

Street Improvement SchemesSubmission of Building Plans
in respect of Lots affected thereby

The Public Works Department is responsible for drafting plans for the improvement of streets by altering their widths, levels and alignments. Certain street improvement plans have been implemented over the years in connection with private building development and are generally known to authorised persons and registered structural engineers. It has been found, however, that there has been some misunderstanding of the status of these plans and the effect they have on building plans which are submitted for the Building Authority's approval under the Buildings Ordinance. The following is issued to clarify this situation:-

Street Improvement Plans

- (a) Street improvement plans held in the office of the Principal Government Building Surveyor, Chief Engineer, Highways (Hong Kong/Kowloon/New Territories) and Director of Lands & Survey are only an indication of what the Public Works Department regards as desirable improvements.
- (b) These street improvement plans do not constitute any representation by Government that they have been or will be approved or implemented by Government nor are they indicative that Government will resume any property or part of a property to implement them.
- (c) In the light of (a) and (b) above, the existence of a draft or approved street improvement plan which may affect a property cannot be looked upon as providing a basis upon which the property owner can claim for compensation or damages.

Building Plans

- (d) The approval of building plans by the Building Authority under the Buildings Ordinance, which have been designed to conform to a street improvement plan does not in itself imply that the latter plan has been approved by the Government for implementation nor that compensation or damages will be paid.
- (e) The approval of building plans by the Building Authority under the Buildings Ordinance, which have not been designed to conform to a street improvement plan, must be taken to mean that such approval of building plans is entirely without prejudice to any action which the Government may take under any other enactment, including resumption by the Crown of the whole or any part of the affecting property.

2. If you receive a commission for development or re-development of a site which is affected by a street improvement plan, it will save time and the possibility of abortive work if you will make an enquiry to the Highways Office to ascertain Government's intentions before embarking upon formal submission of building plans for approval. I can assure you that your enquiry will be attended to as a matter of priority and a decision conveyed to you at the earliest opportunity.

3. It would be appreciated if you would, where appropriate, acquaint your clients with the above information.

D.W. McDonald

(D.W. McDonald)
Building Authority