

The Administration's Response to the Submission from the Real Estate Developers Associations of Hong Kong

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

1. Under Regulation 23(3)(b) of Building (Planning) Regulations [B(P)R], refuse storage and material recovery rooms (RSMRR) 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 RSMRR is 1.5m. Therefore it is not uncommon to have RSMRR of area of about 2.3 m² on the typical floors of medium to large scale domestic developments. The inclusion of a small RSMRR on the typical floors of such developments should not have much implication on the design of building in relation to 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 Storage and Material Recovery Chambers and Refuse Chutes) (Amendment) Regulation 2008 to exempt the mandatory provision of RSMRR on every domestic floor for domestic and composite buildings locating on a site having an area of not more than 500 m². 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. Furthermore, we have conducted an analysis of the cases on domestic/composite buildings approved by the Buildings Department in April and May 2008. The result (see **Annex**) indicated that the inclusion of the RSMRR in site coverage calculation would have no impact on the design of the buildings. As such, the Administration considers that it is not necessary to exempt RSMRR from site coverage calculation under B(P)R.

Lastly, the Amendment Regulation does not impose any mandatory requirement on provision of refuse chutes in domestic buildings.

2. The Administration noted the suggestion of the Association and will consider providing guidelines to the industry as may be necessary.

Analysis of Proposed Domestic/Composite Buildings Approved by BD in April and May 2008

Case No.	BD Ref. No.	Type of Development	Site Area	Permitted Site Coverage	Actual Site Coverage	Remarks
1	2/9133/99	3 storey single family house over 1 storey basement carpark, Total 13 houses	5290m ²	66.6%	19.868%	Single family house, compliance not required
2	2/9189/97	One 2 storeys single family house	2588.25m ²	66.6%	14.91%	Single family house, compliance not required
3	2/9058/06	4 residential towers ranging from 26 to 32 storeys	29696 m ²	33.33%	11.913%	No constraint to comply with the new RSMRR requirement
4	2/9177/07(1)	A new 9 storeys residential building in a large development	158650m ²	39%	2.188%	No constraint to comply with the new RSMRR requirement
5	2/9004/07	3 nos. 2-storey domestic building	2670m ²	66.6%	23.704%	No constraint to comply with the new RSMRR requirement
6	2/4093/07	4 storeys residential building	614.548m ²	55%	53.503%	No constraint to comply with the new RSMRR requirement
7	2/4094/07	29 storeys residential building	437.790m ²	33.33%	32.562%	Small site, compliance not required
8	2/4061/07	5 blocks of 39/40 storeys residential buildings	11353 m ²	33.33%	22.286%	No constraint to comply with the new RSMRR requirement
9	2/4025/03	7 storeys residential building	1702.9m ²	49%	33.71%	No constraint to comply with the new RSMRR requirement

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10	2/4069/07	5 blocks of 40 storeys residential buildings	9502m ²	37.5%	24.014%	No constraint to comply with the new RSMRR requirement
11	2/4045/06	25 storeys residential building	338.290m ²	37.5%	36.80%	Small site, compliance not required
12	2/4114/07	1 high block 46 storeys, 2 low block 5 storeys residential building	2071.272m ²	33.33%	32.01%	No constraint to comply with the new RSMRR requirement
13	2/4007/08	22 storeys residential building	308.368m ²	37.5%	37.459%	Small site, compliance not required
14	2/4008/08	27 storeys residential building	618.54m ²	40%	33.723%	No constraint to comply with the new RSMRR requirement
15	2/7196/98(2)	6 nos. of residential towers (ranging from 36 to 39 storeys each) and 2 nos. of hotel towers (H1:33 storeys; H2:31 storeys)	39,990 m ²	40%	6.194%	No constraint to comply with the new RSMRR requirement
16	2/9022/08	one 26 storeys residential tower	356.64 m ²	33.33%	19.156%	Small site, compliance not required
17	2/9036/03	3 nos of 43, 47 and 51 storeys residential towers	7300m ²	33.33%	19.161%	No constraint to comply with the new RSMRR requirement
18	2/9177/05	6 nos. of 20 storeys residential blocks, one 18 storeys residential block, 37 nos. of 3 storeys single family houses	15873.066m ²	33.33%	29.6%	No constraint to comply with the new RSMRR requirement
19	2/9165/07	one 2 storeys single family house	661.91m ²	40%	40%	Single family house, compliance not required
20	2/2011/08	28 storeys hotel	145.834m ²	60%	58%	Hotel, compliance not

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						required
21	2/2007/08	31 storeys hotel	253.990m ²	60%	59.06%	Hotel, compliance not required
22	2/2030/08	3 storeys residential building	975.47m ²	22.64%	21.607%	No constraint to comply with the new RSMRR requirement
23	2/2066/07	30 storeys residential building	428.440m ²	33.33%	29%	Small site, compliance not required
24	2/2069/07	34 storeys residential building	779.830m ²	33.33%	30.5%	No constraint to comply with the new RSMRR requirement
25	2/2025/07	32 storeys hotel building	612.397m ²	65%	53.2%	Hotel, compliance not required
26	2/2026/07	27 storeys hotel building	623.194m ²	65%	64.09%	Hotel, compliance not required
27	2/2067/07	4 storeys residential building	3252.538m ²	66.6%	23.753%	No constraint to comply with the new RSMRR requirement
28	2/2006/07	26 storeys hotel building	145.952m ²	60%	58.9%	Hotel, compliance not required
29	2/2054/07	3 storeys single family house	2921m ²	34.28%	34.28%	Single family house, compliance not required
30	2/3044/07	27 storeys residential building	540m ²	40%	39.358%	No constraint to comply with the new RSMRR requirement
31	2/3039/07	2 storeys single family house	873.281m ²	66.6%	31.12%	Single family house, compliance not required

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32	2/3001/06	39 storeys residential building	1870m ²	40%	39.861%	No constraint to comply with the new RSMRR requirement