

**Confirmed Minutes of the 263rd Meeting
of the Advisory Council on the Environment (ACE)
on 22 April 2024 at 2:30 p.m.**

Present:

Prof John CHAI, BBS, JP (Chairman)
Prof Kenneth LEUNG, JP (Deputy Chairman)
Ms Carmen CHAN, BBS, JP
Dr Sylvia CHAN, MH
Ms Ada FUNG, BBS
Mr Eric HO
Ms Linda HO
Mr Alex KWAN
Dr Theresa KWONG
Prof Alexis LAU, JP
Mr Simon NG
Mr Daryl NG, SBS, JP
Mr Albert SU, MH, JP
Ms Christina TANG
Prof Dan TSANG
Prof WONG Kam-bo
Dr WONG Kwok-yan, MH
Dr Raymond YAU
Dr William YU
Mr Alan LO, JP (Secretary)

Absent with Apologies:

Prof Dennis LEUNG

In Attendance:

Environment and Ecology Bureau (EEB)

Miss Mavis HUI	Chief Information Officer
Ms Karen CHEK	Chief Executive Officer (CBD)
Miss Sally SHEK	Executive Officer (CBD) 1
Miss Avynn WONG	Executive Officer (CBD) 2

Environmental Protection Department (EPD)

Dr Samuel CHUI, JP	Director of Environmental Protection (DEP)
Mr FONG Kin-wa, JP	Deputy Director of Environmental Protection (1)
Mr Terence TSANG	Assistant Director (Environmental Assessment)
Dr YANG Rong	Assistant Director (Water Quality Management)

Mr TO King-ho	Senior Project Officer (Territory South)
Miss Queenie NG	Principal Environmental Protection Officer (Territory South)
Mr Sunny SUN	Principal Environmental Protection Officer (Water Quality Management)
Ms Hyde MAK	Senior Environmental Protection Officer (Territory North) 3
Dr Alex CHIU	Senior Environmental Protection Officer (Water Quality Management) 3
Ms Jolitta CHAN	Environmental Protection Officer (Territory North) 34

Agriculture, Fisheries and Conservation Department (AFCD)

Mr Simon CHAN	Assistant Director (Conservation)
Mr Boris KWAN	Senior Nature Conservation Officer (North)
Ms Chelly WONG	Nature Conservation Officer (Kam Tin)

Planning Department (PlanD)

Ms Johanna CHENG	Assistant Director of Planning / Technical Services
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In Attendance for Item 3:

Project Proponent Team

Development Bureau (DEVB)

Ms Pecvin YONG	Deputy Director, Northern Metropolis Co-ordination Office
Mr Eric CHUNG	Assistant Secretary (Northern Metropolis) 1

Civil Engineering and Development Department (CEDD)

Mr Tony CHEUNG	Project Manager (North)
Mr Gavin WONG	Chief Engineer / North 4
Ms Kaberlina HO	Senior Engineer / 7 (North)

PlanD

Ms Irene LAI	Chief Town Planner / Studies and Research 1
Mr Timothy LUI	Senior Town Planner / Studies and Research 2
Mr Kimson CHIU	Senior Town Planner / Yuen Long East 1

Project Consultant

AECOM Asia Company Limited (AECOM)

Mr Freeman CHEUNG	Senior Vice President, Environment, Hong Kong
Dr David GALLACHER	Executive Director
Ms Anna CHUNG	Executive Director
Ms Christie LI	Associate, Landscape Architecture
Mr Andrew IP	Associate
Ms Avery LAM	Senior Environmental Consultant

The Chairman welcomed all to the meeting and informed Members that apologies of absence had been received from Prof Dennis Leung.

Item 1 : Confirmation of the draft minutes of the 262nd meeting held on 5 February 2024 (Closed-door session)

2. The draft minutes of the last meeting were confirmed without any proposed amendments.

Item 2 : Matters arising (Closed-door session)

3. There were no matters arising from the minutes of the last meeting.

Item 3 : Report on the 158th Environmental Impact Assessment Subcommittee Meeting (ACE Paper 5/2024)

4. The Chairman invited Members to refer to *ACE Paper 5/2024* which reported the recommendations of the Environmental Impact Assessment Subcommittee (EIASC) on the Environmental Impact Assessment (EIA) report on San Tin / Lok Ma Chau Development Node.

5. A Member declared that he was engaged in the eco-shoreline studies of CEDD and was the Chairman of the Lantau Conservation Fund Advisory Committee. The Chairman considered that there was no conflict of interest and Members had no other view.

(Post-meeting notes: At the EIASC meeting held on 18 March 2024, a Member declared that he was a Board Member of the Hong Kong Science and Technology Parks Corporation which might be involved in the development of the San Tin Technopole (STT). The EIASC meeting agreed that the Member could stay to participate in the discussion.)

(The presentation team joined the meeting at this juncture.)

Presentation cum Question-and-Answer Session (Open session)

6. The Chairman informed Members that 10 Green Groups sent a joint letter to the ACE on 17 April 2024, and Kadoorie Farm and Botanic Garden sent an email on 19 April 2024 to express their views on the EIA report. Both the joint letter and email were circulated to Members on the same day of their receipt.

7. Mr Tony Cheung gave an opening remark while Ms Pecvin Yong, Ms Irene Lai and Mr Gavin Wong briefed Members on the background and benefits of the project, results of the EIA study and responses to comments received from the ACE

and other stakeholders including the green groups with the aid of a PowerPoint presentation.

8. At the Chairman's invitation, the EIASC Chairman reported the EIASC's discussion and recommendations on the EIA report on San Tin / Lok Ma Chau Development Node at its meeting held on 18 March 2024.

(A Member joined the meeting during the Question-and-Answer Session.)

Project Implementation

9. Three Members highlighted the importance of striking a balance between development and environmental conservation. Another Member remarked that the Government should explore to bring positive environmental impacts through the project rather than just targeting to meet the minimum requirement under the EIA Ordinance (EIAO). Another Member aspired that the project would bring positive impacts to the innovation and technology (I&T) as well as economic development of Hong Kong. He suggested that the Government should grasp the opportunity to boost wetland tourism and ecotourism, while protecting the environment in parallel.

10. A Member asked about the timing for the development of the I&T area and its impact on the neighbouring wetlands. Mr Gavin Wong said that the current plan was to first implement the site formation works of the northern part of the project area near the Loop, followed by the construction of necessary infrastructures such as sewage treatment facilities and electricity facilities in the southern part. He said that the construction works at the existing brownfield sites in the southern area would take place in the later stage. Mr Tony Cheung indicated that a working group would be formed between CEDD and AFCD to coordinate the construction works of STT and Sam Po Shue Wetland Conservation Park (SPS WCP). He added that there would be a control of the construction activities and the level of the associated noise during the breeding season of the egrettries.

11. A Member enquired about the expected progress of the I&T area and expressed concern about the readiness of the supporting facilities for the first batch of residents. Ms Pecvin Yong replied that the first batch of population intake would be in 2031 when the Dedicated Rehousing Estate site was expected to be completed. As for I&T business intake, she advised that the Innovation, Technology and Industry Bureau was conducting a feasibility study to consider the appropriate I&T development in STT. The first batch of land would be formed in 2026 the earliest for handing over to the implementation agent for development.

12. A Member suggested that the Government should closely monitor the development of the Mainland and adjust the development plan of STT as and when necessary. To cater for the needs of different potential land users, Ms Pecvin Yong indicated that the Outline Zoning Plan (OZP) had built in flexibility in the land use in STT. Through the established Task Force for Collaboration on the Northern

Metropolis Development Strategy, DEVB had been maintaining close communication with Shenzhen to keep abreast of their development plan.

13. Bearing in mind the potential expansion in the size of Qianhai, a Member indicated that the Government should review the possibility of reducing the size of the ponds to be filled. Ms Pecvin Yong highlighted the need to create sufficient scale of I&T land in order to establish a comprehensive I&T ecosystem. Given the San Tin area was bounded by hills to its east and south, it was necessary to extend the development area northward and westward to improve the land planning layout, reasonably utilising some fishponds.

14. Two Members hoped that the project could be expedited to keep up with the rapid development of the Mainland. Mr Gavin Wong pointed out that it would take time to resume the private lands, coordinate the relocation of the existing brownfield operations, as well as to implement interim wetland enhancement measures in Mai Po and SPS WCP before the construction works could commence. A prudent and phased implementation of the project would help ensure the protection of the environment and ecology. Another Member commended CEDD's commitment to properly handle the land contamination caused by the brownfield operations.

15. In view of the long time span of the project, a Member remarked that it was important for the Government to follow through the conditions and recommendations made by the ACE. Mr Tony Cheung assured that CEDD would comply with the Habitat Creation and Management Plan (HCMP) and deliver the conservation and monitoring measures as committed in the plan.

16. A Member asked if it would be possible to upgrade all recommendations as conditions to ensure their execution in the end. Mr Terence Tsang responded that it was a statutory requirement for the project proponent to comply with EIA report approval conditions. As such, only matters that may be specified in environmental permit as set out in the EIAO and guided by its Technical Memorandum could be imposed as conditions since EPD had to ensure their enforceability. Another Member was of the view that it would be preferable to incorporate suggestions on exploring new technology as a recommendation to allow flexibility.

Project Design

17. A Member opined that greening should be maximised not only in the buildings, but also throughout the design of the entire project area including street lights, road design and other public utilities. Three other Members remarked that blue-green infrastructure design should be adopted. One of the three Members further suggested that natural colour tones, shapes and forms should be deployed, more cycling paths should be provided to reduce the reliance of vehicles and trees should be planted along the pedestrian pathways. Another Member added that the areas designated for urban farming should be specified.

18. A Member suggested that the project design should reflect the cultural heritage and unique historical characteristics of San Tin. Another Member indicated that the lagoon city concept could be suitably adopted to reflect the history of the place. Mr Tony Cheung thanked Members for their suggestions and responded that CEDD had been communicating with the local villagers to look for appropriate places to showcase the cultural heritage and stories of San Tin.

Impact on Birds

19. Three Members were concerned about the possible impact to birds. Two of the three Members remarked that the preparatory work such as interim wetland enhancement measures should be completed well before the commencement of ponds filling. Another two Members remarked that more bird species should be monitored under the HCMP to ensure there was adequate protection to the ecology. Mr Tony Cheung said that CEDD would include more bird species in the monitoring programme under the HCMP to be formulated. A Member was concerned that the reduction of wetland area might affect the foraging and breeding of the migratory birds in Hong Kong. Mr Cheung clarified that there would be compensation for the loss of wetland ecological function in the SPS WCP. The proposed interim wetland enhancement measures such as restoration of abandoned ponds, creation of habitat islands in the fish ponds and trash fish stocking would also help attract migratory birds. CEDD would commence the wetland enhancement measures once funding was approved by the Legislative Council

20. As birds were sensitive to light and noise, a Member suggested that large-scale public events such as concerts or laser beam shows should be avoided in the project area, especially during the overwintering periods. Another Member added that CEDD should create a natural landscape which was liveable and sustainable to birds and other wildlife animals. Another Member proposed to upgrade recommendation (h) under paragraph 8 of ACE Paper 5/2024 to a condition. One of the Members above echoed and added that recommendations (m) and (n) should also be upgraded. Mr Tony Cheung responded that a set of bird-friendly design guidelines for buildings would be formulated to minimise impact on the birds.

Wildlife Corridors

21. In response to a Member's enquiry on whether the wildlife corridors for otters proposed by Kadoorie Farm and Botanic Garden could be adopted, Mr Tony Cheung advised that the function of the flap valve and inflatable dam currently blocking the proposed corridors was to prevent flooding and for controlling the water quality by stopping the water of Shenzhen River from entering the meander and the San Tin Eastern Main Drainage Channel respectively. CEDD would explore to implement measures to facilitate the movement of otters across these existing facilities. Two Members suggested that CEDD should proactively liaise with the relevant authorities with a view to improving the design of the aboveground and underground wildlife corridors to enhance the ecological connectivity.

22. A Member added that the proposed environmental committee should closely monitor the project impact on otters. Mr Tony Cheung advised that monitoring programmes for different wildlife species would be stipulated in the HCMP. Another Member suggested that there should be a good mix of representatives from diversified background in the environmental committee to provide comprehensive and holistic views on the project. With reference to another Member's suggestion, Mr Tony Cheung agreed to establish the environmental committee within this year so that relevant stakeholders' comments could be incorporated in the design early. A Member appreciated CEDD's proactiveness in gauging the views of stakeholders in the project.

Landscape Impact and Flooding Risk

23. Two Members stressed the importance of reusing and recycling the felled trees instead of disposing of them at the landfill. One of the two members supplemented that the reuse and recycling of inert waste should be stipulated as a requirement in the relevant works contracts. Another Member was concerned about the survival and density of the compensated trees. Mr Tony Cheung assured that CEDD would consult tree experts to ensure that the compensated trees would be planted in accordance with the prevailing guidelines.

24. A Member suggested the inclusion of a recommendation on climate resilient design. Mr Tony Cheung replied that CEDD would comply with the latest Stormwater Drainage Manual issued by the Drainage Services Department in the design of drainage facilities. To mitigate flooding risk, flood retention facilities such as flood retention lakes and underground storage tanks would be provided. The Chairman enquired and Mr Cheung replied that the total capacity of various flood retention facilities would be over 200,000 cubic metre. Addressing the above Member's concern about the discharge of drainage water, Mr Cheung clarified that the water of the Eastern and Western Main Drainage Channels would be discharged to the sea through the Shenzhen River rather than into the wetlands.

Carbon Reduction

25. A Member remarked that the project should deploy low-carbon materials and construction technology as far as practicable, with a view to achieving sustainable development and carbon neutrality. Another Member opined that the Government should deploy the latest technology, such as "Photovoltaic, Energy Storage, Direct Current and Flexibility", to reduce carbon footprint. One more Member held the view that flexibility could be allowed by requiring the use of the best available technology at the time. The Member furthered that CEDD should establish a baseline to facilitate the evaluation of the carbon performance of the project. Mr Tony Cheung said that CEDD would explore the possibility to deploy the latest technology in the project.

26. As carbon reduction was not imposed as a condition, a Member was concerned about the commitments of different parties in reducing carbon emissions and carbon footprint. Understanding that the project proponent would be required by EPD to implement all recommendations as far as possible and the achievement of carbon neutrality was a Government target, Mr Tony Cheung said that CEDD would endeavour to minimise carbon emissions as far as possible.

Conclusion

27. Members were unanimously supportive of the proposed development of STT and appreciated that CEDD had taken on board Members' and the public's views in fine-tuning the project. The Chairman remarked that every generation should cherish and conserve the natural environment including the wetlands as they were important treasures of Hong Kong. While the project would contribute to the I&T development of Hong Kong, he stressed that the wetlands should be well protected in the process. He commended the Government's proactiveness in addressing the views of the public and stakeholders. The Chairman said that there should be ongoing monitoring of the project.

(Three Members left the meeting during the Question-and-Answer Session.)

(The presentation team left the meeting at this juncture.)

Internal Discussion Session (Closed-door session)

28. In the light of Members' comments and views, the Chairman suggested and the meeting agreed that the EIA report should be endorsed with conditions and recommendations. The Chairman invited Members to consider if there were any other proposed amendments to conditions (a) to (g) and recommendations (h) to (o) listed under paragraph 8 of ACE Paper 5/2024 apart from those proposed earlier at the meeting.

29. With reference to Members' earlier comments, the Chairman proposed and Members agreed to upgrade recommendation (h) to a condition, which should read "*in consultation with AFCD, submit a Bird-friendly Design Guideline for buildings within the Project area to the DEP for approval. The Guideline should provide measures to minimise the risk of bird collisions and the impacts on birds*".

30. A Member enquired if recommendations (m) and (n) which could contribute to the well-being of birds could also be upgraded as conditions. Dr Samuel Chui was of the view that the proposed condition on bird friendly design for buildings would suffice in minimising potential light impact to birds. Another Member understood that it would not be feasible to impose a condition since there were no standard criteria to assess light impact on the ecology and it would be desirable to maintain it as a recommendation to allow flexibility. One of the above Members

then suggested and Dr Chui agreed that there should be “tree planting along the pedestrian pathways” under recommendation (m).

31. With reference to a Member's concern on the potential noise impact to birds, Dr Samuel Chui shared with Members that there was established mechanism to govern the conduct of public activities in open area. For example, the organiser would need to apply for a public entertainment license which would be subject to the agreement of EPD. As such, Dr Chui considered it unnecessary to impose a condition in this respect.

32. To address a Member's worry about the project proponent's effort to implement the recommendations of the ACE, Mr Terence Tsang explained that while recommendations were not mandatory requirements, EPD would follow up with the project proponent to ensure their implementation as far as practicable.

33. Save for the condition on bird friendly building design which had been included in the OZP, a Member raised that there would be no mechanism to ensure the compliance of the remaining recommendations by the private developers as they were not included in the land grant. Ms Johanna Cheng clarified that the bird friendly design was only included in the explanatory statement of the OZP, which was not a statutory requirement under the Town Planning Ordinance. It was subject to Lands Department to decide whether to include a relevant land lease condition.

34. The Chairman remarked that it was necessary for the ACE to make appropriate recommendations within the boundary and scope of the EIAO and its Technical Memorandum. Two Members appreciated that it would allow flexibility by keeping the afore-mentioned requirements as recommendations and trusted that CEDD would endeavour to have them implemented.

35. The meeting unanimously agreed to endorse the EIA report with eight conditions and seven recommendations.

(Post-meeting notes: The ACE's comments on the EIA report at Annex were submitted to DEP on 29 April 2024.)

Item 4 : Report on the 44th Waste Management Subcommittee Meeting (ACE Paper 6/2024)

36. The Waste Management Subcommittee (WMSC) Chairman reported the key discussions at the 44th WMSC Meeting as summarised in *ACE Paper 6/2024*. The WMSC Chairman reported that the subcommittee Members were supportive of the Demonstration Scheme and the implementation of the Municipal Solid Waste Charging, and had given valuable comments on various related issues including the coverage of the Demonstration Scheme, recycling facilities, publicity and public education. EPD had taken note of Members comments at the meeting and would update Members of the progress of the Demonstration Scheme. EPD

Item 5 : Any other business (Closed-door session)

EIA Reports not selected by EIASC for submission to ACE

37. The EIASC Chairman reported that since the last ACE Meeting, the EIASC had received the Executive Summary of one EIA report, namely “Construction of Annex Block at Hong Kong Observatory Headquarters, Tsim Sha Tsui” which was not selected for discussion. The Executive Summary of the relevant EIA report had been circulated to EIASC Members upon the commencement of the public inspection period, with the relevant hyperlinks copied to non-EIASC Members. Members were advised to provide their comments, if any, on the EIA report directly to DEP within the respective public inspection period. Given that the EIA report had not been selected by the EIASC for presentation and discussion, the EIASC Chairman informed Members that EPD had taken that the ACE had no comments on the EIA report under section 8(3)(b) of the EIAO.

38. There was no other business for discussion at the meeting.

Item 6 : Date of next meeting (Closed-door session)

39. Members would be advised on the agenda in due course.

40. There being no other business, the meeting ended at 6:00 pm.

**ACE Secretariat
July 2024**



33/F, Revenue Tower, 5 Gloucester Road, Wan Chai, Hong Kong
香港灣仔告士打道 5 號稅務大樓 33 樓

29 April 2024

Director of Environmental Protection
(Attn: Mr. TSANG Sai-wing, Terence)
27/F., Southorn Centre
130 Hennessy Road
Wan Chai
Hong Kong

Dear Mr Tsang,

**Environmental Impact Assessment Report
on “San Tin / Lok Ma Chau Development Node”**

The Advisory Council on the Environment (ACE) agreed that the Environmental Impact Assessment (EIA) Report on “San Tin / Lok Ma Chau Development Node” (the Project) could be endorsed with the following conditions and recommendations –

Conditions of Endorsement

The Project Proponent shall –

- (i) submit a detailed Habitat Creation and Management Plan (HCMP) as recommended in the EIA Report to the Director of Environmental Protection (DEP) for approval no less than nine months before commencement of pond filling works of the Project. The Project Proponent shall consult ACE in finalising the HCMP prior to submission. The HCMP should provide details on ecological impacts, specifications for the target habitats and species, mitigation and compensation measures including provision of birds’ flight paths, wildlife corridors for non-flying mammals, wetlands compensation, protection of existing egrettries, design and implementation methods, management strategy, monitoring

requirements (e.g. location, frequency and parameters) and reporting requirements, Action / Limit Levels and Event / Action Plan, as well as overall implementation programme, with a view to ensuring no net loss in ecological function and capacity of the wetlands concerned under the Project;

- (ii) submit a Detailed Design Plan for Establishment of Wildlife Corridors (DDP) for non-flying mammals and related measures to the DEP for approval before commencement of construction of relevant parts of the Project affecting the existing wildlife corridor(s). Aboveground wildlife corridors with water features and dimension of no less than 10m wide, and underpass wildlife corridors with cross-sectional area of no less than 6m² (2m high and 3m wide, subject to detailed design) with water features and natural lighting shall be provided. To facilitate movement of Eurasian Otters across Lok Ma Chau, Sam Po Shue and the Inner Deep Bay area, the DDP shall devise measures such as widening of the gaps in the grille of the underwater channel connecting the Shenzhen River, modifying the inflatable dam at San Tin Main Eastern Drainage Channel and provision of passage (e.g. ladder) through the flap valve and inflatable dam;
- (iii) in consultation with the Agriculture, Fisheries and Conservation Department (AFCD), submit an Implementation Plan for Wetland Enhancement Measures at Mai Po (IPM) as set out in the approved EIA Report to the DEP for approval before commencement of construction of the Project;
- (iv) in consultation with AFCD, submit an Interim Wetland Enhancement Plan (IWEP) to the DEP for approval before commencement of pond filling works of the Project. The IWEP shall provide the implementation details of the interim wetland enhancement measures for the identified ponds, including active management such as trash fish stocking, as set out in the approved EIA Report;
- (v) set up an Environmental Committee before commencement of construction of the Project to advise on the preparation of the IWEP, IPM, DDP and HCMP, and monitor the effectiveness of implementation of the proposed ecological mitigation / enhancement measures of the Project according to the EIA Report and the approved IWEP, IPM, DDP and HCMP. The Environmental Committee should have a wide representation such as representatives of relevant government departments as well as green groups and academics;

- (vi) report regularly to the ACE after commencement of construction of the Project on the progress of implementation of the approved IWEP, IPM, HCMP and DDP, the environmental monitoring results and effectiveness of ecological mitigation / enhancement measures;
- (vii) in consultation with AFCD, submit a Bird-friendly Design Guideline for buildings within the Project area to the DEP for approval. The Guideline should provide measures to minimise the risk of bird collisions and the impacts on birds; and
- (viii) confirm the land contamination potential within the Project area and if remediation is necessary, submit a Remediation Action Plan (RAP) to the DEP for approval. The latest international practice and proven environmentally friendly methods / technologies should be considered in the RAP for devising the remediation strategies that best suit the site conditions and remediation requirements. The Project Proponent should conduct the remediation in accordance with the approved RAP.

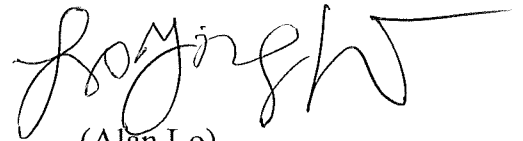
Recommendations

The Project Proponent is recommended to –

- (i) adopt sponge city measures with a modern stormwater management approach to enhance climate resilience and minimise flooding risk of the Project area during heavy rain storms and extreme weather conditions;
- (ii) explore the feasibility of implementation of automatic refuse collection systems;
- (iii) explore the feasibility of biomass management by reusing and upcycling of the felled trees from the Project area;
- (iv) explore ways to achieve carbon neutrality in the Project during both construction and operation phases, such as the use of low-carbon construction materials / equipment, green fuel (e.g. hydrogen), electric vehicles, and the adoption of microgrid;
- (v) explore the feasibility to adopt green design in the Project area by incorporating green roof / wall and passive design in buildings, tree planting along pedestrian pathways, and designating areas for establishment of urban farms;

- (vi) devise specific and effective measures, such as prohibiting the use of flood lights, directing outdoor lightings away from sensitive receivers and avoidance of setting up of sizeable outdoor light-emitting display panels, to minimise disturbance to wildlife during construction and operation phases of the Project; and
- (vii) encourage plantation of food crops which may attract insects and birds to enrich the urban biodiversity in the open space zoning within the Project area.

Yours sincerely,



(Alan Lo)

Secretary

Advisory Council on the
Environment

c.c. ACE Chairman and Members