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**ACE Paper 7/2023**  
***For information on 3 May 2023***

**Reporting of the Additional Information prepared for  
the EIA report on “Technical Study on Partial Development of  
Fanling Golf Course Site – Feasibility Study”**

**Background Note**

**PURPOSE**

This paper provides background information for the Advisory Council on the Environment (ACE) meeting on 3 May 2023 to discuss *ACE Paper 8/2023* on “Reporting of the Additional Information prepared for the Environmental Impact Assessment (EIA) report on “Technical Study on Partial Development of Fanling Golf Course Site – Feasibility Study” (the Project)” prepared by the Civil Engineering and Development Department (CEDD) (the Project Proponent).

**BACKGROUND**

2. The ACE and its EIA Subcommittee considered the EIA report on the Project at the 154<sup>th</sup> EIASC meeting on 18 July 2022 and 254<sup>th</sup> ACE meeting on 8 and 19 August 2022. After thorough deliberation of the findings in the EIA report and information provided by the Project Proponent, the ACE decided to put the EIA report to a vote. In the first round of voting on “endorsing the EIA report with conditions”, eight Members voted for it, six voted against it and four abstained. According to the house rules of the ACE, voting should be by a simple majority and hence the motion was not passed. The meeting moved on to the second round of voting on “Additional Information would be required from the Project Proponent”, sixteen Members voted for it, one against it and one abstained.

3. Based on the voting result, the meeting agreed that the ACE would recommend the DEP to seek further information from the project proponent to facilitate her decision. In addition, the ACE also required that the Project Proponent should report the additional information to the ACE once ready. The list of additional information required from the Project Proponent and the relevant

discussion at the meeting on 19 August 2022 is attached at **Annex**. After the meeting, ACE’s comments and observations on the Project had been submitted to the DEP on 24 August 2022 under Section 7(5) of the EIAO.

**DRAFT ADDITIONAL INFORMATION**

4. The Project Proponent submitted the draft Additional Information, summarised in ***ACE Paper 8/2023***, to the ACE Secretariat on 18 April 2023 for discussion at the ACE meeting on 3 May 2023.

**PURPOSE OF THE ACE MEETING ON 3 MAY 2023**

5. As requested by the ACE at the meeting on 19 August 2022, the Project Proponent shall present the draft Additional Information and answer questions from the ACE members in its meeting (to be held on 3 May 2023). Then the ACE will provide comments on the draft Additional Information to the Project Proponent for their consideration in submitting the Additional Information to DEP.

**RELEVANT MEETING DOCUMENTS**

6. Discussion papers and minutes of the relevant EIASC and ACE meeting are summarised below for reference -

<b>Relevant Meetings</b>	<b>Relevant papers and meeting minutes</b>
The 254 <sup>th</sup> ACE meeting on 8 and 19 August 2022	<ul style="list-style-type: none"> <li>● <a href="#">ACE Paper 11/2022</a></li> <li>● <a href="#">ACE Paper 11/2022 (Annex A)</a></li> <li>● <a href="#">ACE Paper 11/2022 (Annex B)</a></li> <li>● <a href="#">ACE Paper 11/2022 (Annex C)</a></li> <li>● <a href="#">ACE Paper 11/2022 (Annex D)</a></li> <li>● <a href="#">Confirmed Minutes of Meeting on 8 August 2022</a></li> <li>● <a href="#">Confirmed Minutes of Meeting on 19 August 2022</a></li> </ul>
The 154 <sup>th</sup> EIASC meeting on 18 July 2022	<ul style="list-style-type: none"> <li>● <a href="#">ACE-EIA Paper 6/2022</a></li> <li>● <a href="#">Confirmed Minutes of Meeting</a></li> </ul>

**ACE Secretariat  
April 2023**

**List of Additional Information recommended by the ACE to be requested from the Project Proponent**

<b>Discussion at the ACE Meeting on 19 August 2022</b>		<b>ACE's Comments to DEP in their letter of 24 August 2022</b>
<b>Para.</b>	<b>Extract from Confirmed Minutes of Meeting</b>	
Para. 90	Members were invited to cast their votes for endorsing the EIA report with conditions through the anonymous voting function of "Zoom". After voting, eight Members voted for the proposal, six voted against it and four abstained. As the motion was not passed, the meeting went on to vote for seeking further information on the project. In this round, 16 Members voted to request for more information, one against it and one abstained. Based on the voting result, the meeting agreed that the ACE would recommend the DEP to seek further information from the project proponent to facilitate her decision.	
Para. 91	The Chairman summarised that while understanding that the EIA report had met the requirements set out in the TM, relevant Guidance Notes under the EIAO as well as the EIA Study Brief, Members still had reservations on various aspects including the ecological impact, hydrological impact, layout plan and tree preservation and compensation of the project. As Members considered the information provided by the project proponent insufficient to allow the Council to support the endorsement of the report, the Chairman suggested Members to deliberate the details of the further information required based on the framework of the above areas of concerns.	
Para. 145	The Chairman concluded that the ACE considered the EIA report should not be rejected, however, further information would be required from the project proponent to facilitate the DEP's consideration of her final decision. The Chairman highlighted that the project proponent should also report the aforementioned supplementary information to the ACE once ready.	
Para. 97	The Chairman summarised that an additional bird survey covering early morning to evening (i.e. before sunrise to 10 pm) should be conducted	Additional Bird Survey covering early morning to evening (i.e. before sunrise to 10 pm) to be conducted twice a month from

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	twice a month from September 2022 to March 2023 (covering the wet and dry seasons) to reaffirm that the overall results of the bird survey conducted in the EIA report were valid. Details of the survey methodology including the types of device used, transect of the survey, qualifications of the personnel conducting the survey as well as the locations, frequency and duration of the survey should be included in the further information.	September 2022 to March 2023 (covering the wet and dry seasons) to reaffirm that the overall results of the bird survey conducted in the EIA report are valid. Details of the survey methodology including the types of device used, transect of the survey, qualifications of the personnel conducting the survey as well as the locations, frequency and duration of the survey shall be included in the further information.
Para. 114	The Chairman summarised that an additional moth survey covering both evening and mid-night was to be conducted twice a month from September to October 2022 to reaffirm the overall result of the moth survey conducted in the EIA report. Two rounds of survey with a duration of two hours each (i.e. one at two hours after sunset and the other one at mid-night between 00:00 and 02:00) should be carried out each night. Details of the survey methodology including the types of device used, location/transect of the survey, qualifications of the personnel conducting the survey as well as the locations, frequency and duration of the survey should be included in the further information.	Additional Moth Survey covering both evening and mid-night to be conducted twice a month from September to October 2022 to reaffirm the overall result of the moth survey conducted in the EIA report. Two rounds of survey with a duration of two hours each (i.e. one at two hours after sunset and the other one at mid-night between 00:00 and 02:00) should be carried out each night. Details of the survey methodology including the types of device used, location/transect of the survey, qualifications of the personnel conducting the survey as well as the locations, frequency and duration of the survey shall be included in the further information.
Para. 106	The Chairman remarked that the ACE should trust the expert advice of AFCD in the bat survey and their professional judgement on the sufficiency and appropriateness of the methodology in the EIA report. To alleviate Members' concerns, the Chairman proposed with the agreement of Members that it would suffice for the project proponent to provide details of the survey methodology adopted for the bat survey in the EIA report including the coordination of the transects of the surveys, qualifications of the personnel conducting the survey as well as the locations, frequency and duration spent on each sub-area.	Details of the survey methodology adopted for the Bat Survey in the EIA report including the coordination of the transects of the surveys, qualifications of the personnel conducting the survey as well as the locations, frequency and duration spent on each Sub-Area

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Para.120	On tree compensation, the Chairman summarised that the project proponent should provide a plan which should include details of planting numbers with a compensation ratio of at least 1:1.5 having regard to the number of trees affected, locations and tree species to be compensated as well as a management plan taking into account the water demand of the compensatory trees.	Tree compensation plan which shall include details of planting numbers with a compensation ratio of at least 1:1.5 having regard to the number of trees affected, locations and tree species to be compensated as well as a management plan taking into account the water demand of the compensatory trees.
Para. 121	As regards the blocking layout, the Chairman remarked that the project proponent should provide a detailed layout plan of the proposed housing development which should illustrate, with the help of an overlay plan of the proposed housing blocks, the preservation of an additional 0.39 ha of secondary woodland in Sub-Area 1 (on top of those woodland, mixed woodland and TPI recommended for preservation in the EIA report), the locations of the trees to be retained, the location, disposition and design of the proposed housing blocks with a view to minimising adverse ecological impact.	A detailed layout plan of the proposed housing development which shall illustrate, with the help of an overlay plan of the proposed housing blocks, the preservation of an additional 0.39 hectares of secondary woodland in Sub-Area 1 (Annex 1) (on top of those woodland, mixed woodland and Trees of Particular Interest (TPI) recommended for preservation in the EIA report), the locations of the trees to be retained, the location, disposition and design of the proposed housing blocks with a view to minimising adverse ecological impact.
Para. 124	The Chairman summarised that the project proponent should provide a detailed analysis of the hydrological impact to show the flow of water, including available information on the profile of soil and bedrock conditions of the project site. In addition, the design should incorporate sponge city concept to enhance permeability as well as green building designs such as green roof, sky garden and community farmland to enhance urban ecology and ecological connectivity.	A detailed analysis of the hydrological impact to show the flow of water, including available information on the profile of soil and bedrock conditions of the project site.
Para. 133	A Member suggested with the support of another Member that the project proponent should be required to elaborate on the shading impact on the trees of the project site. One of the two Members explained that it would be feasible to consider the shading impact of the proposed housing development based on the light demand of the tree species concerned. Instead of putting forward a general comment as suggested by one Member, another Member counter-proposed with the support of the	Additional analysis on the shading impact of the proposed housing blocks to the trees in the potential development area taking into account the revised layout plan.

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	meeting that the project proponent could be requested to provide additional analysis on the shading impact of the proposed housing blocks to the trees in the potential development area taking into account the revised layout plan.	
Para.132	Two Members suggested the project proponent to explore the possibility to retain the grave in Sub-Area 1 as far as possible from the cultural heritage perspective since it was dated from the Ming dynasty. Another Member enquired whether the descendants had agreed to the removal of the grave. Mr Terence Tsang clarified that the initial proposal to remove the only one grave of Qing dynasty in Sub-Area 1 was agreed by the AMO, which was the statutory authority in the conservation of cultural heritage. He added that the project proponent would review and explore the possibility to retain the grave subject to the final layout plan. Should removal be confirmed necessary, the project proponent would liaise with the descendants on the appropriate compensation and translocation arrangements in accordance with the established mechanism. Given Members' views on the grave in Sub-Area 1, Dr Samuel Chui indicated that the project proponent could be invited to provide further information on how the grave situated in Sub-Area 1 would be handled.	Further information on how the grave situated in Sub-Area 1 will be handled, with consideration of the view that many members of the Council have recommended to retain the grave as far as possible.