



THE HONG KONG INSTITUTE OF  
**SURVEYORS**

Your Ref.: BD GP/BREG/P/25/5(V)

30 June, 2006

Chief Building Surveyor/Kowloon  
Buildings Department  
12/F., Pioneer Centre,  
750 Nathan Road, Kowloon.

**By Fax (3162 8651) & Post**

**Attn.: Mr. CHOW Kim-ping**

Dear Mr. Chow,

**Re.: Review of Design Manual: Barrier Free Access 1997**

We are writing to express our view and comments to the draft revised Design Manual: Barrier Free Access 1997.

We agree to the objectives of the revised Design Manual to introduce new design considerations to enhance design standards to facilitate greater independence of persons with a disability and other physical infirmities or limitations and elderly persons. We are in general support of the proposed revisions and amendments contained in the Final Draft Design Manual: Barrier Free Access prepared by the Consultant. However, from the perspective of building professionals as well as users of the Manual we would like to offer our comments and suggestions to minimize the technical and building design constraints so as to achieve overall balanced building design for all users of the buildings.

**Extent of Application**

1. Similar to the existing manual, the new draft manual will apply to non-domestic parts of building including small shops. This would bring great difficulties to the operators or owners of the retail business. For example, in areas like Mong Kok, Causeway Bay areas, it would not be uncommon to have shops with very narrow frontage and small floor area. The requirement to provide a ramp to these shops to facilitate barrier free access would be simply impracticable. This obligatory requirement of ramp provisions for small shops is unfair and cannot be justified. There has been no consideration if it is really necessary for persons with a disability, etc. to gain access into these shops. Persons without a disability do not need to either. The requirement will deprive the surviving opportunities of the small retail business traders. It is our view that this requirement should be seriously reviewed to take into consideration of the small shop retail business in Hong Kong. The manual should have provisions to allow exemption and set out the criteria on application of some of the obligatory design requirements, like disable ramp, access, etc. to small shops.

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2. There are a lot of past experiences that in minor building alterations and additions works, applications for exemption of the provisions of the access or facilities under the Design Manual are allowed. In particular, for works confined only to a specified room or an area in a building not involving material change in use, the requirements of the Design Manual for Barrier Free Access could be exempted. In order to avoid burdening the authority's administration works to process these kinds of application for exemption and to provide greater certainty to the public and the building professionals in designing such works, it is suggested to incorporate these common situations and circumstances that exemption could be granted into the Manual under section 2.2 Exemption.

### **Illumination**

3. We support the proposed minimum illumination levels specified at designated area in the new draft manual. However, any requirements higher than the proposed standard may not be appropriate.

### **Tactile Guide Path**

4. The provision of tactile guide path for buildings with good building management should be exempted or given relaxation such that tactile guide path is not necessary to be provided along all the access routes. In some situation, tactile guide paths may cause unnecessary obstruction to users if overly provided, particularly in the shopping arcade with high pedestrian or visitors flow.

In addition, we learned from various consultation forums that the new manual may be retrospectively applied to buildings completed before 1997. If this is the case, we would expect that this will lead to a lot of disputes and create nuisance to existing owners or occupiers, not to mention the site hardship and constraint imposed to comply with the retrospective enforcement.

We hope our views and suggestions can be taken into consideration in finalizing the Manual. Should you have any queries and require further elaboration, please feel free to contact the Institute.

Yours sincerely,

Alex WONG  
Secretary  
Technical Advisory Panel  
Building Surveying Division

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