

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

With the coming into operation of the Buildings (Amendment) Ordinance 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 have been consented to commence on or before 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 is deemed to have complied 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, the information required for the EVA plan may be confined to the information in paragraph 4(a), (e) and (f) above.

### **Exemption and Modification**

6. 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.

7. 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. 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.



(Marco M H WU)  
Building Authority

Ref.: BD GP/BREG/P/46(II)

First issue May 2005 (AD/NB1)

Index under : Emergency vehicular access  
EVA  
EVA plan  
B(P)R 41D  
MOA Code