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14 December 2009

Legislative Council
Joint meeting of the
Panel on Environmental Affairs
Panel on Development

Dear Sirs,

Government must set an example in mandating green buildings.

It would be a great missed opportunity if the public housing in Kai Tak does not use district cooling for the rental units: the estimated energy saving is 30% on air conditioning or 25 million kW by the 35,000 people living in the 19,000 public flats in Kai Tak. This would reduce 17,500 tonnes of carbon dioxide, 90 tonnes of NOx and 100 tonnes of SO₂ emissions.

Response to Building Design to Foster a Quality and Sustainable Built Environment

Coordination of planning

1. Plans for the built environment including Outline Zoning Plans must fully consider the final built outcome. Planning, Lands, Buildings and Transport Departments and their regulations and procedures must be coordinated as one. Discrepancies in gross floor area definitions highlighted by Prof. Barnabas Chung are unacceptable.

GFA compensation only as a measure of last resort

2. If any compensation is required, priority must be given to financial incentives (reduction in land premium payable, resumption of land) over additional gross floor area.
3. The suggestion that developers may 'under deliver' on the size of a plant room for example is ridiculous. Developments which don't meet minimum standards don't obtain an occupancy permit.

Rethink comprehensive development

4. The size of sites for sale by Government, MTR or URA must be reduced to allow for a more human scale grid of streets and public spaces, and a more competitive – and therefore more inclusive and diverse – environment for leisure and commerce. Amalgamation of sites for private development must be reviewed for the same reason. The large sales sites lead to podium style structures and walled type buildings.

Flexible and transparent decision making

5. A Waiver Review Committee (Committee) or Design Review Board (Board) can be established closely associated with the Town Planning Board which decides whether public planning gain or other reasons can be identified which justify alternative development features, and whether these warrant incentives or charges.

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6. The Committee can agree and regularly review Guidelines which considered the impact of building form on the overall living environment such as 'street shadow area' and the proximity of windows between different sites and others are needed.
7. Essential features must be reviewed at regular intervals and should include the latest environmental performance standards to make sure developments do not place an undue burden on their environment, and are safe for current and future users.
8. Energy and environmental features may be promoted for their public gain, but the list of features and exemption or other approvals (i.e. projection over a street) will be reviewed from time to time, or from site to site. The Committee can develop guidelines for exemption for non-essential features, and adjust the list from time to time taking into account public and private planning gain.
9. Public passage through private buildings may constitute a public or a private gain (shopping mall) and the Committee will develop its own guidelines which it reviews regularly.
10. Building set-back and building separation should depend on local context and the need for pedestrian service levels. Set-backs may only apply to the first few floors (traditional colonnade features), and building separation (to ground level). Compensation, if any, should avoid an increase in the bulk of the development and be resolved in settling the land premium. For unrestricted leases, resumption (and compensation) must be considered. Only under exceptional circumstances should additional GFA be considered. Both the need for set-back and separation, and settlement with additional GFA, must be decided on through a public process involving the Committee.

Car parking policy

11. Due to the current policy, Hong Kong has an oversupply of car parking facilities for private cars and vans. These leads to lower car ownership cost and defeats efforts to control vehicle ownership in line with the limited length of our road network. The number of car parks is a transport decision which is currently a matter of Government, however, these should become a matter for the town planning board. In any case, only underground car parks should be exempted from GFA calculations.

Herewith we so submit for your consideration.

Yours sincerely,



Paul Zimmermann
Chief Executive Officer