

Letterhead of THE HONG KONG INSTITUTE OF SURVEYORS

**Legislative Council
Panels of Environmental Affairs and Transport**

Comments by the HKIS

1. Although the paper deals with existing roads, it is equally important for the Government to have an appropriate policy in the design of new roads, as new roads built today are existing roads tomorrow. An appropriate policy on abatement of the nuisance at source for new roads will result in containing the problem.

There are many new roads constructed without noise barriers, resulting in significant noise nuisance to the sites adjoining these roads. As a result, developers will have to construct noise barriers, which are less effective, create undesirable design constraints and often tall blank walls. We recommend that the Government should provide noise barriers and use low noise surface material, wherever a new road trunk passes through residential areas.

On other means of avoiding the nuisance at source is to give greater weight to the environmental aspects in urban and town planning.

2. The Buildings Ordinance currently prohibits buildings to be built over streets. Whilst this principle is reasonable with traditional town layouts, the principle certainly needs to be revisited in light of Government's policy of constructing submerged roads to provide environmentally friendly and pedestrianized residential neighborhood.
3. To remove the nuisance to the existing buildings, an alternative means could be the provision of A/C units, double glazing or thicker glazing. In addition to the cost of the mitigation work, the adverse impact of noise nuisance on the value of the property and other problems like capacity of the power supply, etc. should also be considered. The comparison of the various mitigation options, taking into account the cost of the works and the impact of the works on the value of the property, is an area where surveyors can contribute.
4. The construction of noise barriers may cause nuisance to the buildings adjoining the roads. Such nuisance constitutes *injurious affection* for which compensation is currently not payable under the Roads (Works, Use and Compensation) Ordinance, although disturbance is. The Government should also clarify whether the construction of the noise barriers falls within the definition of "major works" under the Roads (Works, Use and Compensation) Ordinance.
5. The Paper is unclear as to how the Government sets priority in the implementation of the policy.

Hong Kong Institute of Surveyors

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