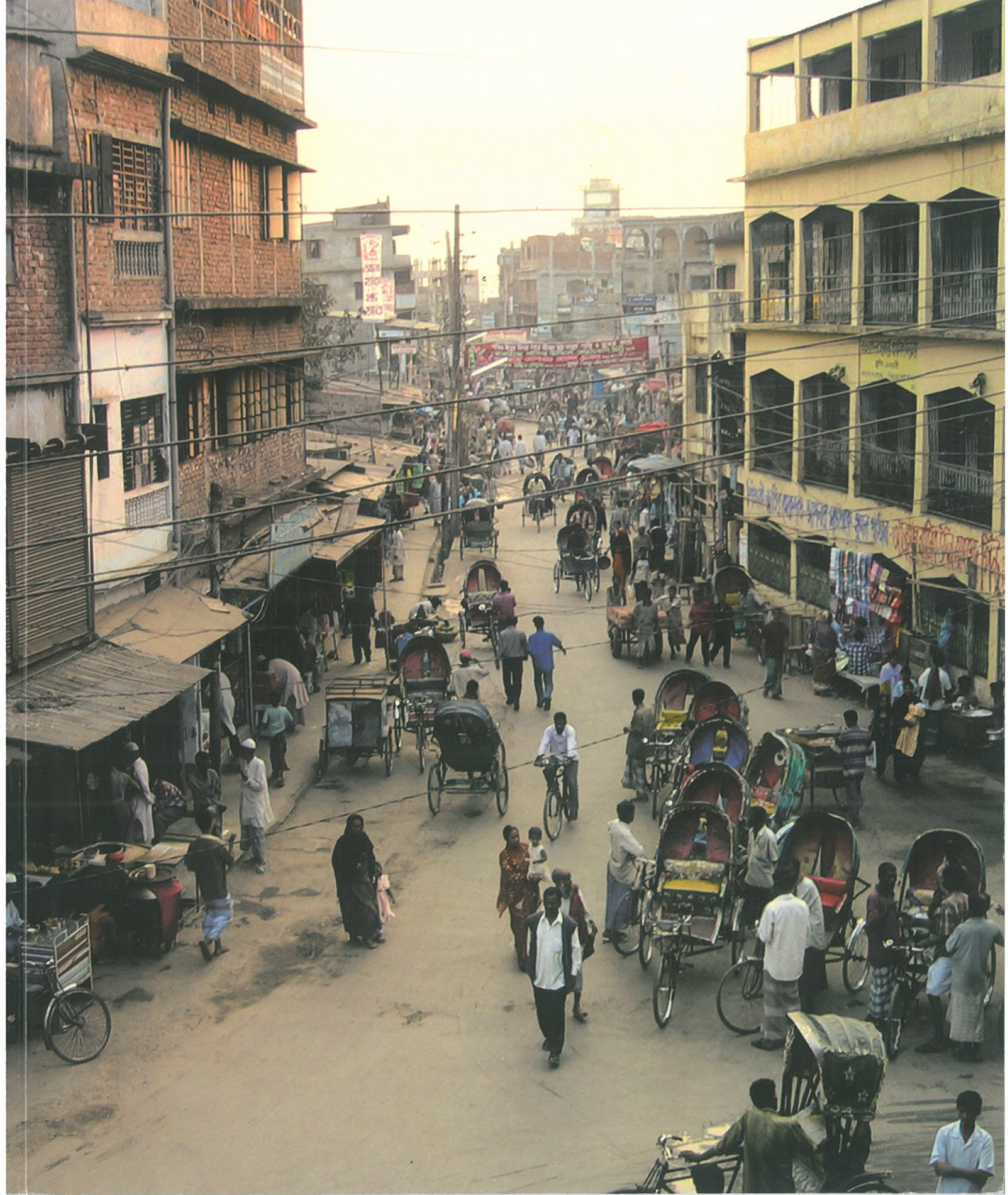


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from the editor

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As readers pick up this late release of the 1st issue of the HKIA Journal for Year 2004, some may notice that the cover design has taken on a fresh new look. Thanks to Mr Rex Chan particularly and some others in the Editorial Board who have contributed to the great work done. In this on-going process of continual improvement in the quality of our Journal, we certainly welcome feedbacks from members/readers regarding any changes or new directions to be introduced for the publication in the future.

For this edition, I guess many readers will be intrigued by this exotic photo on the cover page and wonder what we (the Editorial) are going to offer. In collection, we do have a loose theme related to 'Cities and Urbanism'. On one hand (under the *Leisure* Section), Ms H. M. Chan has taken us afar to 'witness' her journey to Dhaka in Bangladesh - a city in which late master, Louis Kahn, has left a legacy of his timeless spaces, forms and structures. Meanwhile, Mr Francisco V. Pinheiro continues his Macau stories, this time in search of the 'Macau Architectural Soul'. Coincidentally, our dear Mr Wong Wah Sang is also searching the true face of a city in this last episode on tales of Cities.

In the pursuit of better living quality and urban planning in our city, we have two more inspiring articles under the respective series - one from Edward Ng (CUHK) on 'Regulate for Light, Air and Healthy Living II' and another one from Dr. Gordon Fong on 'Participatory Planning III'.

In addition, we have some writings that are related to the more human side of architecture under the *Interview* and *Young Architects* Sections.

Above all, we have a very comprehensive and informative paper presented by Hong Kong Cyberport Management Company Ltd. under the *Design Study* Section regarding this showcase project, which will leave our readers to admire much the fortunate tenants who have the privilege of providing such a pleasant working environment for their staff.

Chris Liu

from the president

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Two months have elapsed since I took office on 1st January. I am very much in agreement with the direction our past president, John has directed the Institute and shall continue with what has already been set into a good momentum.

For the past year, the Institute has made public statements over a wide range of community issues including the SARS events, Article 23, the Harbour Reclamation Works and the West Kowloon Redevelopment. I was pleased to note that our Institute's image in the public's eyes has changed positively. With the recent engagement of a professional PR consulting firm, we have high expectations in enhancing our image and maximizing our exposure.

On matters of practice, it is disheartening to see our scope of work substantially curtailed; our role demised and the respect for our professionalism and expertise diminished. In order to better fit out our next generation architects, the Council is committed to implementing some new programs.

The first program is to train up our members in new areas where architects should stake our presence. One of these ambits is methods of dispute resolution in building contracts. With appropriate training, this area of work should fall squarely inside the expertise of the architect. The Institute will arrange a series of awareness and training programs for our members.

The second program is to afford our members better recognition for their experience and expertise and to promote the pursuance of specialization skills leading to the eventual establishment of a Collegiate system for specialization. These areas can cover Urban/Interior Design, Project/Construction Management, Contract Administration, Renovation and Rehabilitation, just to name a few.

The third program is with the help of CEPA, the Institute will try to establish contacts and pave the way for opportunities in the Mainland for our members so that we can emerge as a stronger entity to face the imminent competition when WTO obligates the Mainland to open up the architectural services market.

We all live in an age of change. Change can be unsettling, unnerving and even frustrating, but when there is change, there is usually progress and new opportunities. The Institute will try to facilitate to the best we can. It is up to our members to make the best out of the opportunities afforded.

Edward Shen

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diary & events

January 2004

6/1	Board of Internal Affairs Meeting
8/1	Board of External Affairs Meeting
12/1	Board of Local Affairs Meeting
16/1	Architects Registration Board Meeting
28/1	Council Meeting

February 2004

4/2	Board of Educational Affairs Meeting
6/2	Board of Practices Meeting
24/1	Board of Internal Affairs Meeting
26/2	Board of External Affairs Meeting

March 2004

10/3	Council Meeting
11/3	Board of Local Affairs Meeting
12/3	Architects Registration Board Meeting
17/3	1st Quarterly General Meeting
26/2	Board of Practices Meeting
31/3	Board of Educational Affairs Meeting

April 2004

1/4	Board of Internal Affairs Meeting
15/4	Board of External Affairs Meeting
22/4	Board of Local Affairs Meeting
23/4	Board of Practices Meeting
28/4	Council Meeting
30/4	Architects Registration Board Meeting

May 2004

12/5	Board of Educational Affairs Meeting
18/5	Board of Internal Affairs Meeting
27/5	Board of External Affairs Meeting

June 2004

1/6	Board of Local Affairs Meeting
9/6	Council Meeting
11/6	Board of Practices Meeting
16/6	2nd Quarterly General Meeting
18/6	Architects Registration Board Meeting

July 2004

6/7	Board of Internal Affairs Meeting
8/7	Board of External Affairs Meeting
9/7	Board of Practices Meeting
14/7	Board of Educational Affairs Meeting
20/7	Board of Local Affairs Meeting
28/7	Council Meeting
30/7	Architects Registration Board Meeting

August 2004

24/8	Board of Internal Affairs Meeting
26/8	Board of External Affairs Meeting
31/8	Board of Local Affairs Meeting

September 2004

1/9	Board of Educational Affairs Meeting
3/9	Board of Practices Meeting
8/9	Council Meeting
15/9	2nd Quarterly General Meeting
17/9	Architects Registration Board Meeting

October 2004

5/10	Board of Internal Affairs Meeting
7/10	Board of External Affairs Meeting
12/10	Board of Local Affairs Meeting
13/10	Board of Educational Affairs Meeting
15/10	Board of Practices Meeting
27/10	Council Meeting

November 2004

5/11	Architects Registration Board Meeting
7/11	Board of Practices Meeting
23/11	Board of Internal Affairs Meeting
24/11	Board of Educational Affairs Meeting
25/11	Board of External Affairs Meeting
30/11	Board of Local Affairs Meeting

December 2004

3/12	Board of Practices Meeting
8/12	Council Meeting
15/12	Annual General Meeting
17/12	Architects Registration Board Meeting

Regulate for Light, Air and Healthy Living

Part II - Regulating the provision of natural light and ventilation of buildings in Hong Kong

Edward Ng



An immense number of small (apartments) occupied by the poor classes ... are of the most superficial character ... (They) are erected with the rapidity that astonishes persons who are unacquainted with (them). ... they are built back to back; without (through) ventilation ... and, like a honeycomb, every particle of space is occupied. ... Every question of convenience, or of common decency, seems scarified to the one consideration of getting the largest possible return for the money invested.¹

Introduction

One of the building laws recently under close examination by the Buildings Department, HKSAR is CAP.123 Building (Planning) Regulations - Part IV Lighting and Ventilation (Clause 29-37). The laws stipulate the provisions and sizes of openings, and the prescribed planes outside the openings for natural light and ventilation. For over 40 years, these few regulations, perhaps more than any other building regulations of Hong Kong, contributed to the unique form, configuration and density of residential buildings built.

Extracted from Part I of this paper

Part I of this paper, subtitled: Regulating the provision of natural light and ventilation of buildings in the UK, traced the genealogy of a small, but important, piece of the English building regulations. It serves as a prelude to an understanding of similar laws and events in Hong Kong.

The recent unfortunate SARS related events in Hong Kong have provoked a renewed interest to find ways to improve the built environment. Heated debates will be inevitable both for and against changes. A reading of historical events may provide us with some insight. A lot of the current arguments have been rehearsed before, and our forefathers have experienced what we are going through. History provides us with lessons to be learnt.

Regulating the provision of natural light and ventilation in Hong Kong

The living conditions in Hong Kong at the end of the last century were of some concern to the Government. Not that the British Government wished to care, it was afraid that the constant outbreaks of cholera and plaque in the native quarters may spread to and affect the Europeans and their exclusively created heaven of tropical living.

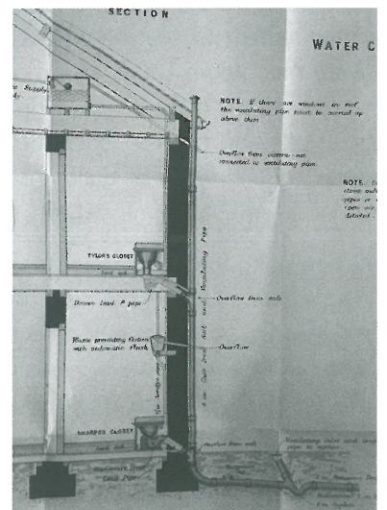
The Ordinance 1844 - 'An Ordinance for the Preservation of Order and Cleanliness within the Colony of Hong Kong' was the earliest legislation on buildings in Hong Kong. This was quickly followed by Nuisances Ordinance 1845. However, in the years following, with people from Mainland China flooded into the territory, the already poor and insanitary living conditions deteriorated and building control remained a problem. ² The Buildings and Nuisances Ordinance 1856 (8 of 1856) was enacted following the Dempster Report on the sanitary condition of Hong Kong. This was the first attempt to comprehensively legislate building control in Hong Kong. The Ordinance set out the requirements of basic sanitary requirements. The post of Surveyor General (equal to our Director of Buildings Department) was created and charged with the responsibility of ensuring compliance. However, with building activity increasing in response to the constant influx of immigrants from Mainland China, the administration and enforcement of the Ordinance were difficult. Overcrowding and insanitary living conditions in the territory remained as before. ³

These early Ordinances represented attempts to regulate the poor living conditions in Hong Kong and to safeguard, according to the Governor Sir John Bowring, 'public health and public safety'. However, the administration of the early laws was fraught with difficulties and was ineffective in tackling the problem. A lot of the inaction had been due to the worry that rigid enforcement might affect the activities of the 'free' trading port of Hong Kong. Moreover, the poor living conditions were then only a 'Chinese' problem, which was not to be confused with the livelihoods of the European traders.

Turning a blind eye to a problem does not eradicate it. In 1882, the Government commissioned an English sanitary engineer, Osbert Chadwick, to study and report on the sanitary condition in the territory. ⁴ In the letter which prefaced his report, he mentioned that the building ordinance must be revised for the reasons that both the design and construction of the dwellings were defective. He recommended that the amended law must be enforced with a lot more vigour and intelligence than the previous as to alleys, lanes and open spaces. The Chadwick's report concluded that the insanitary conditions were a menace to public health and recommended that a completely new building legislation was necessary. ⁵ Examining an original copy of the Chadwick report in London's Public Record Office revealed the care and details the author spent on dealing with the problem. His coloured drawings on sanitary details are particularly provocative.



Part of Taipingshan, around 1868 in a photograph by William Pryor Floyd. The area was resumed in 1895 - 1898 and rebuilt afterwards. (Courtesy of The Asian Collector Ltd. Taken from Nigel Cameron, *An Illustrated History of Hong Kong*, Oxford University Press, Hong Kong, 1991.)



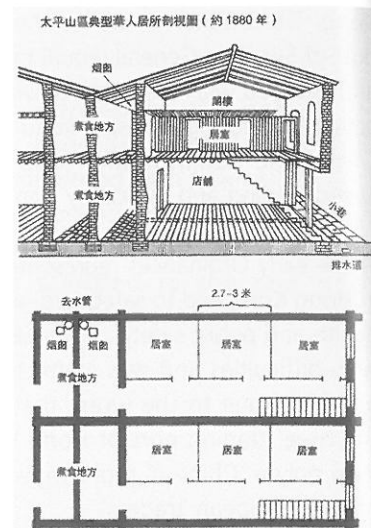
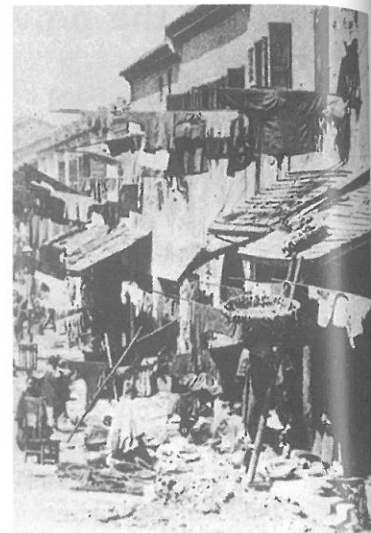
A drawing from The Chadwick Report - Sanitary Condition of Hong Kong 1882. (The drawing, originally in colour, was taken digitally in London's Public Record Office by the author.)

Accordingly, a Sanitary Board with wide powers of inspection of houses was subsequently set up in 1883 and the Public Health Ordinance was passed in 1887 (24 of 1887). The Sanitary Board was empowered to close premises unfit for human habitation and overcrowded buildings. Further, the Ordinance provided that a new building could not be occupied until the Sanitary Board had inspected it. ⁶ This can be regarded as the grandfather of today's Occupation Permit of the Buildings Department.

Unfortunately, led by Ho Kai, an English trained physician with a close connection with the landlords, the measures were opposed based on the reason that they will result in higher rents and subsequently lost of profit. Ho Kai was speaking in the middle of one of Hong Kong's property bloom. An argument was also made in that this is 'the Chinese way of life'. He had a point, and that is, any square foot of shelter, no matter how small and poor it was constructed and surrounded, will find a market.

By the late 19th century, the population in Hong Kong was approximately 250,000. The density of living in the Chinese quarters could reach the order of 1,000 persons to the acre. ⁷ It is no surprise that Dr. Phineas Ayres, the Colonial Surgeon, reported extremely poor conditions in the Chinese quarters. Paraphrased, 'Lack of sanitation in general, and even if provided, broken and half-choked pipes were the norm. Cattle and pigs were kept and were in close contact with human. Overcrowding to the extent that dwelling units for a family would accommodate five to ten, in cubicles without light and air.' All in all, a very miserable picture could be painted. A number of outbreaks, for example typhoid in 1874 and the cholera epidemic in 1883, caused the government to take up some of Chadwick's recommendations. For example, an order was made to clean sweep twice every year.

After many debates, a new Buildings Ordinance (15 of 1889) was enacted and the Buildings and Nuisances Ordinance 1856 (8 of 1856) was repealed. The main objects of the new Ordinance were to improve the structural stability and sanitary condition of buildings in Hong Kong. ⁸ The Ordinance was largely based on the Metropolitan Building Act of 1855 in the UK. Among other provisions, it specified a requirement to provide well ventilated privy in buildings. ⁹ Around that time, in 1888, the Crown Lands Resumption Ordinance gave powers to the Government to renovate the urban scenes. This limited 'experiment' attempted to installed sanitary provisions and provide 'backyards' to dwellings. This was the beginning of 'open space' requirements of buildings. This later on became the basis of site coverage, set back and, to some extent, the use of RHP to regulate windows.

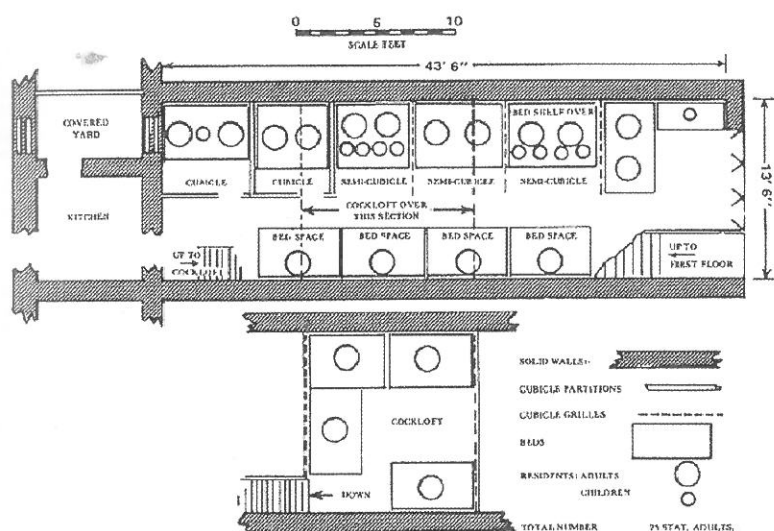


A typical house plan and section of the Chinese quarter and the poor living condition which Ho Chi' reckoned to be adequate. Note the lack of window, light and ventilation towards the rear of the dwelling (see plan). Note also that dwellings are back to back, thus the kitchens at the back had no natural light and air. (Taken from 'Hong Kong Now and Then', Joint publishing HK Co Ltd., 1994, p.92.)



Land resumed and cleared in 1884 as a result of the plaque. (Taken from 'Hong Kong now and then', Joint publishing HK Co Ltd., 1994, p.92.)

In 1894, an epidemic of Bubonic Plague in Guangzhou spread to Hong Kong. The plague (*bacillus pestis*) spread very quickly. The plague killed roughly 500 in a month, and it was not until 1924, and a lot of efforts, that it was history. Compounded with the insanitary overcrowded living conditions, more than 100,000 dead were eventually reported. The Hong Kong Government was forced to legislate. The Closed Houses and Insanitary Dwellings Ordinance 1894 (15 of 1894) was passed quickly to regulate the occupation of buildings closed by the Sanitary Board as a result of the plague. The Ordinance returned many provisions with regards to domestic buildings' lighting and ventilation, for example, a requirement for window opens directly into the external air, total 1/10th of floor area, was introduced. The Legislation Council and property owners had omitted these provisions earlier from the 1887 and 1889 Ordinances due to strong opposition. Fortunately, once again, public health issues influenced the ways in which buildings were planned, constructed and controlled. ¹⁰ In 1896, the Governor Sir William Robinson appointed a Commission to enquire. It reported in 1898.



Plan of a typical tenement house in the congested district, built around 1903. Note the windowless cubicles, deep room and poor daylight and ventilation in the living portion as well as in the kitchen. Some 30 adults and children survived in a space of just under 500 square feet. (Taken from Nigel Cameron, 'An Illustrated History of Hong Kong', Oxford University Press, Hong Kong, 1991.)

The Commissioners reported that there were many insanitary properties and dwellings which in their condition were unfit for human habitation. Most city blocks had a population density close to 10,000/hectare, and some even to 20,000/hectare. ¹¹ The back portions of houses were dark, unventilated and extremely dirty, and in some cases were 'dens of filth'. To stamp out inaccessible alleyways, the Commissioners recommended that 'no cubicles should be allowed on houses fronting a street less than 15 feet wide'. (This is the 4.5 meters minimum street width still, inappropriately, in use today.) It further recommended that firstly, 'in such cases cubicles should be prohibited altogether on any floor that had not a window opening directly out into the external air of not less than 1/10 of the floor space'. Secondly 'in certain cases specified the owner should be compelled to alter the construction of his house so as to provide an open space at the back of not less that 40 square feet. Thirdly, 'owners of private streets and lanes are required, at their own expenses, to surface channel and light such streets and lanes and maintain them in a sanitary condition'. ¹² These were drastic recommendations made by the Commission. But the Commissioners then declared, half-heartedly, that there was 'no need for the resumption of these insanitary properties.'

Even so, the community feeling got so strong on the recommendations of the Commission. As a result, a petition was addressed to the Secretary of State for the Colonies, this was very largely signed by most of the unofficial members of the Legislative Council¹³ and every architect in Hong Kong¹⁴. This near unanimity of action was the result representing the owners' prejudice. With their self-interest and profit in mind, the petition asked the Secretary of State to appoint a special Commission unconnected with the Colony to investigate - mainly an attempt to delay any action. And the petition added the request that the Commission should be attached some independent sanitary expert to advise - so that the landowners could hope to find a way to put in their own 'paid experts' to advise otherwise.

Mr Chadwick and Professor Simpson were again appointed to report to the condition of the Colony generally with a view to stamping out the plague and at any rate diminishing its fatal effects. The ultimately result of their labours and investigations had been the Public Health and Building Ordinance (No. 1) 1903. The first proposed bill of the Public Health and Building Ordinance (No.1) 1903 was withdrawn by the Attorney General for the reason that:

*It had then become apparent that the Bill which, at the time it was introduced gave effect to the wishes of the people for whom it was designed, had ceased to do so at the later stage, and it would not have been for the general benefit of the community if it had been forced through as it then stood.*¹⁵

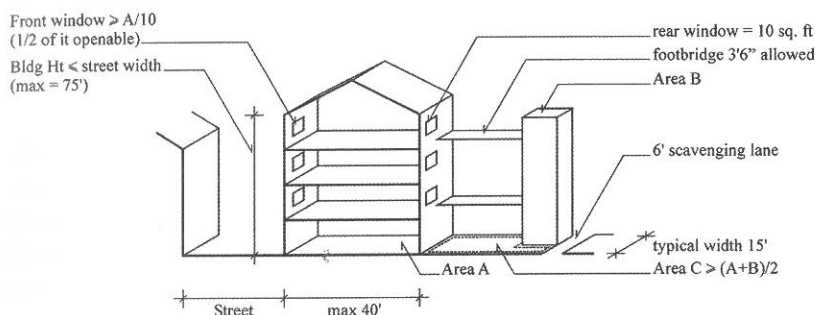
The Attorney General then introduced the second Bill. It was found that the whole difference between the two Bills is the principle of compensation. Obviously, the withdrawal of the first Bill was subject to the pressure of the petition signed by 47,000 Chinese against it¹⁶. Sadly, some of Chadwick's recommendations were not carried out in this half cooked second Bill. So much so that even Sir Ho Kai had to point out that there was no provision in the bill to deal with the windowless rooms! Turning around, he furthered that 'it would be much better if the Government had considered a plan to carry out the improvements at once, to give every cubicle a window and proper ventilation and light.'¹⁷ He then declared that in the saving of more light and air as one of the best means in assisting to combat and remove the epidemics and diseases.¹⁸

After a long and rocky discussions and revisions of the second bill, the Public Health and Building Ordinance (No. 1) 1903 was finalized.¹⁹ It consolidated and amended the law relating to public health and buildings. It drew heavily for inspiration upon provisions relating to the rights and liabilities of adjoining owners, which were taken mainly from Part VIII of the London Building Act 1894 (57 and 58 Victoria Chapter 212). However, Part III of the Ordinance, which dealt with buildings, was similar to the earlier Ordinance 1889. Certain amendments gave effect to recommendations in the earlier Chadwick's Report. The main objects of the new Ordinance were to provide better ventilation in buildings and generally to improve and safeguard public health, hence both the buildings and public health aspects were covered. Consequently, better buildings could be erected, by preventing the excessive height of buildings, by ensuring the sanitary construction of kitchens and the erection of cubicles and verandahs over footways, and by the providing better open space outside windows. In the Public Health and Buildings Ordinance of 1903, new provisions were added.²⁰ The Colonial Secretary, F. H. May, summarised,

*'In the part related to buildings, there are only 33 sections containing important changes. Of those, 16 were contained in the Buildings Bill, which was read a first time on 11th March last and was made the subject of criticism by some of the local architects; and in these 16 sections a number of the suggestions by local architects have been embodied. There remain, therefore, only 17 sections which are new. Of these, 8 related to ventilation ... provision of latrines and fireplaces. These 8 sections cannot be called of a contentious nature. There remain 9 sections which are likely to be contentious. One relates to the space left between a house and the hill near which it is built, 2 to cubicles, 4 relate to the provision of open spaces around buildings, 1 relates to the height of buildings, and 1 limits the depth of living rooms in certain buildings. ...'*²¹

Among other provisions, the Ordinance dealt decisively on cubicles, or rooms, without windows. It set a maximum depth of building to 40 feet from a window (This was the beginning of the maximum room depth requirement). It set a maximum building height equal to the width of the fronting street (This provision later evolved to become the 'street shadow' rules). It also increased the requirement of open space at the back of new buildings to 1/2 of the building site area (This later became the basis of site coverage and the RHP of window requirements).

The Building Ordinance 1903 has achieved much. It should thus be considered the first real attempt at improving the built environment of Hong Kong. Building height, open space outside window, size of glazing and window opening, height of storey and depth of room from the window remains the fundamental method of controlling building design for light and air. It was simple and effective in dealing with terrace type, low rise tenement dwellings of the time. The whole idea was to leave 'sufficient' gaps and open spaces - of a certain proportion - between buildings so that interior spaces could be effectively lit, cross-ventilated and, as importantly, accessed.



A building built to Building Ordinance 1903, with explanation notes of its requirements.

A summary of Public Health and Buildings Ordinance of 1903

Clause	Description	Rationale
150	One window opens directly into the external air, total glazed area 1/10th of floor area. AND One window at least 10 square feet opens into the open space in the rear. AND no less than one half of both windows shall be open-able. AND extend 'as far as practicable above floor level'.	To improve lighting and cross ventilation.
151	Max building depth from a window opens directly into the external air is 40 feet.	To limit the length of the building, at that time up to 80' deep.
152	Sub-division of the building into cubicle without window opens directly into the external air, total glazed area 1/10th of floor area, is NOT allowed. But cubicles in existing building allowed subjected to certain requirements.	To make unlawful habitable rooms or cubicles without windows.
157	Privy and latrine to be provided with opening(s) for ventilation not less than 2 square feet.	To provide adequate ventilation.
158	Max building height = 76 feet. Max storey = 4 including ground floor.	To limit building height.
175-180	Specifies dimensions and requirements of open space at the rear of building.	To improve lighting and cross ventilation.
188	Height of existing building not to exceed 1.5 times the width of street. Provisions for existing building up to twice the width of street to be re-elected under certain conditions. Height of NEW building not to exceed width of street.	To improve lighting and cross ventilation.

External air means a clear and unobstructed open space measured in a straight line from and at right angles to the plane of any window and of a width throughout of not less than 13 feet (amendment no. 1 of 1903).



Buildings built to Building Ordinance 1903 in Shaukiwan, 1933. (Taken from Urban Council, 'The Hong Kong Album', Tat Shing Offset Printing Co Ltd., 1982.)



Hong Kong in 1935. Note the low height of buildings governed by the building height to width of street regulations. The Star ferry terminal is at the bottom left corner. (Taken from Urban Council, 'The Hong Kong Album', Tat Shing Offset Printing Co Ltd., 1982.)