

**Business Facilitation Advisory Committee
Pre-construction Task Force**

Building plans under the lease

Purpose

Supplementary information relating to the issue of building plan approval with departments concerns has been collated for Member's discussion. They include –

- Issues and problems identified in building plan approval;
- Recommendations on list of fundamental points to be checked by respective departments; and
- Recommendations on how to better use of technology to facilitate the approval process

Building Plans Approval by Lands Department

Current Performance Pledge of approval of General Building Plan (GBP)

- (i) BC III cases within 10 weeks
- (ii) Non - BC III cases within 8 weeks

Current Practice

2. The pledged time frame counts from the date the District Lands Officer receives the GBP circulated by Buildings Department (BD).
3. During the course of checking the submitted GBP, if the GBP is approved by BD and the developer submits an Amendment to the GBP, the DLO will stop checking the first submitted GBP. The pledged time will be counted from the receipt of the Amendment plan.

Issues and Concerns

- (i) In the majority of the cases, the DLO's comment is not available when BD approves the GBP submission.
- (ii) It is common and normal that numerous Amendments will be made after BD's approval and consent to commence work. Amendments are usually minor or BD will consider them as major revision and treat them as fresh

submissions. Amendments are required, under current practice, to be highlighted for easy checking. For practical reasons, works are often commenced before receiving DLO's approval to the GBP. Sometimes, DLO's approval is not yet available even when OP is issued.

- (iii) It has also happened that the DLO replied at an advanced stage of construction that the GBP or the amended GBP were not acceptable under lease due to breaches of the lease conditions, often regarding slight exceedance of building height, site coverage restrictions. This stems from the different definitions for development control parameters of BD and LD.

Very often, the developer is forced to apply for a lease modification to rectify the situation. However, the LD takes a long time to process such lease modification. It delays the development process, and for consent schemes, the issue of pre-sale consent will be severely delayed. This could have been avoided if the DLO has replied before the structural works are commenced.

Recommendations on Development Control System

Key concerns on Development Control System in Hong Kong

4. The present control system is considered over-excessive and unwarranted. The duplicated layers of intervention and tedious approval procedures are causing unnecessary hardship on the property development sector. The Government should take a proactive role in providing a "help business" attitude to facilitate the private sector.

- (i) Government control and intervention to be confined to the fundamental "core – points". Subjective or discretionary issues to be avoided. Comments on each submission should be comprehensive and exhaustive and resubmissions should not be refused on grounds which were not stated in response to preceding submission(s).
- (ii) Government departments to adopt consistent standards for approval and overlapping of duties to be avoided. The duty of checking on a particular matter should be delegated to a single department.
- (iii) A fixed processing period for all planning, land and building submissions should be prescribed and enforced. A maximum processing time of 60 days is considered appropriate. All

departments should be required to feedback their comments on submissions to the central processing department within a pre-agreed and definite time frame.

Executive Summary of Proposed Core-Points System

Planning Approval (Rezoning or Section 16 Application)	Land Approval (Master Layout Plans Checking under Lease)	Land Approval (Building Plans Checking under Lease)	Building Approval (Building Plans Checking under Building Ordinance)
<p>Ten Points Check:-</p> <ol style="list-style-type: none"> 1. Checking based on Column 2 Uses listed in OZP. 2. Checking based on maximum allowable development intensity. 3. Checking of water supplies and drainage provision availability. 4. Checking based on pre-defined standard for parking and loading/unloading according to the type and locality of development. 5. Traffic Impact Assessment study covering the affected road facilities. 6. Noise impact assessment based on clear and achievable standards established by EPD. 7. Air quality assessment based on clear and achievable standards established by EPD. 8. Provision of GIC facilities as required. 9. Checking based on pre-defined open space standard. 	<p>Six Points Check:-</p> <ol style="list-style-type: none"> 1. The formation levels of the site and the position, width and levels of proposed roads and accesses. 2. The nature, height the gross floor area of the buildings proposed. 3. The vehicular ingress and egress arrangements. 4. An indication of the locations and numbers of carparks. 5. An indication of open space to show the demarcation of hard and soft landscape and active and passive area. 6. The stages or phases of the development, if any. 	<p>Seven Points Check:-</p> <ol style="list-style-type: none"> 1. User 2. Density (Gross Floor Area, Site Coverage and Height) 3. Provision of Car Parks and Loading/Unloading Spaces 4. Vehicular Access / Egress Points 5. Recreational Facilities 6. Special Areas (Non-building Area, Formation Areas, etc) 7. Other Special Requirements under Lease <p>(Remarks: At present, there is overlapping in the scope of checking by the Lands Department and the Buildings Department as a result of different approval and checking criteria adopted by the two departments. It is proposed that the criteria should be aligned between the departments to avoid duplicated efforts and inconsistent approval requirements.)</p>	<p>Four Points Check:-</p> <ol style="list-style-type: none"> 1. Density 2. Safety 3. Health and Environment 4. Compliance with allied legislations <p>(Remarks: At present, the checking of building plan submission by the Buildings Department is already based on the above fundamental points. It is proposed that the current system should be maintained.)</p>

(revised: 6/9/06)

Current Status of Electronic Submission

5. In the building industry, the plan approval process by relevant departments has been a critical activity significantly affect the cost and program of development proposals.

6. Following the enactment of the Electronic Transactions Ordinance (ETO) in April 2000, Buildings Department has taken the first step to streamline such approval process by accepting electronic submission for *'simple submissions'*. Simple submissions are those that are *not "time critical" nor "involving multiple signatures" nor "involving voluminous documents with complex layouts, elaborated text format and professional drawings"*. Currently, under the above definition of *'simple submissions'*, the application of electronic submission to the building plans approval process is limited to the calculation of gross floor area, usable floor area, site coverage, plot ratio, etc.

Current Efforts from Stakeholders

7. Although electronic submission is limited currently to area calculations only, the Building Authority has agreed to *'keep in view the development of an electronic submission system (ESS) to handle all types of electronic submissions.'* (PNAP 240) In fact, the Buildings Department, Lands Department, Planning Department, Architectural Services Department and the Hong Kong Institute of Architects have been negotiating and discussing on the possibilities of a full electronic submission. Task Working Groups has been set up and working sessions conducted to resolve the technical aspects of electronic submission, such as agreeing on a common layer naming system and area calculation method for all departments. Progress has been satisfactory and the industry is looking forward to the introduction of a full electronic submission in the near future.

Opportunities from Technology Development

8. While the HKIA and the relevant government departments are developing electronic submission based on 2-Dimensional drafting software, current development in 3-Dimensional Building Information Management software is revolutionizing the construction industry. Sophisticated Building Information Management (BIM) software developed over the years has allowed the building industry to increase productivity significantly. BIM software is based on parametric modeling technology in which information including room areas, window areas, material specifications, schedules, etc, can be generated automatically from a well-defined computer parametric

model of the building. Since the information and tables generated from the program are directly derived from and correlated to the parametric model, it's highly accurate and reflects the true condition of the design. Such a technology has not only streamlined the drawing production process in the industry, but also makes instantaneous verification of information possible. With the application of BIM, manual checking of plans can be minimized and the efficiency for the government approval process would definitely be increased.

Way Forward

9. In light of the development of BIM and the progress in the departments' work in moving towards full electronic submission, we believe that it's time for the government to look into the possibility of integrating the two, and consider fast tracking the lengthy building plans approval process.

Pre-construction Task Force
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