

Conversion opportunities

A changed approach to allowing conversion of industrial buildings could benefit residents and bring some relief to Hong Kong's housing shortage, but challenges remain.

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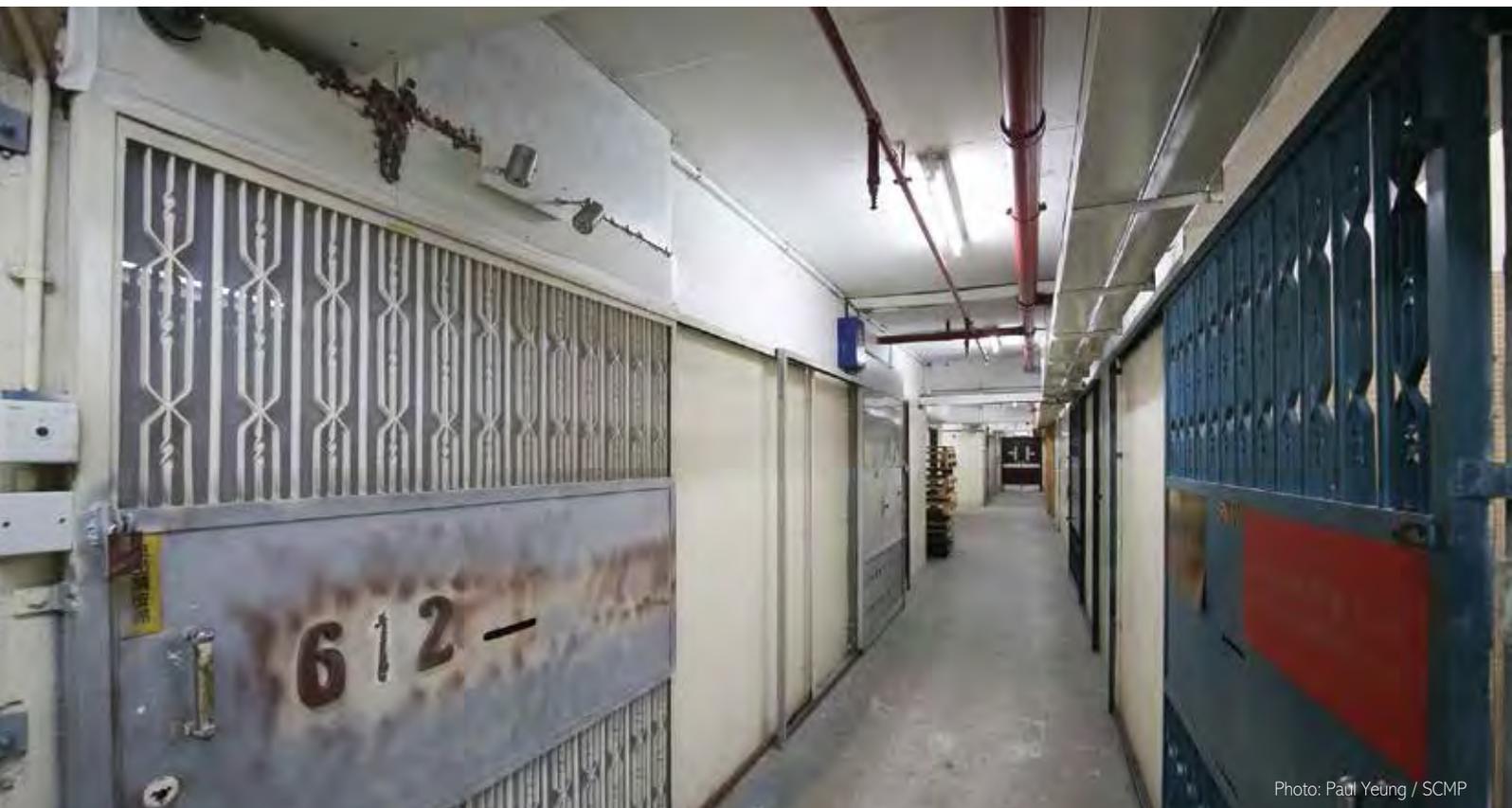


Photo: Paul Yeung / SCMP

Proposals to allow the conversion of industrial buildings are raising fears about safety, multiple usage and lost rental space.

A tragic fire that claimed three lives in a subdivided unit of a Kwai Chung industrial building this August has once again raised the issue of whether the Hong Kong government should relax user restrictions of lower floors in industrial buildings in order to improve safety standards.

Chief Executive Mrs Carrie Lam Cheng Yuet-ngor made an announcement shortly after the tragedy to say that the government has been studying a scheme which would allow a single owner of an industrial building to change the building's use without having to pay hefty premiums, so long as the design and facilities meet fire safety standards.

The idea of the scheme is to curtail illegal or unintended use of the lower floors of industrial buildings, which tend to be popular with smaller businesses because of their lower rents. However, some of these premises have been subdivided into illegal residential units.

Under current regulations, many small businesses occupying these spaces are operating illegally, and in fear of government crackdowns, so they are reluctant to invest in good quality, fire-resistant indoor designs.

Quick fix

On the face of it, the scheme appears to be a quick fix for all the various safety concerns but, according to the city's experts, there are many underlying issues that need to be addressed before it can be rolled out. In fact, one of the central questions that need to be addressed is how the government plans to revive the city's many old factory buildings in such a way that ensures safety and meets the needs of users, while freeing up much needed land space.

"There are actually two scenarios that could play out here: either allowing the whole building to be converted from, say, industrial use to residential use or the commercial use, or the other scenario, which is partial conversion of the building," says Sr Prof James Kenneth Pong, Chairman of the HKIS' Planning and Development Division.

Either way, there are still going to be practical problems that the government would need to deal with for converting industrial buildings to alleviate the demand for housing.

"Even with this new scheme introduced, there are going to be some technical problems, like, is the government going to relax the technical requirements

around car parking, safety or fire regulations? I don't think they will compromise on that," says Sr Prof Eddie Hui, Chairman of Property and Facility Management Division of the HKIS, and Professor of the Department of Building and Real Estate at the Hong Kong Polytechnic University.

More rigorous standards

Sr Prof Pong says there are a lot of misconceptions about old industrial buildings in Hong Kong and there is an impression that they are unsafe, but industrial buildings actually have to comply with fire safety standards that are much more rigorous than those for residential buildings. It is only unsafe in so much as the fire hazard of activities that take place inside industrial buildings, he clarifies.

"If the whole building is converted from industrial use into residential use, it can become a very safe building for people to live inside," he says. "The fire tragedy of Kwai Chung industrial building is a separate incident which involved high fire hazard of using explosives inside the unit that the victims were occupying".

Take, for example, the fact that many industrial buildings in Hong Kong have a two-hour and sometimes four-hour fire rated wall construction which means that if a fire breaks out, it would take two and four hours respectively for it to reach the other side of the wall (with respect to the stability, integrity and insulation of the wall). Secondly, in terms of the discharge value of industrial buildings, there is a notational scheme that dictates how much floor space one person can occupy; this figure is actually lower in industrial buildings.

"So in terms of the fire safety standard, the number of people, the notational scheme for the industrial building is higher, and therefore, the required width of the staircases, for example, would be much wider than those in residential buildings," says Sr Prof Pong. "Thus, in terms of fire escapes, similar to fire safety construction, it is not a problem at all because it's safer in a sense." Also for the structural loading requirements, it is more stringent for industrial buildings than residential buildings.

Furthermore, the issue becomes how and for what purpose the space is being converted, and how it would meet the requirements and regulations for its new intended use. Generally speaking, the conversion of industrial building will be quicker than demolishing the existing industrial building and reconstructing a new building.

"This is the case that the government has to deal with," says Sr Prof Hui. "If an owner wants to convert to a commercial building for instance, they have to comply with regulations governing such things as whether there is enough parking space; if they cannot do that, they have a problem and won't be able to go

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ahead with the scheme. This would be the reason why the scheme never got off the ground in the first place.”

The solution, Sr Prof Hui says, would perhaps be for the Secretary for Development to revisit the scheme and relax some of the strict rules and measures for planning things such as car parks.

“There is so much red tape, this is a technical problem,” Sr Prof Hui says.

Partial haphazard conversion

Then comes the issue of partial haphazard conversion scenario, which Sr Prof Pong is adamant it would not work. He argues that unless there is a clear separation of floor conversions, the best example is the conversion of the ground floor and first floor together, partial random conversion would essentially mean having one unit of residential unit next to an industrial unit on each floor.

“That means on the same floor, some units would be industrial, and some would be residential and you would have a lot of problems,” Sr Prof Pong says. “Some units are occupied by people who sleep there at night and that’s a problem for the Fire Services Department...they are very concerned about mixed use because who knows what happens if there’s a fire. Aside from fire safety, residents don’t want to be living next to workers coming and going up and down the stairs and working next door. It’s very strange and it wouldn’t work.”

Another issue, Sr Prof Pong says, how should we define ‘industrial’ building? In the old days, industrial buildings were place where hazardous work was carried out, such as using explosive gases to do welding, but these days, there can be light industrial uses which involve low to medium fire hazards, which cover a range of activities.

In terms of fire safety, it would obviously not be a good idea to have units intended for heavy industrial use near low-risk residential units.

“Though the change of use for the lower floors of a light industrial building that doesn’t involve high fire hazard might seem feasible, we still have to assess it,” Sr Prof Pong says. The reason for this is that firefighting equipment carried by fireman in fire rescue are different to those for industrial or commercial buildings.

To avoid messy random conversion business

As such, according to Sr Prof Pong, the random mixed use of industrial building could be a messy business, and it would be in everyone’s interest to have wholesale

conversion as much as possible.

“Now it is time to do some research and to review our building law on whether we can have wholesale conversion, because you have to take a lot of factors into consideration such as the restriction on plot ratio and site coverage for a building, which is generally more stringent for residential than industrial building, lighting requirements, ventilation, and open space as stipulated under the Buildings Ordinance and Regulations, all of which have to be looked at.” he says. “Further, one has to consider the town planning control and government lease control on such proposed conversion and there have been a number of successful town planning applications for wholesale conversion of industrial buildings into service apartments or hotel in the past,” he added. “To attract owners of industrial building to convert into residential use, there should be some concessions on land premium, similar to our previous revitalisation exercise,” he suggested.

Last but not least is the issue of multiple ownership. Many industrial buildings still belong to multiple owners, and wholesale conversion can only take place if a majority of the owners are of one mind to apply for the same thing. But the reality, says Sr Prof Hui, is that people see things differently.

If conversions only happen as applications come in, only parts of the building will be converted, and this could compromise the integrity of the building and its safety.

“There would be scattered action among owners – they do it for their own benefit, and do it on their own. In that case, the building will not be converted in one go, but will be the result of many different decisions from different owners, who each want to do it their way,” Sr Prof Hui says.

Striking a balance

In the end, the implications of the scheme for owners could mean significant capital gains because the selling price per square foot of a residential or commercial building would be much higher than for industrial building. On the flip side, which has also been a topic of much debate, the loss of affordable rental space would be much to the detriment of small businesses. So ultimately, both agree that the government needs to do its homework to strike a balance.

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「事實上，工業大廈的防火安全標準遠比住宅大廈嚴謹。」

工廈的改裝潛力

雖然政府放寬改裝工業大廈的限制，讓住戶受惠，同時舒緩香港的房屋短缺問題，但當中存在重重挑戰。

Jolene Otremba

今年八月，葵涌工業大廈分間單位發生大火，奪去三人性命。事件再次引起公眾關注，質疑當局應否放寬工廈較低層的使用限制，從而提高大廈的安全標準。

慘劇發生後，特首林鄭月娥女士隨即宣佈政府正著手研究容許工廈的單一業主改變大廈用途，而無須支付巨額補地價費用，但條件是改建後的設計和設施必須符合防火安全標準。

政府用意是打擊非法使用工廈低層單位。這些單位租金便宜，深受小企業歡迎。然而，部分單位被非法改建為分間單位作住宅用途。

根據目前規定，很多佔用這些單位的小企業都屬於非法經營。因為憂慮政府會嚴厲執法，小企業一般都不願投資優質的室內防火設計。

速效解決方法

從表面看來，有關計劃似乎是針對各種安全問題的速效解決方法。但不少專家認為，政府在推出計劃前仍需回應很多潛在問題。其中一個主要問題是，政府如何兼顧工廈安全和用戶需要，活化城中眾多舊式工廠大廈，釋放更多土地空間。

香港測量師學會規劃及發展組主席龐錦強教授測量師表示：「有兩種情況：其一是容許改裝整幢大廈，例如由工業用途改為住宅用途或寫字樓用途；而另一種情況就是局部更改大廈用途。」

但無論政府採用哪一種形式來活化工廈去增加住屋的供應，實際執行上都會出現一些問題。

香港測量師學會物業設施管理組主席、理工大學建築及房地產學系教授許智文教授測量師表示：「即使引入這個新計劃，仍然會出現一些技術性問題，例如政府會否隨之放寬泊車、安全或防火規定？我不認為政府會妥協。」

更嚴謹標準

龐錦強教授測量師指出，市民對香港舊式工業大廈有不少誤解，認為這些大廈不安全。但事實上，工業大廈的防火安全標準遠比住宅大廈嚴謹。他解釋指，工廈發生火警，主要原因是由於工廈裡面有人進行容易引起火警的高危活動。

他指出：「如果將整幢大廈由工業用途改為住宅用途，人們可以正常地居住。葵涌工業大廈的火災慘劇是個別事件，其中涉及死者在單位內使用易燃物品。」

舉例來說，香港很多工廈均設有兩小時（有些地方更要求可達四小時）的防火牆建築；換言之，一旦發生火災，火勢至少需要兩小時，甚至四小時才會蔓延至牆的另一面（指穩固、完整及隔熱方面）。其次，就工廈的疏散數值而言，屋宇署的大廈防火安全指引說明每人的假設性可佔用樓面空間；這個數字在工廈中較低，亦即假設使用工廈的人流比較高。

龐錦強教授測量師表示：「因此，工廈的火警安全標準和疏散數值的標準訂得比住宅高，樓梯闊度也會較住宅大廈寬闊。就走火通道而言，工廈更安全。」另在結構方面，工廈的可負荷重量要求都高於住宅大廈。

目前的問題是改裝工廈的方法和目的，以及改裝後的工廈用途是否符合要求和規定。一般來說，活化一座工廈會比推倒一座工廈之後重建更快。

「除了防火安全，住戶亦不會希望鄰居是在隔壁工作的工人，經常上落樓梯、出出入入。這情況很是奇怪，也行不通。」

許智文教授測量師指出：「這是政府需要處理的問題。舉例來說，如果業主有意將大廈改裝成商業大廈，便需符合多項規定，例如是有沒有足夠的泊車車位。若無法滿足有關要求，便會出現問題，而且亦無法繼續施工。這也是當局未能真正落實有關計劃的原因。」

他認為，問題的解決方法，也許是由發展局局長重新審視計劃，並放寬部分規定和措施，例如關於停車場的規定。

許智文教授測量師說：「有關程序極之繁複，引致其他技術問題。」

隨意零散改裝單位的問題

政府還需要處理隨意零散改裝部分單位的問題。龐錦強教授測量師認為隨意局部改裝工廈是不可行的。他指出，除非是整層改裝（最理想是改裝地下和第一層），否則任由隨意改裝大廈某些部分會造成住宅單位與工業單位隔鄰並列的情況。

龐錦強教授測量師指出：「換言之，在同一樓層，有些會是工業單位，有些則是住宅單位。這將引發很多問題。若有人在某些單位內過夜，消防處便不能坐視不理……消防處關注工廈混合用途問題，當發生火警時，無法預計會出現什麼情況。除了防火安全，住戶亦不會希望鄰居是在隔壁工作的工人，經常上落樓梯、出出入入。這情況很是奇怪，也行不通。」

龐錦強教授測量師還希望政府當局重新定義什麼是「工業」大廈？工業大廈過往是指進行危險工作的地方，例如使用煤氣氣體進行焊接工作。但現時的工業大廈可能用作輕工業用途，發生火災的危險性較低。

從防火安全角度看，將擬作重工業用途單位設於低風險的住宅單位附近，明顯不妥。

龐錦強教授測量師表示：「雖然將火警風險較低的輕工業大廈低層單位改作其他用途，似乎是個可行做法，但我們仍需要進行評估。」原因是屆時消防員進入火場所需要的救火裝備將有別於工業或商業大廈的救火裝備。

防止隨意零碎亂象橫生的大廈改裝

龐錦強教授測量師認為，允許工業大廈隨意零碎更改用途只會亂象橫生。改裝整棟工廈是保障大眾利益的最佳做法。

他指出：「政府應否容許工廈作混合用途或改裝整幢大廈，目前正是進行研究的合適時機，需要審視各種因素，例如在建築物條例下大廈地積比率及覆蓋率的限制。一般情況下，住宅大廈的地積比率及覆蓋率限制會較工業大廈嚴謹；另外還有採光、通風和休憩空間的要求。」他補充指：「此外，將整幢工廈改裝成服務式住宅或酒店而成功通過城市規劃申請的案例，過往亦有不少，但我們仍須考慮城市規劃限制和政府租契限制會對改裝計劃帶來什麼影響。」他認為政府應像之前工廈活化計劃給業主減免補地價，以吸引更多工廈去活化。

最後是共有業權問題。很多工廈仍然由多位業主共同擁有業權；若要落實整幢改裝，便必須徵得大部分業主同意。但事實上，許智文教授測量師認為各人不同意見，很難取得共識。

若提出申請後即進行改裝，便會出現局部改裝情況，將削弱大廈的完整性和安全。

許智文教授測量師指出：「業主將會分頭行動，為求保障自己的利益而各自採取行動。在此情況下，大廈將不會一次性完成改裝；反之，各業主將各自改裝大廈的不同部分。」

力求平衡

總括而言，有關計劃可令業主的資產大幅增值。這是因為住宅或商業大廈的呎價必定遠高於工業大廈。另一方面，有關計劃的爭議點是，小企業將無法租用廉價的單位，變相影響小企業的生計。因此，兩位測量師均認為政府需要仔細研究，確保計劃能夠平衡各方利益。

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