### Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) (Amendment) Regulation 2008

#### **Background**

This paper is to provide further information as requested by the Subcommittee meeting held on 30 May 2008 regarding:

- A. the types of hostel/dormitory and the justifications for exempting them from the proposed mandatory requirement; and
- B. the consideration of exempting the required refuse storage and material recovery room from site coverage calculation.

#### A. Exempting Hostel/Dormitory from the Proposed Mandatory Requirement

#### Types of hostel/dormitory

- Hostel/dormitory can be divided broadly into two types: those belonging to the Government and those belonging to the private sector.
  - For hostel/dormitory belonging to the Government, building plans are not required to be submitted to the Building Authority for approval.
  - For private hostel/dormitory, building plans are required to be submitted to the Building Authority for approval.

#### Justifications for exempting hostel/dormitory

- (a) Developments which do not require submissions under Buildings Ordinance
- The development of Government quarters (e.g. police quarters, fire services quarters, CSD staff quarters, C&E staff quarters, disciplined services quarters etc) does not require submission of building plans to the Building Authority for approval.
- However, it is the Architectural Services Department's practice to comply with the Buildings Ordinance and its Regulations once they are effective. The Environmental Protection Department would work with Architectural Services Department to provide guidance to apply the refuse storage and material recovery room requirement in building new Government quarters.
- (b) Developments which require submissions under Buildings Ordinance
- For hostels /dormitories not belonging to the Government, (e.g. university student hostel, nursing hostel, youth hostel etc), building plans are required to be submitted to the Building Authority for approval.

- There is a trend for universities to provide housing allowances to their staff to rent private flats. Some universities have indicated that they will not build new quarters in the near future.
- For other hostels, such as those for students, nurses, the elderly and disabled, they will have a communal pantry on each floor that can accommodate recycling facilities.
- Youth hostel is one type of boarding houses which are intended to accommodate visitors for a short duration.
- Hostels for staff of private organisations are rare. If there is such a submission, the Buildings Department will vet the design and usage of the buildings. Only those buildings designed in the form of hostel and for genuine hostel purpose will be exempt from the provision of refuse collection and material recovery room on each floor. No exemption under the new s.3A(5) will be permitted if the building is designed as a typical domestic building.

#### <u>Assessment</u>

A table summarising our assessment is attached at Annex I. Buildings belonging to the Government are exempt from the Buildings Ordinance and its regulations. Hence the exemption provision under the proposed regulation is not relevant. For hostels for students, nurses, the aged and disabled etc, the exemption provision will have no significant impact as these hostels should have a communal pantry to accommodate recycling facilities. In the rare case of a development of a hostel for staff of a private organisation, the Buildings Department will consider if the building is for genuine hostel use before exemption under the new s.3A(5) will be permitted.

## **B.** Exempting Refuse Collection and Material Recovery Rooms from Site Coverage Calculation

- Under Regulation 23(3)(b) of Building (Planning) Regulations [B(P)R], refuse collection and material recovery rooms (RCMRR) can be disregarded from gross floor area calculation. According to Regulations 4B and 8(1) of the Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) Regulations, the minimum dimension of a RCMRR is 1.5m. Therefore it is not uncommon to have RCMRR of area of about 2.3 sqm on the typical floors of medium to large scale domestic developments. The inclusion of a small RCMRR on the typical floors of such developments should not have much implication on site coverage calculation.
- For smaller scale domestic developments, this may be a constraint in the design of typical floor layout when a substantial proportion of the floor areas have already been utilized to accommodate common facilities like staircases, lifts and lobbies etc. The

provision of RCMRR albeit small in size may pose some problems to the building designers.

• In view of the above, the Administration has proposed in the new Regulation 3A(6)(d) of the Building (Refuse Collection and Material Recovery Chambers and Refuse Chutes) (Amendment) Regulation 2008 to exempt the mandatory provision of RCMRR for domestic and composite buildings locating on a site having an area of not more than 500 sqm. This serves to make the planning and design of small scale domestic developments more viable. The Government has consulted the Building Sub-committee under the Land and Building Advisory Committee and the members agreed with the proposal. As such, the Administration considers that it is not necessary to exempt RCMRR from site coverage calculation under B(P)R.

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# **Exempting Hostel / Dormitory from the Proposed Mandatory Requirement** for Provision of Refuse Storage and Material Recovery Room on Every Floor

Category	Types / Target Residents	Justifications for exempting the proposed mandatory requirements	Impact for exemption from the proposed mandatory requirements.
Buildings exempt from the Buildings Ordinance	e.g. Police quarters, fire services quarters, CSD staff quarters, C&E staff quarters, disciplined services quarters, senior staff quarters, etc.	<ul> <li>Buildings belonging to the Government are exempt from the Buildings Ordinance.</li> <li>Other than quarters for disciplined services staff, the Government virtually has no plan to develop new senior staff quarters.</li> <li>It is the Architectural Services Department's practice to comply with Building Regulations once they are effective. EPD would work with Architectural Services Department to provide guidance to the disciplined services departments to implement the refuse storage and material recovery room requirement.</li> </ul>	Nil.
Buildings for which the Buildings Ordinance applies	Hostels and quarters of institutions  e.g. University student hostels / staff hostels, nursing quarters, youth hostels, hostels for the elderly and disabled	<ul> <li>University student hostels will have a communal pantry on each floor that can accommodate recycling facilities.</li> <li>There is a trend for universities to provide housing allowances to their staff to rent private flats. Some universities have indicated that they will not build new quarters in the near future.</li> <li>Nursing hostels will have a communal pantry on each floor that can accommodate recycling facilities.</li> <li>Youth hostel is one type of boarding houses which are intended to accommodate visitors for a short duration.</li> <li>Hostels for the elderly and disabled are usually built as low-rise buildings and such hostels normally have a communal pantry on each floor that can accommodate recycling facilities.</li> </ul>	The impact will be minimal.

Category		Types / Target Residents	Justifications for exempting the proposed mandatory requirements	Impact for exemption
				from the proposed
				mandatory requirements.
Buildings for which	2.	Hostels for staff of private	Such hostels are rare.	The impact will be
the Buildings		organizations		minimal.
Ordinance applies			Remark:	
(cont'd)			The Buildings Department will consider if the building is for genuine	
			hostel use. There will be no exemption from the provision of refuse	
			collection and material recovery room on each floor if the building is	
			designed as a typical domestic building.	

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