

**立法會**  
**Legislative Council**

LC Paper No. CB(1)1374/20-21  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/EA

**Panel on Environmental Affairs**

**Minutes of meeting**  
**held on Monday, 23 August 2021, at 2:00 pm**  
**in Conference Room 2 of the Legislative Council Complex**

- Members present** : Hon Vincent CHENG Wing-shun, MH, JP (Chairman)  
Hon Paul TSE Wai-chun, JP (Deputy Chairman)  
Hon WONG Ting-kwong, GBS, JP  
Hon CHAN Hak-kan, SBS, JP  
Hon Steven HO Chun-yin, BBS, JP  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon KWOK Wai-keung, JP  
Hon Elizabeth QUAT, BBS, JP  
Ir Dr Hon LO Wai-kwok, GBS, MH, JP  
Dr Hon Junius HO Kwan-yiu, JP  
Hon SHIU Ka-fai, JP  
Hon Kenneth LAU Ip-keung, BBS, MH, JP  
Hon Tony TSE Wai-chuen, BBS, JP
- Member attending** : Hon Tommy CHEUNG Yu-yan, GBS, JP  
Hon CHAN Han-pan, BBS, JP  
Hon Wilson OR Chong-shing, MH
- Public Officers attending** : **For item IV**  
Mr WONG Kam-sing, GBS, JP  
Secretary for the Environment

Mr Raymond WU  
Deputy Director of Environmental Protection (2)  
Environmental Protection Department

Mr FONG Kin-wa, JP  
Assistant Director (Waste Reduction and Recycling)  
Environmental Protection Department

Ms Joanne YUNG  
Principal Environmental Protection Officer (Waste  
Reduction and Recycling)  
Environmental Protection Department

**For item V**

Mr TSE Chin-wan, BBS, JP  
Under Secretary for the Environment

Dr Samuel CHUI, JP  
Deputy Director of Environmental Protection (1)  
Environmental Protection Department

Mr Terence TSANG  
Assistant Director (Environmental Assessment)  
Environmental Protection Department

Mr Ken WONG  
Assistant Director (Environmental Compliance)  
Environmental Protection Department

Mr LEE Chee-kwan  
Principal Environmental Protection Officer  
(Assessment and Noise)  
Environmental Protection Department

Dr Vanessa AU  
Principal Environmental Protection Officer (Regional  
West)  
Environmental Protection Department

**Clerk in attendance :** Ms Angel SHEK  
Chief Council Secretary (1)1

**Staff in attendance** : Mr Jason KONG  
Senior Council Secretary (1)1

Miss Bowie LAM  
Council Secretary (1)1

Miss Mandy POON  
Legislative Assistant (1)1

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**I. Confirmation of minutes**

(LC Paper No. CB(1)1152/ — Minutes of the meeting held on  
20-21 24 May 2021)

The minutes of the meeting held on 24 May 2021 were confirmed.

**II. Information papers issued since last meeting**

2. Members noted that no information paper had been issued since the last meeting.

**III. Items for discussion at the next meeting**

(LC Paper No. CB(1)1210/ — List of follow-up actions  
20-21(01)

LC Paper No. CB(1)1210/ — List of outstanding items for discussion)  
20-21(02)

3. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 27 September 2021, at 2:30 pm:

- (a) community recycling network and Green Outreach; and
- (b) the use of smart technologies for environmental protection.

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**IV. Public Consultation on the Scheme on Regulation of Disposable Plastic Tableware**

(LC Paper No. CB(1)1210/20-21(03) — Administration's paper on "Public Consultation on the Scheme on Regulation of Disposable Plastic Tableware"

LC Paper No. CB(1)1210/20-21(04) — Background brief on "Management of disposable plastic tableware" prepared by the Legislative Council Secretariat

ISE22/20-21 — Essentials entitled "Measures to curb disposable plastic tableware" prepared by the Research Office of the Legislative Council Secretariat

LC Paper No. CB(1)1224/20-21(01) — Submission from Plastic Free Seas (English version only)

LC Paper No. CB(1)1230/20-21(01) — Submission from Galaxy Paper Innovation Limited (Chinese version only)

LC Paper No. CB(1)1233/20-21(01) — Submission from Submission from ADM Capital Foundation (English version only) (Restricted to Members only)

LC Paper No. CB(1)1233/20-21(02) — Submission from The Green Earth (Chinese version only)

LC Paper No. CB(1)1236/20-21(01) — Submission from WWF-Hong Kong)

Briefing by the Administration

4. With the aid of a PowerPoint presentation, the Assistant Director (Waste Reduction and Recycling) briefed the Panel on the justifications for introducing regulatory measures for disposable plastic tableware ("DPT") and the key features of the proposed two-phase regulation scheme. The proposed regulation scheme would cover nine types of DPT, namely expanded polystyrene ("EPS") tableware, straws, stirrers, cutlery (e.g. forks, knives and spoons), plates, cups, cup lids, food containers (e.g. bowls and boxes), and food container covers. "Plastic

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substitutes" such as oxo-degradable plastics and biodegradable plastics would also be covered, as most of these materials could only turn into microplastic flakes or be biodegraded under specific conditions that were often absent in the natural marine environment.

5. The Assistant Director (Waste Reduction and Recycling) advised that the proposed scope of the first phase of the regulation scheme (expected to be launched in around 2025) included (a) banning local sale of disposable EPS tableware to local end-consumers and provision of EPS tableware by catering premises to customers; (b) banning provision of DPT by catering premises to dine-in customers; and (c) banning provision of certain types of DPT by catering premises to customers for takeaway services. In the second phase, a complete ban would be imposed on the provision of all types of DPT for dine-in and takeaway services. The Administration would determine the launch date of the second phase having regard to the experience gained from the first 12 to 18 months of implementation of the first phase, and the maturity of the market for non-plastic disposable tableware alternatives in future.

*(Post-meeting note: The PowerPoint presentation materials were circulated to members on 23 August 2021, vide LC Paper No. CB(1)1238/20-21(01).)*

Discussion

*Scope of coverage and standards to be adopted*

6. Mr Tommy CHEUNG said that he did not have any strong view about the two-phase implementation approach for the proposed regulation scheme, but he generally considered that incentives were preferable to prohibition in promoting behavioural changes. He and Ms Elizabeth QUAT urged the Administration to draw up clear standards for the types of DPT to be regulated as well as alternatives that would be allowed to be provided to customers after the implementation of the proposed regulation scheme ("acceptable alternatives"), so that the trades could prepare well for the transition.

7. The Secretary for the Environment ("SEN") explained that, as a general principle, only products without any plastic content would be considered acceptable alternatives. The Administration had discussed the proposed regulation scheme with the catering trade and tableware suppliers, and they generally had a clear understanding of the products that were acceptable alternatives. The Administration would partner with reputable organizations to set out clear standards for acceptable alternatives under the proposed regulation scheme. In the process, reference would be made to the standards adopted by other jurisdictions for similar regulation schemes, and the general practices of the

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local catering trade as well as other parties in the supply chain of tableware.

8. Mr Tommy CHEUNG and Mr Frankie YICK enquired whether the Administration would consider imposing a ban on the sale of the eight types of non-EPS DPT to local end-consumers, so as to reduce the use of such tableware in Hong Kong more comprehensively.

9. SEN and the Deputy Director of Environmental Protection (2) responded that for Asian places that had implemented regulatory schemes for DPT, most of them did not prohibit the sale of non-EPS DPT to end-consumers. The Administration would invite the Council for Sustainable Development ("SDC") to conduct a public engagement exercise in 2021 on measures for reducing waste plastics in general, including single-use plastic products such as non-EPS DPT.

*Economic impact and implementation timetable*

10. Given that catering operators were likely to transfer to customers the increased operating costs, if any, arising from the implementation of the proposed regulation scheme, Mr Tommy CHEUNG, Mr Steven HO and Mr Frankie YICK opined that the Administration should provide more information to the public on the scheme's economic impact, such as the cost difference between DPT and their non-plastic alternatives. Mr YICK considered that the Administration should also provide information on the expected long-term benefits of the scheme in quantifiable terms for public reference.

11. Ir Dr LO Wai-kwok and Mr Frankie YICK envisaged public support for the proposed regulation scheme, as Hong Kong people had strong awareness of environmental protection. While the scheme's implementation might result in an increase in the prices of non-plastic disposable tableware in the initial period, Ir Dr LO believed that the long-term benefits of the scheme would outweigh the costs. He urged the Administration to expedite preparatory work for implementing the scheme.

12. Ms Elizabeth QUAT expressed support for the promotion of a "plastic-free" culture and welcomed the launch of the public consultation on the proposed regulation scheme. She called on the Administration to ensure that non-plastic disposable tableware alternatives were available in the local market at reasonable prices before implementing the proposed regulation scheme lest the scheme would place a heavy financial burden on the grassroots and cause them inconvenience.

13. SEN advised that non-plastic alternatives for disposable straws and stirrers cost about the same as their plastic counterparts. For other types of disposable tableware, while some of the acceptable alternatives cost more than

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DPT due to their smaller quantities manufactured and supplied to Hong Kong, it was envisaged that their costs would drop gradually as they became mainstream products with the implementation of the proposed regulation scheme. According to the experiences of some catering operators, for a meal priced at about \$40, a switch from EPS food container to an acceptable alternative might result in an increase of about 1% of the price. In addition, as there was a growing concern over the issue of disposable plastics, more consumers might reduce the use of disposable tableware after the scheme's implementation, which would lead to cost savings. In view of the above, the Administration considered that the business and economic impacts of the proposed regulation scheme would be within an acceptable range.

14. Mr KWOK Wai-keung expressed support for the general direction of the proposed regulation scheme, as it was an international trend to reduce the use of plastics. He enquired about the possibility of advancing the launch date of the scheme.

15. Ms Elizabeth QUAT pointed out that green groups generally aspired to earlier implementation of the two phases of the scheme, and the international trend was to reduce the use of disposable EPS tableware. She therefore considered that the Administration should make its best efforts to impose the ban on disposable EPS tableware earlier (say 2023 or 2024).

16. SEN responded that the Administration would take into account stakeholders' views and study whether it was desirable and practicable to advance the ban on the sale of disposable EPS tableware and the provision of such by catering premises to customers.

*Support for research and development on non-plastic alternatives*

17. Ms Elizabeth QUAT, Ir Dr LO Wai-kwok and Mr Steven HO asked about the Administration's measures for supporting research and development ("R&D") on and manufacturing of non-plastic disposable tableware alternatives, and relevant collaborative efforts with universities and research institutions in Hong Kong and other cities in the Guangdong-Hong Kong-Macao Greater Bay Area ("the Greater Bay Area"), with a view to facilitating the commercialization of such alternatives and expediting the implementation of the proposed regulation scheme. Ir Dr LO emphasized the importance of collaboration with other cities in the Greater Bay Area to leverage on a bigger market for non-plastic disposable tableware alternatives, and the more advanced waste-to-resources technologies in some of those cities. Mr HO commented that the Administration should ensure that innovative plastic substitutes were environmentally friendly before promoting their use in Hong Kong.

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18. SEN responded that the Administration would continue to support relevant R&D projects through the Green Tech Fund and other funding schemes. The Green Tech Fund welcomed research proposals that could bring environmental benefits to not only Hong Kong but also the Greater Bay Area. He explained that there were proven alternatives for disposable plastic straws, stirrers, cutlery and plates. As regards non-plastic alternatives for disposable cups, cup lids, food containers and food container covers, it was expected that more R&D would be required to identify commercially viable options. There was also a call for further R&D on substitute materials for plastics that would cause less harm to the natural environment. This was because some plastic substitutes that were claimed to be biodegradable could only be biodegraded under specific conditions that were often absent in the natural environment, or might turn into microplastics which were harmful to the marine environment. As observed, some organizations in Japan had been conducting R&D on marine-degradable plastics. The Administration would explore the possibility of collaboration on relevant R&D projects and keep a close eye on international developments in alternatives for DPT. SEN also assured members that the Administration would endeavour to strengthen environmental and economic collaboration with other cities in the Greater Bay Area.

19. The Chairman said that he supported in principle the implementation of the proposed regulation scheme. He pointed out that some non-plastic disposable tableware alternatives currently provided by catering premises to customers (e.g. bamboo, wooden and plant-fibre tableware) were not suitable for some local cuisines. He called on the Administration to ensure that non-plastic disposable tableware alternatives supplied to Hong Kong would be suitable for local use.

20. SEN responded that due to the diverse culinary culture of Hong Kong, it would take more time to develop a mature market for non-plastic alternatives for food/beverage containers and their covers/lids. The Administration had therefore proposed the two-phase implementation approach, and would determine the launch date of the second phase having regard to the experience gained from the first phase's implementation.

*Strategy for reducing other waste plastics*

21. Ir Dr LO Wai-kwok sought elaboration on the Administration's strategy for reducing other types of waste plastics.

22. SEN responded that most of the waste plastics landfilled in Hong Kong were plastic bags, followed by plastic tableware and plastic beverage containers. The Plastic Shopping Bag Charging Scheme, which was implemented since 2009, had been effective in reducing plastic shopping bag disposal. The Administration planned to invite SDC to conduct a public engagement exercise in 2021 on



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potential enhancement measures for the charging scheme, such as tightening the scope of exemption. As regards plastic beverage containers, the Administration had proposed introducing a producer responsibility scheme ("PRS") to promote the development of a circular economy for these products. A public consultation on the proposed PRS had recently ended and the Administration was analysing the consultation outcomes. Meanwhile, the construction of a plastics recycling plant in EcoPark was about to be completed. The plant would recycle plastic beverage containers into food-grade raw materials, which could be used for re-manufacturing of plastic beverage containers. As for the remaining types of waste plastics commonly disposed of at landfills in Hong Kong, the Administration also planned to invite SDC to conduct another public engagement exercise in 2021 on promoting their reduction at source and clean recycling.

23. Mr KWOK Wai-keung asked about the current disposal arrangements for EPS waste; and the Administration's plan for reducing the use of EPS in protective packaging, with a view to enhancing protection of the marine environment.

24. SEN responded that most EPS waste in Hong Kong was discarded EPS tableware, which constituted about 20% of the DPT waste landfilled in Hong Kong each day. The Administration had been promoting the recovery and recycling of EPS through the enhanced community recycling network, in which the various Recycling Stations (formerly known as Community Green Stations) accepted clean EPS recyclables. Moreover, the Environmental Protection Department ("EPD") was exploring with the Agriculture, Fisheries and Conservation Department and the relevant trades potential measures for reducing the environmental impact of EPS protective packaging, including putting in place a recovery arrangement for damaged EPS protective packaging materials in fish markets.

25. Mr Tommy CHEUNG opined that the Administration should design a new Chinese catchword for its "plastic-free" publicity campaigns, as the current catchword "走塑" was homophonous to a slang for "default on payment" in Cantonese.

## Conclusion

26. The Chairman concluded that members supported in principle the implementation of the proposed regulation scheme.

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**V. Ameliorating noise problems in public places and domestic premises and wider use of innovative technologies to manage environmental noise**

(LC Paper No. CB(1)1210/ 20-21(05) — Administration's paper on "Ameliorating Noise Problems in Public Places and Domestic Premises and Wider Use of Innovative Technologies to Manage Environmental Noise"

LC Paper No. CB(1)1210/ 20-21(06) — Background brief on "Management of noise from public places and domestic premises" prepared by the Legislative Council Secretariat)

Briefing by the Administration

27. With the aid of a PowerPoint presentation, the Under Secretary for the Environment ("USEN") briefed the Panel on the Administration's approaches to tackling noise annoyance in public places and domestic premises, and the use of portable acoustic cameras to facilitate identification of noise sources. He advised that, like many other jurisdictions, Hong Kong had adopted the "reasonable person test" in determining whether a noise caused any annoyance, and this was reflected in relevant provisions of the Noise Control Ordinance (Cap. 400) ("the Ordinance").

*(Post-meeting note: The PowerPoint presentation materials were circulated to members on 23 August 2021, vide LC Paper No. CB(1)1238/20-21(02).)*

Discussion

*Noise in domestic premises*

28. Mr Wilson OR considered that the approaches adopted by the Administration fell short of bringing about significant improvement to the noise problems in domestic premises, and the existing penalty level for related offences was too low to achieve the desired deterrent. He suggested that the Administration should (a) review the Ordinance comprehensively, including studying the need to increase the penalty level, with a view to enhancing the Administration's capacity for controlling noise in public places and domestic premises; (b) strengthen enforcement actions; and (c) develop a platform to facilitate collaboration among government departments concerned in enhancing the procedure for handling domestic noise complaints, and promote reconciliation

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between the parties in dispute.

29. Ms Elizabeth QUAT expressed support for enhancing public education on reducing noise in domestic premises. She opined that the Administration should adopt a multipronged strategy for tackling noise problems in domestic premises, including amending the Ordinance for enhancing enforcement effectiveness.

30. Ir Dr LO Wai-kwok reckoned that there were practical difficulties in handling noise problems in domestic premises. He considered that, first and foremost, good property management practices could help prevent the occurrence of noise problems; and when a noise complaint arose, it would be better to resolve the dispute through mediation. Law enforcement should only be the last resort when other efforts were futile.

31. USEN responded that domestic noise complaints were usually more complicated than other types of noise complaints. One of the major reasons was that the intervention of a third party, especially law enforcement officers, might worsen the relationship between neighbours, leading to more complicated and serious issues in future. The Administration had therefore adopted a strategy with a strong focus on public education. The Administration had prepared a set of guidelines on reducing noise in domestic premises and would promulgate the guidelines through a wide range of communication channels, so as to enhance public awareness of noise in everyday life and educate the public on the ways to avoid creating noise nuisances. The Administration would also reach out to property management companies, residents' associations and owners' committees (especially those of buildings with many noise complaints), and provide them with information and publicity materials on issues of noise in domestic premises and how to deal with such noise. The Administration would review the effectiveness of the above strategy and consider whether there was a need to amend the Ordinance at a later stage. As regards the suggestion of establishing a platform to facilitate mediation between the parties in dispute, while such a practice was uncommon in other places, the Administration would study the feasibility during the said review.

32. In response to Mr Wilson OR's question on how to reach out to residents in "three-nil buildings" (i.e. buildings that did not have owners' corporations or any form of residents' organizations, or did not engage property management companies) when taking forward publicity and other initiatives, USEN advised that the Administration planned to provide subsidies to interested local organizations for organizing relevant public education programmes targeted at residents of those buildings.

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33. Dr Junius HO suggested that the Administration should consider introducing a new statutory requirement in the Buildings Ordinance (Cap. 123) relating to acoustic treatment for new building works. USEN responded that the Administration would study the suggestion.

*Noise in public places*

34. Mr CHAN Han-pan said that noise nuisances caused by shopkeepers crying their wares were still serious in some places despite the Administration's enforcement actions, and some unscrupulous shopkeepers only reduced their noise in anticipation of or during the arrival of law enforcement officers. He shared the view that the penalty level for relevant offences should be increased to achieve greater deterrent, and further suggested introducing a fixed penalty system for noise annoyance.

35. USEN responded that with EPD's enhanced inspection efforts and enforcement actions, noise problems of street cries from shops at some locations had improved. EPD would stay vigilant against noise nuisances in public places and enhance enforcement actions at specific locations where the situations warranted. The Administration would endeavour to provide more information on the impacts of noise nuisances in court documents so that the court might consider imposing heavier penalties on offenders. He reiterated that the Administration would study whether there was a need to amend the Ordinance during the future review of its strategy for tackling the noise problem.

36. Ir Dr LO Wai-kwok commented that the abolition of pedestrian precincts at several road sections in Mong Kok due to persistent noise problems was indicative of the shortcomings in the measures for managing noise in public places in the past.

37. USEN responded that some day-to-day activities inevitably emitted noise and law enforcement might be able to treat the symptoms only but not the root cause. In the case mentioned by Ir Dr LO Wai-kwok, as street performances were the major source of noise nuisances in the pedestrian precincts concerned, the problem could only be resolved by abolishing the pedestrian precincts.

*Use of innovative technologies to enhance noise management*

38. Ms Elizabeth QUAT welcomed the use of innovative technologies in noise control, and noted that the portable acoustic cameras recently adopted by EPD were effective in tackling noise problems in commercial and industrial premises. She suggested that the use of the portable acoustic cameras should be extended to identification of noise sources in domestic premises, which would also facilitate collection of evidence for prosecution. She sought elaboration on

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the number of portable acoustic cameras currently available and their deployment arrangements.

39. Mr Wilson OR also asked about the feasibility of enhancing the efficiency of handling complaints against noise in domestic premises through the use of portable acoustic cameras.

40. USEN responded that the major use of the portable acoustic camera was to efficiently identify the sources of noise causing nuisances. They were more suitable for cases involving noise from construction sites as well as commercial or industrial premises, as the sources of noise in domestic premises were relatively unambiguous in normal situations. Nevertheless, the Administration would study whether the use of portable acoustic cameras could also enhance the efficiency of handling domestic noise complaints.

41. The Deputy Director of Environmental Protection (1) supplemented that portable acoustic cameras were available at every branch and regional office of EPD for efficient deployment where necessary on a case-by-case basis. If there was a need to deploy a portable acoustic camera, EPD's officers would normally conduct site investigation beforehand to determine the deployment location in order to maximize the device's potential.

42. Ir Dr LO Wai-kwok said that the construction industry had put in a great deal of efforts to reduce noise from construction works through the use of innovative technologies. He looked forward to more collaboration among the Administration, research institutions and the construction industry on the development and application of more innovative noise management technologies. USEN responded that the Administration would continue to support R&D projects relating to noise monitoring and collaborate with research institutions and the construction industry in this regard, so as to improve noise management on construction sites.

43. Mr CHAN Han-pan pointed out that vehicles needed to comply with the Noise Control (Motor Vehicles) Regulation (Cap. 400I) at first registration. He suggested that the Administration should use innovative devices to monitor noise emitted by motor vehicles at locations where residential units were frequently affected by such noise, and take enforcement actions against owners of vehicles suspected of contravening relevant regulations as detected by such devices.

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**VI. Any other business**

44. There being no other business, the meeting ended at 3:46 pm.

Council Business Division 1  
Legislative Council Secretariat  
28 September 2021