

**Bills Committee on
Waste Disposal (Amendment)(No.2) Bill 2003**

**List of follow-up actions arising from the discussion
at the meeting on 3 May 2004**

	Follow up actions	The Administration's responses
(1)	To advise details of the proposed trial on the waste disposal charging scheme and to arrange a mock trial for members of the Bills Committee	<p>The trial run, which aims to try out the operational procedures before actual implementation of the construction waste disposal charging scheme, requires the active participation of all relevant parties, including the contractors, waste haulers and facility operators. We are now working on the details of the trial run and will take into account the comments of the relevant parties before finalizing the details.</p> <p>We plan to hold the trial run by the end of the year when the modification works for the weighbridges and the associated infrastructure at the facilities, which are necessary for the implementation of the charging scheme, have been completed. We will invite the legislators to oversee the trial run.</p> <p>As a related issue, we held a meeting with the waste haulers' associations on 10 May 2004 to discuss the operational procedures, particularly the draft reference table for determining the content of</p>

		<p>waste (as provided in Paper CB(1) 1636/03-04(16)). The associations have no objection in principle to our proposed methodology in determining the waste content. We will further discuss with the associations and refine the reference table by taking into account their comments.</p>
(2)	<p>To advise whether there are existing provisions requiring waste haulers to cover their loading compartments during transportation</p>	<p>Under section 9(1)(b) of the Public Cleansing and Prevention of Nuisances Regulation (Cap. 132BK), no person shall drive or use, or cause or permit to be driven or used, any cart, vehicle or motor vehicle, or any agricultural implement or machine in any street or public place unless any load likely to result in littering or injuring the surface of the street or public place, which is carried thereon is so secure and packed that no part or content thereof may fall, escape or be blown therefrom, onto the street or public place.</p> <p>Separately, the Commissioner for Transport has, under section 109(4) of the Road Traffic Ordinance (Cap. 374), prescribed a Code of Practice for the Loading of Vehicles. As required under the Code, loose bulk loads (i.e. loads such as sand, ballast, aggregate, waste etc) must always be covered, and the covers must extend over the side and tail boards and be firmly secured.</p>

		<p>While failure to observe the Code is not in itself an offence, any such failure may be relied upon as tending to establish or negative any liability in the relevant proceedings.</p> <p>(The relevant extract of the Code is provided at Annex.)</p>
(3)	To work out with relevant bureaux/department measures to prevent indiscriminate demolition of buildings	<p>We are consulting the relevant bureaux/departments on the measures to prevent indiscriminate demolition of buildings.</p> <p>From the waste management perspective, we support measures that could reduce waste. However, as the objective of the Waste Disposal (Amendment) (No.2) Bill 2003 is to implement the construction waste disposal charging scheme, we consider that the implementation of measures to prevent indiscriminate demolition of buildings should more appropriately be pursued separately.</p> <p>We undertake to continue to discuss the way forward with the relevant bureaux/departments.</p>

(4)	<p>To provide the draft Waste Disposal (Charges for Waste Disposal) Regulation and Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation for consideration by members.</p>	<p>We are now revising the draft Regulations to take into account the latest proposed payment arrangements i.e. removing on-site payment and requiring all charges to be paid through billing accounts. We will provide the draft Regulations to members in due course.</p> <p>Separately, given that the proposed Regulations can only be made and tabled after the passage of the Bill, and that we intend to allow the full negative vetting period to run its course before bringing the proposed Regulations into force, we consider it not possible to have the making and vetting procedures of the proposed Regulations completed by the last sitting of the current LegCo term on 7 July 2004.</p> <p>Subject to the passage of the Bill within this legislative session, we aim to table the proposed Regulations to LegCo for negative vetting in October 2004.</p>
-----	---	--

Environment, Transport and Works Bureau
May 2004

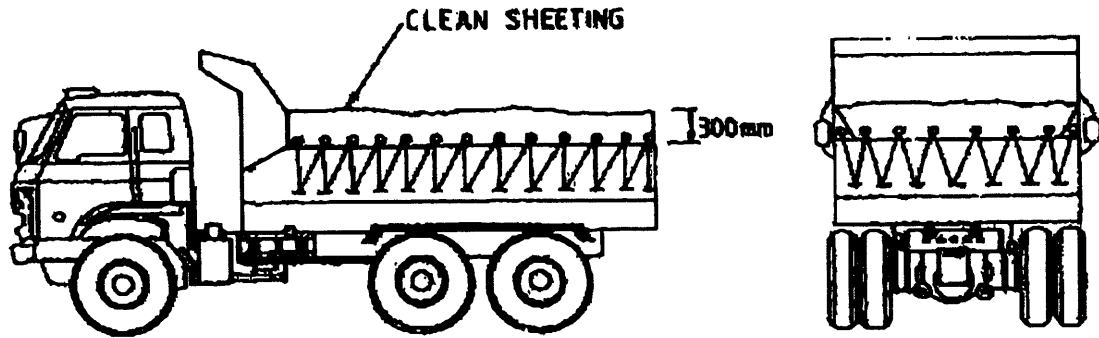
Annex**3.5 Loose Bulk Loads**

3.5.1 Loose bulk loads are those loads such as sand, ballast, aggregate, waste etc. which cannot be conveniently packaged, and which are usually transported in open topped vehicles.

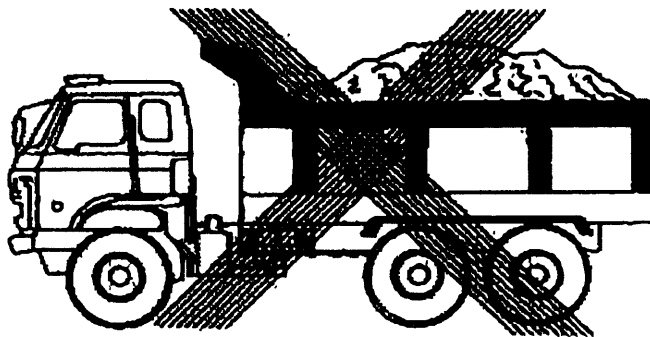
3.5.2 Shedding of loose bulk loads generally occurs because of leakage through gaps in the bodywork, or material being blown from the top of the load compartment. To avoid these problems occurring, account should be taken of the following: -

- i) The load compartment should be kept in good condition, and any drop sides and tail board to which damage or distortion can easily occur should be regularly inspected and maintained.
- ii) Chassis attachment points, hinges, pins, brackets, tail board locking mechanisms and drop side fasteners should be secure and in good condition.
- iii) The body sides should be of sufficient height to completely contain the material, and hence reduce the likelihood of any of the load from falling or being blown off.
- iv) Body height extensions should only be used where they are of the type that are purpose made and can be attached to the existing body by specially provided fixings for this purpose. Height extensions which rely upon the load itself to support them are not acceptable. It may be necessary when body extensions are used to have transverse tie chains at the top of the extensions to prevent sideways movement.
- v) As shown in Diagram 3.5.1, all loads must be covered to prevent loads from falling or being blown off from the top, and the covers must extend over the side and tail boards by at least 300 mm and not just cover the load itself. For materials such as sand, ash, metal swarf etc. clean sheeting material must be used as covers, however where the load consists of larger items such as scrap metal, waste etc., nets may be used. For liquid sludge or similar, metal covers to prevent spillage must be used but in these cases, the covers do not need to extend over the sides providing they can be adequately secured by other means.
- vi) Loose bulk loads of any description must not be loaded above the head board, side boards or tail board.

3.5.3 Large skips are sometimes used for the collection of waste or similar materials and if these skips cannot be transported by purpose designed vehicles, then when loaded onto any other type of vehicles, they must be secured to that vehicle by lashings and if necessary, other restraint devices so that any movement of the skip relative to that vehicle is prevented. Reliance on the side or tail boards to achieve this is not acceptable. The skip itself must also be covered when being transported, similarly to that described in paragraph 3.5.2(v).



LOOSE BULK LOADS MUST ALWAYS BE COVERED, AND THE COVERS MUST EXTEND OVER THE SIDE AND TAIL BOARDS AND MUST BE FIRMLY SECURED.



NOT ACCEPTABLE

LOOSE BULK LOADS MUST NOT PROTRUDE ABOVE SIDE OR TAIL BOARDS EVEN IF COVERED. LOOSE MATERIAL MUST BE LEVELLED OFF.

TRANSPORTING LOOSE BULK LOADS

DIAGRAM 3.5.1