
**Building (Planning) Regulation 41D
Emergency Vehicular Access**

Application

With the coming into operation of the Buildings (Amendment) Ordinance 2004 on 31 December 2004, the new Regulation 41D of the Building (Planning) Regulations (B(P)R) requires the provision of emergency vehicular access (EVA) to all new buildings.

2. By virtue of section 39(2) of the Buildings Ordinance, Regulation 41D does not apply to building works which are being carried out or consent to the commencement of which has been given as at 31 December 2004. In general, building works may refer to foundation works of the proposal.

Code of Practice

3. Pursuant to B(P)R 41D(2), the design and construction of an EVA shall be in accordance with such requirements as may be specified by the Building Authority from time to time. Such requirements are currently specified in Part VI of the Code of Practice for Means of Access for Fire-fighting and Rescue (the "MOA Code"). Any proposed EVA that meets the requirements in the MOA Code will be accepted as complying with the provisions of B(P)R 41D.

EVA Plan

4. On general building plan submissions, it is necessary to demonstrate compliance of the EVA requirements. The EVA should be clearly designated by including a separate EVA plan with relevant notes. The EVA plan should be provided with the following information: -

- (a) Extent and alignment of EVA (to be clearly marked as EVA on plan and be so coloured to clearly differentiate the EVA from other building works).
- (b) Width, inner/outer turning radii, loading capacity and gradient for the entire EVA.
- (c) Location of all types of EVA signage and crash gate.
- (d) If there is overhead structure encroaching onto the EVA, a separate sectional drawing showing the clear headroom of the structure to be incorporated into the EVA plan.
- (e) A block plan showing the major façade of the building served by the EVA (to be so coloured for easy identification).

/(f)

- (f) Calculation on the total length of the façade of the building to be served by the EVA and the percentage of such length over the total length of all the perimeter walls of the building. For the avoidance of doubt, projections accepted by the Building Authority (excluding balconies and utility platforms under JPN 1 and 2) shall be disregarded for the purpose of the calculation.
- (g) Use of paving materials other than hard paving for the EVA (e.g. grass paving materials).

5. Where the EVA is a public street, the information required for the EVA plan may be confined to the information in paragraph 4(a), (b), (e) and (f) above. For paragraph 4(b), the information required may be confined to the portion of the EVA serving the major façade of the building and the information of loading capacity of the EVA would not be required.

Measurement of Major Façade of a Building

6. Paragraph 24.2(e) of the MOA Code stipulates the requirements in the provision of major façade of the building to be served by the EVA. In the measurement of one-fourth of the length of the perimeter wall as the major façade, the actual total length of the perimeter walls shall be used for the calculation of the major façade for buildings with simple contour design (e.g. in the shape of square, rectangle, circle, triangle, L-shaped, cruciform etc.). For buildings with complicated contour design, in lieu of the actual total length of the perimeter walls, the total length of the notional building contour line, as illustrated in Appendix A, may be used for the measurement of one-fourth of the length of the perimeter wall as the major façade.

Exemption and Modification

7. As stipulated in B(P)R 41D(3), the Building Authority may exempt a building from complying with any or all of the EVA standards specified in the MOA Code if the Building Authority is satisfied that compliance with the requirements is: -

- (a) impracticable having regard to the topographical features of the area on which the building is situated;
or
- (b) unwarranted on the ground that the purpose for which the building is to be used constitutes a low fire risk.

8. When the circumstances arise that an EVA will not be provided or when the EVA provided cannot meet the standards as stipulated in the MOA Code, an application for exemption from B(P)R 41D(1) or (2) should be made on Form BA16 with full justification and, where appropriate, substantiated by a fire-safety report as required by paragraph 27.2 of the MOA Code. The Building Authority in consultation with the Director of Fire Services will consider such an application on the merits and the special circumstances of the case.

9. AP/RSEs may make reference to the guidance notes at Appendix B for information on exemption/modification in special circumstances. In general, applications for relaxation of the items of requirement listed in Appendix B do not require the submission of a fire-safety report, although enhanced fire safety measures may be required on a case-by-case basis.

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Building Authority

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Index under : Emergency vehicular access

EVA

EVA plan

B(P)R 41D

MOA Code

Remark:-----Notional building contour line
(Indentations with width $< 2.4\text{m}$ are discounted in the calculation)

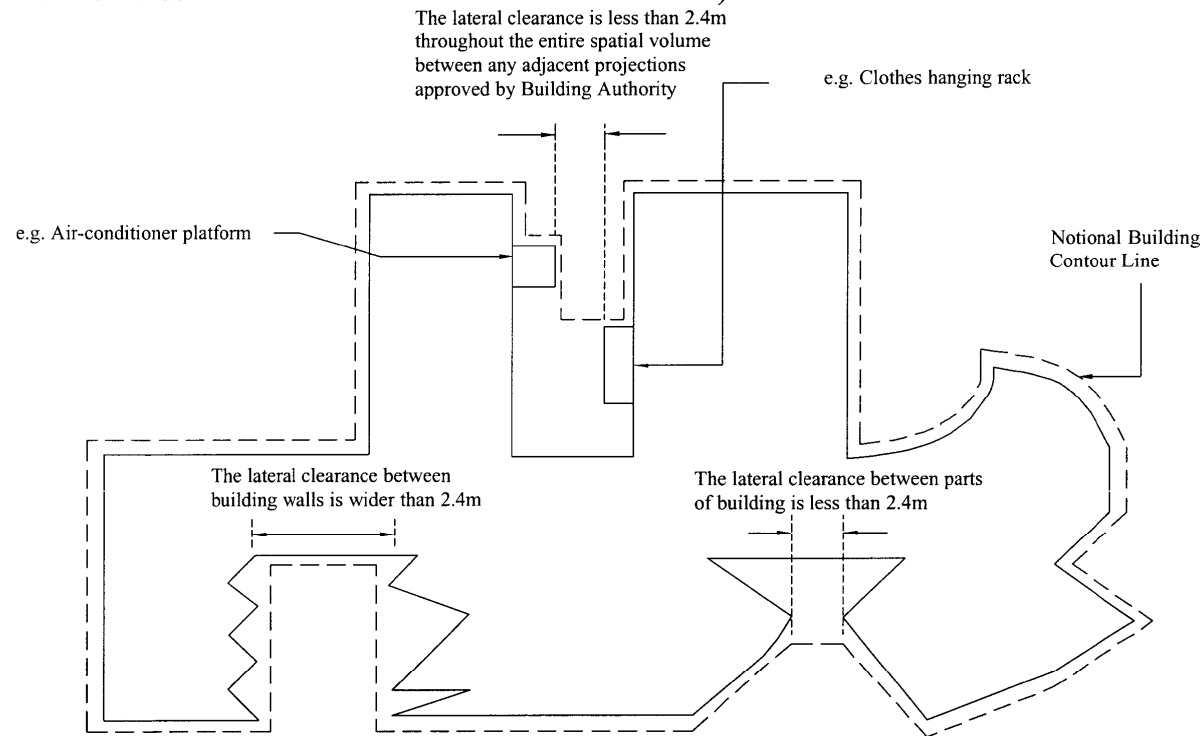


Illustration on the calculation of total length of notional building contour line for a building with irregular contour design

Guidance Notes on Exemption / Modification

Consideration of Part VI of the MOA Code where Special Circumstances warranted

	Situation	MOA Code Para.	Relaxation
1	Dead-end EVA	24.2(d) 25.2	Non-provision of turning space at dead-end EVA is acceptable should the F.S. appliances need not to reverse more than 30m for turning space.
2	Run-in/run-out point	24.2(a) 25.3(c)	The width of EVA may be relaxed to not less than 4.5m.
3	Domestic building(s) of 3-storey or below, including single family building(s) to which MOE Code paragraph 5 applies	24.2(a) 25.3(c)	The width of EVA may be relaxed to not less than 4.5m depending on the topographical constraints.
4		24.2(e) 25.3(c)	The horizontal distance between the EVA and the building façade exceeds 10m but within 30m is acceptable subject to the provision of FSI enhancement which may include a hose reel system.
5			The horizontal distance between the EVA and the building façade exceeds 30m is acceptable subject to the provision of FSI enhancement which may include a sprinkler system and/or other enhancements depending on the scope of development, distance from the main road and source of water supply.
6	A building re-development in an original site such as Class A, B or C site (other than industrial, cinema or theatre)	25.3(c)	<p>The width of the existing road(s)/street(s) serving as EVA may be relaxed to not less than 4.5m.</p> <p>The requirement on the EVA serving at least one major façade having not less than one-fourth of the total perimeter walls may be relaxed when the topographical features of the site make the compliance impracticable. Notwithstanding the above, the major façade of Class A site being served by EVA shall not be less than the minimum distance between the two opposite side boundaries within 10m from the EVA.; whilst for Class B and C sites, paragraph 24.2(e) should follow.</p>