

Information Note

Noise Barrier Clause in Conditions of Sale of Residential Developments

This information note is issued for general reference purposes only.

Conditions of Sale for Government sale sites for residential purposes may contain a Noise Impact Assessment (NIA) Clause whereby the Purchaser (as defined in the Conditions of Sale) of the lot is required to submit to the Director of Lands (“the Director”) for his approval a noise impact assessment (hereinafter referred to as "NIA") and to carry out and implement the noise mitigation measures in the approved NIA. A Noise Barrier Clause providing for the event of erection of a noise barrier on a lot with projection over adjoining Government land under an approved NIA may be incorporated alongside the NIA Clause. In such a scenario, the Director is prepared to consider a proposal for a noise barrier or noise barriers to be built within the lot with projection(s) extending beyond the boundary of the lot and over and above adjoining Government land (including public streets) among other kinds of noise mitigation measures. In the event that any proposal for a noise barrier or noise barriers to be built within the lot and projecting over adjoining Government land is acceptable to the Director, approval would be granted subject to such terms and conditions as the Director sees fit but without any requirement for payment of additional premium or administrative fees. The Director has absolute discretion to consider and approve or reject any proposal for noise mitigation measures and there is no warranty, guarantee or representation whatsoever, express or implied, from the Government or the Director that any proposal for erection of a noise barrier or noise barriers within a lot and projecting over adjoining Government land would be approved.