Product Eco-responsibility Bill

The Administration's Response to Views and Questions Raised at the Bills Committee Meeting on 15 April 2008

Green Procurement

As stated in LC Paper No. CB(1)1223/07-08(03), the Administration has developed and adopted mandatory "green" specifications for a wide range of commonly used products so as to ensure that they meet certain environmental standards. The list of products with mandatory "green" specifications is at **Appendix A.** The value of those "green" products procured and the overall value of products procured by the Government Logistics Department in the past five years were as follows:

	Value of "green" products ($ million)	**Overall value of procurement ($ million)**
2003	40.8	7,346
2004	48.0	4,811
2005	457.5[1]	3,620
2006	48.1	3,816
2007	722.1[2]	3,785

It should, however, be noted that a considerable part of Government's procurement does *not* have "green" alternatives, such as pharmaceutical products, computer software, medical equipment, etc. As such, the Administration does not consider the value of green products procured as a percentage of overall procurement value a useful indicator.

2. There are plans to strengthen the Government's work on green procurement. To this end, the Administration will shortly commission a consultancy study to review and expand the list of products with mandatory "green" specifications. The development of "green" specifications for plastic bags, plastic pipe and fitting, and other plastic materials will be covered in the study. Meanwhile, the Food and Environmental Hygiene Department (FEHD), being the Government's

[1] Including the value of a two-year contract for $417.9 million worth of ultra low sulphur diesel and lead-free petroleum.

[2] Including the value of a two-year contract for $606.6 million worth of ultra low sulphur diesel and lead-free petroleum.

agent for refuse collection, has already been conducting a trial on the use of plastic garbage bags with recycled content. Subject to satisfactory performance, plastic garbage bags with recycled content will be used in large scale. In the past five years, the number of plastic garbage bags used by FEHD and the estimated purchase value were as follows:

	Number of plastic garbage bags	Estimated purchase value[3]
2003	5.53 million	$4.28 million
2004	5.54 million	$4.18 million
2005	5.66 million	$4.13 million
2006	5.31 million	$3.80 million
2007	4.49 million	$3.64 million

Aside from plastic garbage bags, the Administration also procured some plastic shopping bags in the past five years for its retail operation:

	Number of plastic shopping bags	Purchase value
2003	0.37 million	$84,000
2004	0.47 million	$98,000
2005	0.46 million	$111,000
2006	0.33 million	$71,000
2007	0.22 million	$70,000

To underline the Administration's commitment to environmental protection, a circular is being prepared for issue to all bureaux and departments advising against the free distribution of plastic shopping bags. Bureaux and departments should encourage their clients to bring their own reusable bags instead.

Waste Recovery

3. As stated in LC Paper No. CB(1) 1223/07-08(03), the Council for Sustainable Development (SDC), having considered the views received in a public engagement process, recommended that a waste recovery rate of 45% and 50% should be achieved by 2009 and 2014 respectively. The Administration adopted the recommendation of the

[3] Some plastic garbage bags were purchased by cleansing contractors. The estimated purchase value has been arrived at on the assumption that the unit price of plastic garbage bags for the contractors is the same as that of FEHD in the same year.

SDC in the "Policy Framework for the Management of Municipal Solid Waste (2005-2014)".

4. The recovery rate of municipal solid waste is compiled based on two major sources of information, namely i) the export figures (excluding re-export) from the Customs and Excise Department, which captures the amount of recyclables recovered locally and exported; and ii) the annual waste recovery survey of local recycling companies conducted by the Environmental Protection Department, which captures the amount of recyclables processed locally. The recovery rate of municipal solid waste reached 45% in 2007.

5. As set out in the "Policy Framework for the Management of Municipal Solid Waste (2005-2014)", the Administration will strive to achieve the waste recovery target through a host of initiatives, including:

(a) "source separation of waste" programme at housing estates - more than 860 housing estates have joined the programme, covering 46% of our populations. Based on available data, the amount of recyclables collected in housing estates increases by an average of over 60% after joining the programme. It is our plan to further extend the programme to cover 1,360 housing estates (about 80% of the population) by 2010;

(b) "source separation of waste" programme at commercial and industrial buildings - in the light of the success at housing estates, the "source separation of waste" programme has recently been extended to some 380 commercial and industrial buildings. We plan to increase the number of participating buildings to over 600 within this year;

(c) producer responsibility schemes – in addition to the rechargeable battery recycling programme, the relevant trades, with the support of the Environmental Protection Department, have also launched a computer recycling programme and a fluorescent lamp recycling programme. Further initiatives on other products are being developed in consultation with the trades concerned and will be launched as and when ready;

(d) infrastructural support – the EcoPark aims to provide long-term land at affordable rents for local recycling and

environmental industries. Two batches of tenancies have been awarded so far. In addition, 36 sites with an aggregate area of 7.4 hectares are leased exclusively to the recycling trade through short-term tenancies; and

(e) public education and publicity - the Administration has launched an "I Love Hong Kong, I Love Green" campaign, which encourages the public to adopt green living and practise waste recovery and recycling. A "Waste Reduction" website has been launched to provide one-stop information portal on waste reduction, recovery and recycling. A new API on plastic shopping bags was launched on 29 April 2008. The Environment and Conservation Fund also provides funding supporting to public education campaigns on waste reduction, recovery and recycling.

The Administration has been regularly reporting the progress of the key initiatives in the "Policy Framework" to the LegCo Panel on Environmental Affairs, and the most recent progress report, discussed at the Panel in February 2008, is enclosed at **Appendix B** for Members' reference.

The Use of Environmental Levy

6. The objective of the environmental levy is to reduce the indiscriminate use of plastic shopping bags through a direct economic incentive. The environmental levy is meant to be an economic deterrent, as opposed to as a means to raise revenue. In fact, the more effective the environmental levy scheme is, the less revenue it generates.

7. The Administration is fully committed to environmental protection. To this end, even ahead of the passage of the Product Eco-responsibility Bill, $1 billion has recently been injected to the Environment and Conservation Fund to support, *inter alia*, public education programmes and publicity campaigns on waste reduction, recovery and recycling. With respect to the recovery and recycling of plastic shopping bags, in addition to collecting them through the source separation of waste programme and the three-coloured waste separation bins, the Administration has been liaising with major supermarket chains to explore the placement of recycling bins at their outlets as a complementary measure, with positive initial feedback (LC Paper No.

CB(1) 1223/07-08(03)). Aside from major supermarket chains, some shopping malls have indicated interests to place recycling bins at their venues to recover used plastic shopping bags. Riding on this momentum, the Administration is also exploring with the Hong Kong Retail Management Association on the feasibility of introducing a trade-wide campaign to further promote the reduction, recovery and recycling of plastic shopping bags. Where appropriate, the Environment and Conservation Fund could provide funding support for the campaign.

Environmental Protection Department
May 2008

Appendix A

Green Specifications of Common User Items Purchased by the Government Logistics Department

(I) Products with Recycled Content

Item No.	Description	Green Specification
1	Paper photocopying white recycled A4	(i) The paper shall contain at least 80% recovered fibre or at least 40% post-consumer fibre by weight. (ii) Paper packaging (paper wrapper and carton box) must be made from 100% recovered fibre by weight. (iii) Bleaching agent being used in pulp/paper production, if necessary, preferably does not contain chlorine. (iv) Surfactant used in pulp/paper production, if necessary, preferably is biodegradable. (v) Chemical Oxygen Demand in water discharge during pulp and paper production preferably is less than 20kg/tonne of paper produced.
2	Paper photocopying white recycled A3	
3	File jacket c/w lever arch mechanism	Made from hard and stiff cardboard containing at least 50% recovered fibre.
4	File jacket c/w 2-ring spring mechanism	
5	File box with lockspring for foolscap size paper	
6	Paper toilet in roll	(i) Must contain by weight 100% recovered fibre and that recovered fibre must contain not less than 60% post-consumer fibre.

Item No.	Description	Green Specification
7	Jumbo roll toilet paper	(ii) Bleaching agent used in pulp/paper production, if necessary, must not contain chlorine.
8	Paper towel (manifold)	(iii) Surfactant used in pulp/paper production, if necessary, must be biodegradable.
9	Hand roll paper towel	(iv) The packaging (such as core/paper wrapping/carton box) must be made from 100% recovered fibre.
10	Pencil recycled black lead HB	(i) Non-toxic colour paint must be used. (ii) Pencil barrel must be made of recycled paper. (iii) No heavy metals in dye in graphite.
11	Pencil recycled black lead HB w/eraser	
12	Pencil recycled dark blue	
13	Pencil recycled red	
14	Recycled paper for printing	With recycled content of recycled pulp or post-consumer fibre.
15	Hydrocarbon lubricants & compound	With recycled content.

(II) <u>Environmentally Friendly Products</u>

Item No.	Description	Green Specification
1	Powder detergent in 25 kgs bag	(i) Contains no Ethylene Diamine Tetraacetate. (ii) Contains no reactive chlorine compounds. (iii) Contains no Alkylphenoletoxylates. (iv) The product must be at least 90% biodegradable
2	Cleansing powder, lavatory	Contains no Ethylene Diamine Tetraacetate.
3	Soap toilet liquid 5 litres/drum	(i) pH of 5% solution ranges from 6-10. (ii) All surface active agents must be readily biodegradable.

Item No.	Description	Green Specification
		(iii) Bio-accumulative preservatives are not allowed.
4	Pen ball-point – refillable black	Refillable.
5	Refill for ball-point pen – black	
6	Pen ball-point – refillable red	
7	Refill for ball-point pen – red	
8	Clutch pencil 0.5mm (mechanical pencil)	Refillable.
9	Lead refill for clutch pencil black HB 0.5mm	
10	Correction fluid white (brush type) 20ml	(i) Must not contain ozone depleting substance (Class I & II). (ii) Toxic elements comply with EN71 Part 3 latest version or equivalent.
11	Thinner for correction fluid 20ml	
12	Typewriting correction fluid pen	
13	Photocopier	(i) Low ozone omission design. (ii) Toner recycling mechanism. (iii) With energy label from EMSD.
14	Fuel oils	(i) Ultra low sulphur diesel contains less than 0.005% sulphur content. (ii) Ultra low sulphur diesel has cetane number of minimum of 51. (iii) Unleaded motor spirit.
15	LPG light bus	Use LPG fuel.
16	Hybrid electric vehicles	With electric motor for reducing vehicle fuel consumption.
17	Particulate removal device	Reduce particulates, carbon monoxide and hydrocarbons from the emission of diesel vehicles.
18	Environment-friendly offset process ink	Contain vegetable oil or soybean oil and a low content of volatile organic compound in the ingredients.

For discussion
on 25 February 2008

Legislative Council Panel on Environmental Affairs

Update on the Progress of the Key Initiatives in the "Policy Framework for the Management of Municipal Solid Waste (2005-2014)"

PURPOSE

This paper updates Members on the progress of the key initiatives in the "Policy Framework for the Management of Municipal Solid Waste (2005-2014)" (Policy Framework).

BACKGROUND

2. To address our serious and imminent waste problem in a holistic manner, the Administration published the Policy Framework in December 2005, which sets out a comprehensive waste management strategy for the next ten years. Encompassing initiatives on waste avoidance at source, waste recovery and recycling and bulk reduction of waste, the Policy Framework aims to achieve the following waste management targets -

(a) to reduce the amount of municipal solid waste (MSW) generated in Hong Kong by 1% per annum up to the year 2014, based on the 2003 levels;

(b) to increase the recovery rate of MSW to 45% by 2009 and 50% by 2014; and

(c) to reduce the total MSW disposed of at landfills to less than 25% by 2014.

3. While the statistics on MSW generation and recovery for 2007 are being compiled, landfill disposal figures for the year are now available. Domestic waste disposed of at landfills continued to drop by another 4% in 2007 to about 2.32 million tonnes, despite an increase of about 1% in our local population. This was the third consecutive year recording decrease,

which amounted to a cumulative decrease in landfill disposal of domestic waste by about 6.9% since the launch of the Policy Framework. We consider factors contributing to the trend include the continuing expansion in the coverage of the source separation of waste programme, which lead to a rising recovery rate for MSW. We already achieved a recovery rate of 45% back in 2006, three years ahead of the target laid down in the Policy Framework. We would continue to promote waste recovery rates with a view to achieving the target of 50% by 2014.

4. There is, however, no room for complacency. Based on available statistics, the landfill disposal of commercial and industrial (C&I) waste increased by almost 16% to 1.12 million tonnes in 2007, which was probably driven by robust economic growth and strong tourism influx. As a result, the *overall* landfill disposal of MSW (i.e. domestic and C&I waste) increased slightly by 1.6% to about 3.44 million tonnes. It is therefore necessary for us to speed up the implementation of waste reduction initiatives and the development of waste treatment infrastructure, while sustaining our momentum in waste recovery and recycling.

5. Against the above background, we set out below the implementation progress of the major initiatives under the Policy Framework.

KEY INITIATIVES IN THE POLICY FRAMEWORK

Waste Reduction at Source

6. As highlighted in the Policy Framework, we should adopt the "polluter pays principle" to provide economic incentive for the public to reduce waste and promote recycling. In line with this principle, the producer responsibility scheme (PRS) is a well-proven tool that enables manufacturers, importers, wholesalers, retailers and consumers to share the eco-responsibility of reducing, recovering and recycling certain products so as to minimize their environmental impact.

7. In mid-2007, we conducted a two-month public consultation on the phased introduction of a PRS in the form of a 50-cent environmental levy for each plastic shopping bag distributed by chain or large supermarkets, convenience stores and personal health and beauty stores in order to reduce the indiscriminate use of plastic shopping bags. The proposal received general support from public and this Panel. In response to this overwhelming support, we introduced the Product Eco-responsibility Bill (PER Bill) into the Legislative Council (LegCo) in January 2008. Taking

the form of an "umbrella" legislation, the PER Bill will provide the legal basis for the implementation of the environmental levy scheme, and will enable us to introduce new statutory PRSs for other products if necessary. The Administration is working closely with the Bills Committee set up for the early enactment of the Bill.

8. MSW charging is another commonly adopted measure to promote waste reduction and recovery. We completed a three-month trial in February 2007 to examine the logistical arrangement for introducing a variable rate charging scheme using designated garbage bags. The findings of the trial have identified a number of practical issues, including possible flytipping and enforcement problems and the need for complementary measures such as provision of source separation facilities to encourage compliance and waste recovery. Drawing reference from overseas experience, we note a key prerequisite for a successful variable rate scheme is the readiness to trace MSW to its source. Given Hong Kong's multi-storey multi-tenant household setting and the prevailing waste collection arrangements, a variable rate charging scheme would likely be subject to implementation difficulties in terms of ascertaining the amount and sources of MSW on individual household basis. It would be necessary to examine alternative means of charging, such as a fixed charge or flat rate system while building in appropriate incentives to encourage waste reduction and recycling.

9. To take the matter forward, we plan to conduct a comprehensive territory-wide baseline survey to collect information on the waste generation pattern and waste collection modes under different types of buildings and C&I operations. The information collected would form the basis for the development of a MSW charging scheme for domestic and C&I waste.

Waste Recovery and Recycling

10. Launched in January 2005, the source separation of domestic waste programme is a territory-wide programme which aims at providing suitable recycling facilities for domestic waste at locations as close as possible to their generation sources, and at the same time broadening the types of recyclables to be recovered. It encourages community participation in recycling and facilitates the provision of a reliable source of materials for the recycling industry.

11. As at January 2008, there were 833 housing estates participating in the programme, covering about 1 million households and some 45% of the

population. Around 30% of them have implemented a floor-to-floor mode of waste separation, while the remaining set up waste separation facilities on the ground floor to collect different types of recyclable materials. The participating estates have reported an average of about 10% reduction in waste disposal since their participation in the programme. We will continue to press ahead with the programme with a view to achieving the Policy Framework's target of covering 1,140 and 1,360 estates by the end of 2009 and 2010 respectively.

12. While source separation has proven to be effective in enhancing waste recovery and recycling, the multi-storey and compact living environment in Hong Kong very often limits the space available for placing suitable waste recovery facilities near to the waste generation sources. To encourage property developers to provide suitable floor-based refuse storage and material recovery facilities, the Buildings Ordinance and its subsidiary legislation were amended in as early as 2000 to lay down the recommended specifications for such facilities, and to exclude such facilities from gross floor area calculation. Yet, since the Buildings (Amendment) Ordinance 2000 came into operation in late 2000, few new building developments have been provided with refuse storage and material recovery room on every floor. We therefore propose to amend the Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) Regulation (Cap.123H) to mandate the provision of refuse storage and material recovery room on every floor of new domestic buildings and the domestic part of composite buildings, with certain exemptions for small scale developments and buildings intended for used as hotels, guest-houses, etc. A detailed proposal, which has already been endorsed by the Advisory Council on the Environment, is attached at **Annex**. Subject to Members' support, we plan to table the legislative amendment to the LegCo within this legislative session, with a view to bringing the new requirement into operation by the end of this year.

13. As for C&I waste, the recovery rate has been maintaining at a relatively high level of some 60% over the years. Notwithstanding this, C&I waste disposed of at landfills continued to increase. In view of this trend, we see a strong case to stage targeted promotion on source separation for C&I buildings. Since the launch of a promotional programme in October 2007, some 350 buildings signed up to the programme, covering commercial and Government office buildings, shopping arcades, industrial buildings, warehouses and car parks. We would closely monitor the waste recovery rates and waste disposal in these buildings.

14. We are in parallel exploring with manufacturers and suppliers of relevant products the feasibility of introducing voluntary PRSs to recover and

recycle such products. In this regard, a territory-wide Computer Recycling Programme (CRP) was launched in January 2008. Funded by 20 local and international computer equipment suppliers, the CRP is the second voluntary PRS after the Rechargeable Battery Recycling Programme, with an annual recovery target of 50,000 units of used computer equipment in the first two years of its operation. We have also secured the agreement of fluorescent lamp suppliers to launch a territory-wide, trade funded recycling programme for fluorescent lamps in March 2008.

15. We will continue to promote the introduction of voluntary PRSs in light of the experience gained from the above-mentioned programmes. In particular, we have already started discussion with electrical and electronic equipment suppliers and other stakeholders on the feasibility of organizing a voluntary trade-funded WEEE (Waste Electrical and Electronic Equipment) recycling programme.

16. The continual expansion of the source separation of MSW and the introduction of the new voluntary PRSs would help lay a solid foundation for a "circular economy" in Hong Kong, whereby our waste could be turned into useful products and channeled back to the economic chain. To add further impetus to the development of a "circular economy", we are developing an EcoPark in Tuen Mun to provide long term land at affordable costs for the local environmental and recycling industries. The construction of phase one has been completed and two batches of tenancies were awarded in April 2007 and December 2007 respectively. Tenders of another batch of Phase I lots have been invited and the tenancies are expected to be awarded by mid 2008.

Towards a More Sustainable Waste Management Approach

17. Notwithstanding our efforts and progress in waste reduction and recycling, there remains unavoidable waste that needs to be disposed of properly. Our three strategic landfills would start to approach their capacity one by one in the early to mid 2010s and their extension is necessary to provide the final repository of our waste. In this connection, we have already completed the feasibility and environmental impact assessment studies on the extension of the North East New Territories Landfill, while those for the South East New Territories and West New Territories Landfill extensions are in progress. As set out in the Policy Framework, our target is to commission the landfill extensions by early to mid-2010s.

18. Landfill extensions alone will not resolve our waste problem. We need to adopt a more sustainable approach to reduce the volume of waste that

requires disposal and conserve our landfill space as the final repository of the residue waste. As laid out in the Policy Framework, we will develop integrated waste management facilities (IWMF) with incineration as the core technology to substantially reduce the volume of unavoidable waste, thereby extending the life span of the existing landfills and their extension.

19. The IWMF will be developed in phases having regard to the size of the overall waste problem. The first phase will have a treatment capacity of about 3,000 tonnes per day (tpd). It will also incorporate a small scale sorting and recycling plant to recover recyclable materials from mixed MSW. The first phase of the IWMF will occupy a total area of about 10 hectares, and the result of our comprehensive site search exercise concludes that the sites at Shek Kwu Chau and Tsang Tsui Ash Lagoons are suitable for consideration as potential sites for its development. We will carry out the detailed engineering and EIA studies for both sites to ascertain their ultimate suitability. Subject to the study findings, we aim to make a final decision on the choice of site and to commence construction as soon as possible with a view to commissioning in mid-2010's. A more detailed report on the progress of the development of the IWMF and the site selection exercise is set out in the information note issued to this Panel on 29 January 2008 (paper no. CB(1)724/07-08(01)).

20. Food waste constitutes some 28% of our C&I waste disposed of at our landfills. To gather experience and information on the collection and treatment of organic waste, a pilot plant with a capacity of 4 tpd will be commissioned in mid-2008 to process source-separated food waste from C&I premises. Furthermore, as part of our long-term waste treatment strategy, we will develop an Organic Waste Treatment Facility (OWTF) in two phases, with each phase handling 200 tonnes of source separated organic waste from the C&I sector per day. Biological treatment technology, like composting or anaerobic digestion, will be adopted. The first phase of the OWTF is planned to be built in Siu Ho Wan of Lantau Island, and the target commission date is mid 2010's. The second phase will be of similar capacity and to be built in Sha Ling of the North District by late 2010's.

Public Education and Partnership

21. The successful implementation of the initiatives under the Policy Framework ultimately hinges on public support and participation. We have therefore continued to press ahead with public education programmes on waste reduction and recovery. For example, through the Hong Kong Green School Award and the Student Environmental Protection Ambassador Scheme,

training sessions, education programmes and topic specific seminars were organized to encourage teachers, students and parents to adopt a greener lifestyle, such as the use of reusable or recyclable lunch boxes and the reduction of plastic shopping bags. The Environmental Campaign Committee also continued its partnership with the District Councils and non-governmental organisations in promoting waste reduction and recycling in celebration of the World Environment Day and the Hong Kong Environmental Protection Festival.

22. In end 2006, the Environment and Conservation Fund (ECF) Committee agreed to reserve $10 million for a dedicated public education programme to promote environmental initiatives under the Policy Framework. Six applications with a total funding of about $3 million have been approved so far. These projects cover a wide range of topics, including reduction of plastic shopping bags, green procurement, green festive packaging, and the recovery and recycling of WEEE, etc. The recent approval by the LegCo to inject $1 billion into the ECF will further strengthen our funding support to environmental education and research initiatives, including those on waste reduction and recovery. We welcome partnership with district and community organizations to promote awareness on environmental protection and to adopt greener lifestyles.

23. We have also been promoting general awareness on waste reduction and recovery through local media. A series of TV and radio announcements of public interests (APIs) under the theme of "I love Hong Kong, I love Green" to promote greener lifestyle was launched in October 2007. Other APIs on source separation, simple packaging and reduction of plastic shopping bags were also rolled out during 2007. We will continue our publicity drive to enhance public awareness of the four Rs: Reduce, Reuse, Recycling and Responsibility.

ADVICE SOUGHT

24. Members are invited to note the implementation progress of the key initiatives under the Policy Framework. Members are also invited to comment on the proposed mandatory provision of refuse storage and materials recovery room as set out in paragraph 12 and **Annex.**

Environmental Protection Department
February 2008

Annex

Proposed Mandatory Provision of Refuse Storage and Material Recovery Room on Every Floor of New Domestic Buildings and the Domestic Part of New Composite Buildings

Background

Hong Kong is faced with an imminent waste problem as our landfills, which are currently the only means for waste disposal, will be running out of space in the early to mid 2010's. To reverse the rising trend of waste requiring disposal, the Government has been taking various measures to promote waste reduction and enhance source recovery of waste for recycling. One of the key measures being implemented, as initiated in the 2004 and 2005 Policy Agenda, is a territory-wide programme of source separation of waste which was rolled out in January 2005. This programme aims to make it more convenient for residents to separate domestic waste at source by encouraging and assisting property managers and residents to set up waste separation facilities on every floor of their buildings and to include the collection of more recyclable materials other than waste paper, aluminium cans and plastic bottles, such as other metal containers, mixed metal items, plastic bags and packaging, mixed plastic items, used clothing, electrical and electronic appliances, and computers. Through source separation and other measures contained in the "Policy Framework for the Management of Municipal Solid Waste in Hong Kong (2005-2014)", the domestic waste recovery rate has increased from 14% in 2004 to 20% in 2006.

Problem

2. A major problem encountered in implementing the source separation of domestic waste programme is that the majority of domestic buildings and the domestic part of composite buildings in Hong Kong do not have a refuse storage and material recovery room on every floor and there is often a lack of space for placing waste separation facilities. Improper placing of waste separation facilities in the lift lobbies, corridors and staircases of these buildings may pose a fire hazard to occupants.

3. The Regulations enacted under the Buildings (Amendment) Ordinance 2000 require certain new building developments to be provided

with refuse storage and material recovery chamber and specify the minimum floor space of such chamber based on the total usable floor space of the building. The Regulations also set out the design requirements of refuse storage and material recovery room to be provided on every floor of a building, and the provision of such room is optional instead of mandatory. The Building (Planning) Regulation 23(3)(b) was also amended to allow refuse storage and material recovery chambers and refuse storage and material recovery rooms to be disregarded in the gross floor area calculation. However, since the Buildings (Amendment) Ordinance 2000 came into force in November 2000, it is noted that few new building developments have been provided with refuse storage and material recovery room on every floor.

Proposal

4. In view of the necessity of providing sufficient space on every floor to facilitate source separation of waste for material recovery, it is proposed to amend the Regulations to make the provision of refuse storage and material recovery room on every floor a mandatory requirement for new domestic buildings and the domestic part of new composite buildings. Apart from facilitating the recovery of recyclable materials, the provision of a refuse storage and material recovery room on every floor of buildings can also help to prevent potential fire hazards and hygiene problems.

5. It is proposed that every new domestic building and the domestic part of every new composite building shall be provided with a refuse storage and material recovery room on every floor. Domestic units with more than one floor (e.g. maisonette or duplex) shall be provided with refuse storage and material recovery room on at least one of the floors concerned. Refuse storage and material recovery room is not required on any floor that is not constructed or intended for habitation (for example, a floor used for ancillary club house, recreation facilities, carpark or refuge), or on any floor where a refuse storage and material recovery chamber or refuse storage and material recovery chamber with vehicular access is provided.

6. Buildings constructed or intended to be used as hotels, guest-houses, boarding-houses, hostels, dormitories, or similar accommodation will not be included in this proposal for the mandatory requirement for the provision of refuse storage and material recovery room on every floor.

7. To address the concerns of some developers that mandatory requirement for provision of refuse storage and material recovery room on every floor of new domestic buildings and the domestic part of new composite buildings might cause hardship to some small developments (e.g.

villa type developments) and having regard to the prevailing provisions under the Buildings (Amendment) Ordinance 2000, it is proposed that developments as listed in the **Appendix** be exempted from such mandatory requirement. In addition, a further exemption criterion based on usable floor space is being finalized.

8. It is proposed that the amended Regulations will operate following the existing arrangement relating to the requirement for the provision of refuse storage and material recovery chamber or material recovery chamber in new buildings, whereby building plans showing the provision of the required refuse storage and material recovery room on every floor are required to be submitted to the Building Authority for approval before building works can commence.

Consultation

9. The proposal was presented to the Waste Management Subcommittee of the Advisory Council on the Environment (ACE) at its meeting on 3 December 2007 and was supported by members of the Subcommittee. The ACE has endorsed the proposal.

10. The Building Sub-Committee of the Lands and Building Advisory Committee has been consulted and members of the Sub-Committee supported the proposed amendment.

Way Forward

11. We plan to take forward the proposal by tabling the Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) (Amendment) Regulations to the Legislative Council within this legislative session. Members are invited to comment on the proposal.

Appendix

Proposed exemptions (i) and (ii) under paragraph 7 of this paper:

"(i) domestic or composite buildings with a single staircase (including New Territories Exempted Houses), or

(ii) domestic or composite buildings having not more than three main domestic storeys and intended to be used for occupation by a single family;"

	Housing type	**(i) Single Staircase**	**(ii) Single family occupation and not more than 3 floors**	**Exemption? ('Yes' for either (i) or (ii); or 'Yes' for both (i) and (ii))**	**Refuse Storage & Material Recovery Room required on each floor?**
1.	with single staircase occupied by single family and not more than three floors (e.g. most houses/villas)	Yes	Yes	Yes	No
2.	with single staircase occupied by single family and more than three floors (e.g. four-storey house occupied by a single family; it is uncommon)	Yes	No	Yes	No
3.	with single staircase occupied by multiple families and not more than three floors (e.g. New Territories Exempted Houses)	Yes	No	Yes	No
4.	with single staircase occupied by multiple families and more than three floors* (e.g. four-storey single block building in old district)	Yes	No	Yes	No
5.	with double staircases occupied by single family and not more than three floors (uncommon)	No	Yes	Yes	No

* According to Building (Planning) Regulations, buildings which exceed four storeys in height where its main staircase is not connected to the roof, or buildings which exceed six storeys in height or 17 m above the ground level, shall be provided with a secondary staircase of fire escape. Such buildings will be required to be provided with refuse storage and material recovery room on every floor.