildings Authority for attention.

Should you have any query, please feel free to contact the undersigned at 9021 8778.

Yours faithfully,


Edwin C L Tsang
Planning Sub-Committee member of LDAC

c.c. Hon Professor Patrick Lau

Comments on draft PNAPs dated 12 Nov 2010

Any motion that will improve the standard of living and environmental conditions of the people of Hong Kong should deserve support. The current setting up of the urban design guideline have two elements, firstly the improvement of air movement around buildings and secondly trimming off G.F.A concessions, cutting off parking provisions to reduce building bulk etc.

I support the first motion in the improvement of air circulation around buildings but have serious doubt about the trimming off of G.F.A. concessions. The introduction of separation between buildings and buildings set back is adequate to achieve the objective of improvement of free air movements around buildings.

I am against the trimming off G.F.A. concessions which have been introduced to improve the internal living conditions of people.

These G.F.A. 'bonuses' were the genius wisdom of a succession of top level planning, building professionals / directors / secretaries of public works who control buildings development of Hong Kong. 'Incentive zoning' has been adopted elsewhere in developed countries.

If the currently proposed PNAP is enforced by 1 April 2010 without suitable amendments, in particular bonus provisions, it will make a lot of people uneasy, firstly the future small unit flat owners in having less bonus spaces, secondly the industry that produce properties and thirdly the building professionals who care for internal living conditions of people.

The flat buyers will have less internal amenities in squeezed living conditions, the property production industries have lesser opportunities and the building professional in general have more difficult lives to adapt to new procedures. The sale price of units should be measured in accordance with HKIS's saleable area, to be fair to all parties.

There is no need to rush through enforcing the new procedures. We do not see the sudden improvement in a day.

The draft set of PNAP was put out for comment on November 2010 and the comment has allowed only less than one and a half month.

It seems that the sweeping movement in rushing through the Ex Co approval is too high-handed. (ExCo is not concerned about details).

Proposals

- The control of parking provisions can be achieved through the amendment of the Hong Kong Planning Standard and Guidelines and the minor discretion of the Commissioner of Transport,
- The remove the cap provision,
- The enforcement date been deferred to 1 July 2010 to allow more time for public comment, or
- Both "new procedures" and "old procedure" to be in force in parallel for one year from 1 April 2011 as an option.