

**Confirmed Minutes of the 269th Meeting
of the Advisory Council on the Environment (ACE)
on 12 May 2025 at 2:30 p.m.**

Present:

Prof John CHAI, BBS, JP (Chairman)
Prof Kenneth LEUNG, JP (Deputy Chairman)
Mr CHEUNG Chi-wah
Ms Ada FUNG, BBS
Ms Linda HO
Ms Grace KWOK
Dr Theresa KWONG
Prof Alexis LAU, JP
Prof Dennis LEUNG
Mr Simon NG
Prof QIU Jian-wen
Mr Albert SU, MH, JP
Prof WONG Kam-bo
Dr William YU
Mr Alan LO, JP (Secretary)

Absent with Apologies:

Mr Eric HO
Mr Alex KWAN
Mr Daryl NG, SBS, JP
Mr Jonathan WU
Dr Raymond YAU

In Attendance:

Environment and Ecology Bureau (EEB)

Miss Mavis HUI	Chief Information Officer
Ms Karen CHEK	Chief Executive Officer (CBD)
Ms Cynthia LAU	Executive Officer (CBD) 1
Miss Glory CHONG	Executive Officer (CBD) 2

Environmental Protection Department (EPD)

Dr Samuel CHUI, JP	Director of Environmental Protection (DEP)
Dr Vanessa AU	Deputy Director of Environmental Protection (1)
Mr Gary TAM	Assistant Director (Environmental Assessment)

Planning Department

Ms Johanna CHENG Assistant Director of Planning / Technical Services

Agriculture, Fisheries and Conservation Department (AFCD)

Mr Simon CHAN Assistant Director (Conservation)

In Attendance for Item 3:

EEB

Miss Ellen CHOW Acting Principal Assistant Secretary for Environment and Ecology (Sustainable Development)

Mr LEUNG Wai-man Principal Environmental Protection Officer (Air Policy)

Mr CHENG Koon-man Chief Electrical and Mechanical Engineer (Electricity Team)

Mr TSANG Wai-lik Senior Environmental Protection Officer (Air Policy) 2

In Attendance for Item 4:

EPD

Ms Clara U Principal Environmental Protection Officer (Territory North)

Mr William LUNG Senior Environmental Protection Officer (Territory North) 1

Miss Ming HE Environmental Protection Officer (Territory North) 32

AFCD

Mr Boris KWAN Senior Nature Conservation Officer (North)

Dr Azaria WONG Nature Conservation Officer (Yuen Long)

Project Proponent Team

KHI Holdings Limited

Mr Anthony CHOU General Manager

Ms LAI Wing-pang Project Manager

Nam Sang Wai Development Co., Limited

Ms Joanna WONG Project Manager

M Y Wan and Associates Limited

Mr M Y WAN Director

Mr Frankie CHENG Director

Project Consultants

Mott MacDonald Hong Kong Limited

Ms Julia CHAN Environment & Society Director, Asia

AEC Limited (Member of the Aurecon Group)

Mr Paul LEADER Market Director, Ecology and Biodiversity - Hong Kong

Ms Grace LEUNG Associate, Environmental

Independent Consultant

Dr Michael R LEVEN

Independent Consultant

URBIS Limited

Ms Iris HOI

Director

Action

The Chairman welcomed all to the meeting and informed Members that apologies of absence had been received from Mr Eric Ho, Mr Alex Kwan, Mr Daryl Ng, Mr Jonathan Wu and Dr Raymond Yau.

Item 1 : Confirmation of the draft minutes of the 268th meeting held on 7 April 2025 (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 : Review of the Ninth Technical Memorandum (TM) for Allocation of Emission Allowances (EAs) for Power Plants (ACE Papers 6/2025 and 7/2025)

4. The Chairman invited Members to refer to ACE Paper 6/2025 which set out the proposal to further tighten EAs for power plants starting from 1 January 2030 by way of issuing a new TM (i.e. the Tenth TM) under Section 26G of the Air Pollution Control Ordinance (Cap. 311). A background note on the subject (ACE Paper 7/2025) was circulated to Members before the meeting.

5. There was no declaration of interest by Members.

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

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

6. With the aid of a PowerPoint presentation, Mr Leung Wai-man gave an opening remark and briefed Members on the background, legal framework and considerations of the review of the Ninth TM for allocation of EAs for power plants. Members' views were sought on the Tenth TM to further tighten the EAs starting from 1 January 2030.

Road Map for Reduction of Air Pollutants

7. A Member supported the proposed tightening of EAs involving a significant reduction in the EAs for sulphur dioxide (SO₂) and nitrogen oxides (NO_x). With reference to Hong Kong's zero-carbon emission target by 2050, the Member enquired whether there would be a similar road map for the reduction of air pollutants as they were important indicators related to public health. He opined that a road map would be useful to drive public participation if people were informed of the corresponding reduction in air pollutants through attaining zero-carbon emissions in electricity generation by 2050.

8. Mr Leung Wai-man replied that the focus of the current review was to further tighten the EAs of three major types of air pollutants, namely SO₂, NO_x and respirable suspended particulates (RSP) from power plants, which were one of the main sources of those air pollutants. Having regard to the latest development in electricity generation and the target of achieving carbon neutrality as outlined in the Hong Kong's Climate Action Plan 2050 (the Action Plan), Mr Leung said that the TM would be reviewed on a biennial basis. With the vision of bringing the air quality level of Hong Kong on a par with international standards, Mr Leung advised that the Air Quality Objectives were reviewed every five years. He assured that there were different mechanisms to track progress and to ensure that carbon emissions and air pollutants would be reduced in tandem. Given the nature and review frequency of TM as stated above, he said that the TM would not be the platform to provide long-term projection up to 2050.

9. In response to the Member's further question, Mr Leung Wai-man confirmed that there was a general positive correlation between the reduction in carbon emissions and SO₂ emissions as they shared many common emission sources.

10. A Member opined that a road map for air pollutants could be drawn up with reference to the target of about 60% to 70% zero-carbon energy for electricity generation by 2035 in the Action Plan. While understanding that there were still uncertainties about the fuel mix which hinged on the technological advancement, he considered that more data could be provided to show the interim projections by the 2030 milestone. Mr Leung Wai-man shared that the Government had been implementing various measures continuously to achieve carbon and air pollutants reduction. He remarked that the relevant projection and progress would be reflected in the review results of the TM which was conducted every two years.

11. Noting the difference in the fuel mix of the two power companies as shown in paragraph 6 of the discussion paper, a Member enquired if there was a road map for reducing the coal generation ratio in the long run. Mr Leung Wai-man confirmed that the long-term goal of the Government was to phase out the use of coal in power generation given its higher emission levels as compared with gas and other types of clean energy. Mr Cheng Koon-man shared that both the CLP Power Hong Kong Limited (CLP) and the Hongkong Electric Company Limited (HEC) planned to

gradually retire all of their coal-fired power generation units by 2035. Mr Leung added that coal would no longer be used for daily power generation after 2035 and the remaining coal-fired power plants would mainly serve emergency purposes.

Proposed EAs

12. With reference to two Members' questions, Mr Leung Wai-man explained that the significant difference in the projected reduction of EAs by the two power companies was due to their differences in operation scale, geographical coverage and power generation fleets. For example, more than half of the local electricity generation in Hong Kong was supplied by CLP and the company was expecting an additional some 9% increase in electricity demand associated with the large-scale development in the Northern Metropolis by 2030, this allowed CLP relatively less margin to cut down their emissions. While CLP would meet the increased electricity demand through increasing the deployment of their existing gas-fired power generating units, HEC on the other hand expected little change on their electricity demand and would acquire a new gas-fired generating unit in 2029 to support them to further reduce using coal for electricity generation. This would enable HEC to achieve relatively higher reduction of the EAs. Mr Leung supplemented that in each review of the TM, the Government would consider a bundle of factors ranging from the fuel mix, the equipment involved including the number, performance and efficiency of the power generating units, and whether the best practicable measures were adopted in the plant design and operational management, etc. with a view to further tightening the relevant emissions by power companies.

13. Noting that CLP had planned to import an additional 1,500 GWh zero-carbon energy from the Mainland each year, a Member sought to know the implementation schedule, phase-in plan, the relevant proportion in the total electricity consumption of Hong Kong and the subsequent impact to the allocation of EAs in the Tenth TM. Mr Cheng Koon-man informed that upon the completion of the enhanced Clean Energy Transmission System project by CLP in 2026, it could provide greater flexibility to import more zero-carbon energy to Hong Kong and the share of zero-carbon energy in our fuel mix of electricity generation would be increased to about 35%. In addition, the Government was planning to import more zero-carbon energy and had reserved a land in Tseung Kwan O Area 132 to build the associated electricity facilities. The share of zero-carbon energy in the fuel mix could be further increased to about 60% to 70% upon project completion. Mr Leung Wai-man supplemented that the adoption of more clean energy would provide room for further reduction in the EAs in future.

14. In reply to Members' questions on the increase in the projected EAs for NO_x and RSP at the Black Point Power Station, Mr Leung Wai-man explained that the emission levels of the air pollutants were related to the fuel used for power generation. As the increase of CLP's gas generation ratio would be contributed by increasing the electricity generation with the gas-fired units in the Black Point Power Station to meet the electricity demand, the absolute amount of air pollutant emissions

of the Black Point Power Station would be higher, but the total emissions of all power plants of CLP would be brought down.

15. A Member further asked about the large difference in EAs between CLP's Black Point Power Station and Penny's Bay Gas Turbine Power Station. Mr Leung Wai-man explained that a fixed amount of EAs had been allocated to Penny's Bay Gas Turbine Power Station along past practice as its main function was to cater for emergency and peak electricity demand. The Chairman highlighted for Members' reference that the comparison was based on the absolute amount of emissions.

16. In response to the Chairman's enquiry about the formulae for allocating the EAs in the Tenth TM presented in Annex D to ACE Paper 6/2025 and the progress made as compared with the Ninth TM, Mr Leung Wai-man advised that the EAs were calculated based on the emission factors, i.e. the emission performance of each power plant, and the amount of renewable energy (RE) actually acquired in an emission year which was indicated as a variable in bracket of the formulae given its uncertainty at the current stage. Mr Leung added that a comparison between the EAs under the Ninth TM and Tenth TM were presented in paragraph 8 of the ACE Paper.

Renewable Energy

17. Apart from the Feed-in Tariff (FiT) Scheme, a Member asked about the other promotional measures and the reason for the significant increase in the RE intake under the Ninth TM and Tenth TM through the distributed RE systems. Miss Ellen Chow replied that the Government had introduced different measures, such as the Pilot Scheme on Building-Integrated Photovoltaics launched by the Electrical and Mechanical Services Department and new guidelines drawn up by the Buildings Department, to encourage the trade and public to explore the possibility of developing RE on their own land and premises. Miss Chow shared that the RE intake by CLP would be substantially attributed to the landfill gas from the West New Territories Landfill Gas Power Generation Units of CLP Power. On the Member's further question concerning the breakdown for FiT, Mr Tsang Wai-lik said that there were no breakdown figures on the item.

18. To address a Member's query, Mr Tsang Wai-lik said that RE accounted for about 1% of the fuel mix in Hong Kong in 2024 which was expected to rise to 2% in 2030.

Internal Discussion Session (Closed-door session)

19. Mr Leung Wai-man indicated that the TM was to be issued at least four years before the commencement of the emission year that it took effect. He said that for 2024 and 2025, the effective EAs were provided in the Eighth TM. The current review of the Ninth TM had been based on the projections for 2030 and beyond.

20. In reply to the Chairman's question, Mr Tsang Wai-lik confirmed that each power station listed in paragraph 8 of the paper had complied with the allocated EAs in all the past years.

21. Members were in support of the proposal to further tighten the EAs which could help improve the air quality of Hong Kong.

(Post-meeting notes: The presentation team and three Members left the meeting after agenda item 3.)

Item 4: Report on the 161st Environmental Impact Assessment Subcommittee Meeting (ACE Paper 8/2025)

22. The Chairman invited Members to refer to ACE Paper 8/2025 which reported the recommendations of the Environmental Impact Assessment Subcommittee (EIASC) on the Environmental Impact Assessment (EIA) report on Proposed Comprehensive Development with Wetland Enhancement (CDWE) at Nam Sang Wai (NSW) and Lut Chau (LC).

23. There was no declaration of interest by Members.

(Post-meeting notes: Four Members had declared interests before the EIASC meeting held on 14 April 2025. Two Members above had declared that the developer of the project might be a potential client for their companies while a Member declared that the developer had a significant connection with his organisation. The other Member had also declared that his company was working with the developer on an environmental expo and award. To avoid potential conflict of interests, the four Members refrained from attending the EIASC meeting and the current session of the ACE meeting.

The presentation team joined the meeting at this juncture.)

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

24. Ms Julia Chan briefed Members on the EIA project including the background, project description, key project benefits, proposed mitigation measures and supplementary information on 7 aspects as requested by the EIASC with the aid of a PowerPoint presentation.

25. Highlighting the major public concerns on the project as well as the comments made by the EIASC Members at the previous meeting, Ms Julia Chan provided responses to the comments and quoted relevant supporting details from the EIA report. With reference to the approval of the Town Planning Board, the Public-Private Partnership (PPP) arrangement under the New Nature Conservation Policy and the target of balancing development and conservation, Ms Chan explained that the proposed development site was located farthest away from Deep Bay and the Mai

Po Nature Reserve while the areas closer to the Ramsar Site were to be turned into a Nature Reserve and Wetland Enhancement Area respectively for conservation purposes. She said that the proposed development site would cause the least direct impacts as the re-provision of the reedbeds therein could be easily achieved in the short term. With the PowerPoint slides on the Distribution Map of Bird Species of Conservation Importance and light pollution simulations, Ms Chan illustrated the project proponent's efforts in minimising the impacts on the protected species through various measures including long-term planting of Eucalyptus trees, limiting height of buildings near the cormorant roost, limiting construction areas and lighting during works, adopting single aspect buildings in locations close to the mangrove etc. She also provided elaborations on the baseline data which had included data from historical researches and surveys as well as the relevant ecological surveys conducted for the EIA project. Before the commencement of the construction works, she said that the project proponent would conduct updated ecological surveys with a view to fine-tuning and updating the Conservation Management Plan (CMP). In terms of human disturbances, Ms Chan indicated that access to the wetland areas would be limited by access restriction, setting buffer zone, fencing and tall vegetation barriers as far as practicable. In addition, she explained that there would be improvement in fisheries through quality enhancement of fish pond production and bird-friendly designs would be adopted for buildings in the development site. Members were also informed of the other elements in the environmental monitoring and audit (EM&A) manual including blue-green infrastructure against climate change, the updated construction programme etc.

Impacts on Habitats

26. A Member enquired if native species would be selected for the Eucalyptus trees planting programme. Mr Paul Leader replied that as the cormorants had selected some exotic species of Eucalyptus trees for roosting, the project proponent would aim to provide a mix of exotic and native species to ensure a good and healthy Eucalyptus community to diversify the planting species.

(Post-meeting notes: Condition 2.18 of the Environmental Permit issued on 17 June 2025 requires the permit holder to deposit a compensatory tree planting implementation plan before commencement of construction. It states that native species shall be deployed as far as possible, unless the deployment of exotic species would bring ecological enhancements.)

27. Concerning the slides on light simulation results, a Member enquired if Surface 2A could be further improved with reference to Surface 2B. Ms Julia Chan explained that more mitigation measures were suggested for Surface 2B due to the proximity of the buildings to the mangrove and the fact that Mai Po Bent-winged Fireflies (MPBWF) were found in the south of the site whereas Surface 2A was facing the Yuen Long industrial area which was less sensitive and not close to the MPBWF habitats. For mitigation purpose, standard window instead of curtain wall was proposed to be installed for buildings indicating along Surface 2A. On the

Member's further question on light simulation assessment for the bridge, Ms Chan said that the developer could consider the matter in the design of the bridge, and the EIA report recommended measures to minimise light disturbance by the bridge including low-level lighting and high parapet. Mr M Y Wan added that the solid parapet of the bridge facing the south would block out all vehicle headlights.

28. A Member sought to have more details about the low-impact construction method and the materials to be used for building the bridge. Mr M Y Wan clarified that they would adopt the mainstream bridge construction method, i.e. precast or steel elements would be prepared off-site for subsequent site assembly.

Baseline Survey

29. A Member invited the project proponent to clarify those errors in the EIA report as identified by the public and EIASC Members. Dr Michael R Leven explained that some bird species which the public considered might be present on the site such as Benelli's eagle had actually declined dramatically in Hong Kong over the years. Regarding the location of the cormorant roost and its recent changes, he considered that the extent to the change was over-emphasised by the public as the cormorants changed their roost locations every year. The above notwithstanding, he said that a re-survey would be conducted next winter and the design and plans would be updated accordingly, if required. As regards the total number of bird species recorded which should be 53 instead of 52, he said that the difference would not constitute a change to the conclusions from the conservation perspective.

30. A Member noted that the project proponent would conduct updated surveys before the commencement of the construction works and she asked if more detailed assessments related to the public comments or identified discrepancies would be included. Dr Samuel Chui clarified that at the current stage, the ACE would need to consider if the surveys conducted for the current EIA project had met the requirements of the EIA Study Brief and the Technical Memorandum on the EIA process under the EIAO (EIAO-TM). If it was concluded that the EIA requirements were met and the project was to be approved, the project proponent would then need to conduct a baseline survey before the commencement of the project and the purpose of the survey was to check if any changes to the planned construction works would be required. Dr Chui indicated that cormorant roosting locations identified by different parties in different points of time were different as the birds were mobile. Dr Michael R Leven confirmed that they had surveyed on the Great Cormorants over a number of winters and their roost locations had changed. They expected that the roost location would again be different in next winter.

31. A Member opined that the project proponent could consider involving the general public in an advisory board to be set up for the project through which they could obtain more sources of updated information including ongoing research which was yet to be published. Mr M Y Wan replied that they would discuss with AFCD and EPD to include relevant stakeholders in the advisory board.

Public-private partnership

32. In reply to a Member's enquiry on the conservation arrangement after the completion of the wetland enhancement works, Ms Julia Chan confirmed that the project proponent would provide funding to ensure the long-term conservation of the wetland and they would maintain communication with the Government on the subsequent arrangements under the PPP arrangement.

Project Timeline

33. A Member enquired if the total time required for the project could be shortened to less than 8 years and whether a baseline survey would be conducted between the different development phases to monitor the sustainability of the proposed conservation measures. Mr M Y Wan replied that the development works would be taken forward by phases in order to contain the relevant impacts to the environment. He shared that upon the completion of the first phase of the project, the area concerned would serve as a barrier to protect Mai Po and Deep Bay from other phases of works which would have diminishing impacts with farther distance. Mr Paul Leader added that they would undertake a single baseline survey for the entire site, but throughout the construction programme including the construction of the wetland enhancement areas, there would be continuous monitoring as detailed in the EM&A manual, which would be consistently and continuously reviewed in the light of the development of the project. He said that the CMP included a very clear-cut contingency plan for any issues that should arise based on the review of the data.

34. On the updated programme timeline, a Member queried whether the less than 12-month establishment periods for some enhancement works were realistic. Mr Paul Leader explained that the different establishment periods were reflecting different habitats in different phases. For instance, the upgrading of fish ponds would take less time resulting in shorter establishment periods whereas more vegetated habitats such as reedbeds would require longer establishment periods.

35. To address a Member's questions on the time frame and the pros and cons of relocating the reedbed in the development site to the selected areas in NSW and LC, Dr Michael R Leven explained that small reedbeds had limited ecological functions and large reedbed blocks were required to attract reedbed-dependant bird species such as Great Bitterns. Taking into consideration both the fisheries element and the nature conservation element and in consultation with AFCD, the proposed arrangement of locating the different habitats by putting part of the reedbed in LC and part in NSW was considered as an option that could offer the best balance for the different habitats. Mr Paul Leader supplemented that the bird species of conservation importance which used the reedbed habitats were very migratory. Putting some of the reedbeds at LC would increase the conservation value of LC by diversifying the habitats which could also serve as an alternative in case of pest infection in other reedbeds.

36. The Chairman highlighted the importance of the EM&A Plan which would serve as a continuous baseline measurement with monitoring functions. He remarked that the project was a good one and if successfully implemented, it would be a good demonstration case for the enhanced ecological system in Deep Bay and the nearby wetland conservation areas.

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

Internal Discussion Session (Closed-door session)

37. Dr Samuel Chui remarked that the project proponent had provided more details about the project according to the EIA report submitted to EPD and addressed the relevant public comments and the previous comments made by the EIASC. Dr Chui pointed out that the project proponent had organised the project information in an improved manner as required by Members by quoting the relevant details in the EIA report to facilitate the discussion of the meeting. He said that EPD would continue to liaise with other project proponents with a view to adopting similar arrangements in future projects. The Chairman thanked EPD and all relevant parties including Members of the Council for their efforts and time in studying the project which was rather complicated involving different elements. EPD

Draft Conditions and Recommendations

38. At the Chairman's invitation, a Member provided a brief recap of the project including the number and stance of the public comments received and Members' views on the EIA report. He indicated that after detailed discussion at the meeting on 14 April 2025, the EIASC recommended the endorsement of the EIA report with four conditions and four recommendations as detailed at paragraph 9 of ACE Paper 8/2025. In particular, he highlighted the importance of the first condition which served to ensure conservation before construction and the third condition to ensure the inclusion of bird-friendly designs as a specification in the relevant tender documents. He invited Members to consider if the second and third recommendations could be combined as green building design was one way to achieve carbon neutrality or the two recommendations could be removed given that they were basic considerations of nowadays projects.

39. For the fourth condition on setting up an Environmental Advisory Group (EAG), the Chairman opined that the wording "to monitor" should better be refined as "to advise on" since the EAG was not part of the Government and should not be taking up the monitoring role. The Chairman suggested that the ACE could focus more on giving specific conditions and recommendations with direct relevance to the project rather than general ones which could be universally applicable to different projects.

40. Dr Samuel Chui shared the same view and agreed that conditions and recommendations proposed by the ACE should better be specific to the project concerned. Taking the EIASC's second recommendation as an example, Dr Chui said that carbon neutrality was not a requirement under the EIAO while the third condition could be considered as specific to the project because bird-friendly design was an element in the EIA report. To clarify Members' doubts on the subject, Mr Gary Tam supplemented that when an EIA report was considered acceptable for approval, the ACE could propose conditions and recommendations as appropriate for the DEP's consideration of the approval of the project. Given that a proposed condition would subsequently become a statutory condition in the Environmental Permit, the condition should therefore be clear and specific enough for implementation by the project proponent and enforceable by the authorities. He said that in general the proposed conditions could cover substantial issues concerning the governance or principles which must be complied with under the EIAO whereas recommendations could supplement on issues at a lesser magnitude such as technical issues like light impacts.

41. A Member agreed that the conditions and the recommendations should be more specific and suggested to refine the wording of the second and third recommendations in order to include both green building design and carbon neutrality as they would be beneficial to the environment as a whole. In addition, the Member opined that, apart from the Bird-friendly Design Guideline in the third condition, the construction design during the construction phase should also be covered in order to minimise the impacts of the construction works including the bridge. Mr Gary Tam indicated that the project proponent had provided the construction designs of various aspects under different sections of the EIA report. In addition, the CMP which included a clear and detailed timeline for various works items in the different stages of the project would serve as an essential reference for the implementation and monitoring of the overall project. In considering the ecological impact of the bridge, Mr Tam opined that the focus would be on the presence of any bridge pier structures in the river or on any overlapping with the flight path of birds etc. and the construction method of the bridge might not be a major factor for the EIA report.

42. On a Member's question on light impacts on fireflies, another Member replied that the fourth recommendation would cover different wildlife animals including fireflies and other insects. Mr Gary Tam clarified that the project proponent was required to address human disturbance to wildlife from the ecology perspective in the EIAO context.

43. Having regard to EPD's comments and after some clarifications and discussions, the meeting concurred that both the conditions and recommendations made by the ACE should cover material issues concerning the project. To allow Members to get a better understanding of the considerations and principles of drawing up conditions and recommendations for EIA projects, the Chairman

suggested and Dr Samuel Chui agreed that a separate briefing would be arranged for the purpose.

44. To sum up Members' previous discussion, a Member concluded that the first two conditions detailed at paragraph 9 of ACE Paper 8/2025 were important as they could respectively ensure the achievement of conservation before construction and the provision of an updated CMP with essential details including the financial and land arrangements to govern the implementation of the project. The meeting also agreed to keep the fourth condition on the establishment of an EAG with minor textual revision as suggested by the Chairman as it could facilitate the participation of relevant stakeholders in the project.

45. A Member furthered that the third condition concerning a Bird-friendly Design Guideline was necessary as the relevant information was not well-organised and clearly detailed in the EIA report. Another Member worried that including the item as a condition without the accurate wording might nullify the EIA report as the report had mentioned that curtain walls would not be used in the project. Another Member considered that a condition on bird-friendly design had to be reasoned to avoid queries on why other designs were not included.

46. In view of the technical nature of the issue, the Chairman suggested and a Member supported that the requirement would be proposed as a recommendation instead of a condition. The meeting also agreed that "a Bird-friendly Design Guideline" would be revised as "bird-friendly practices" to be adopted during different stages including the construction stage to minimise the relevant impacts to birds.

47. A Member explained that the first recommendation should be maintained as it was suggesting the project proponent to explore the feasibility of reusing and recycling the fallen trees and removed vegetations. Considering that carbon neutrality and green building management were basic considerations of nowadays projects and the former element was not a requirement under the EIAO, Members agreed that the second and third recommendations were no longer required.

48. As there would be an additional 6,000 residents in the development site, a Member opined that it was essential to include the last recommendation on light impacts which would help minimise the potential disturbance to all wildlife species. Another Member suggested revising the wording to read as "...devising specific and effective measures to minimise disturbance to wildlife during construction and operating phases such as...". In response to another Member's question on the subsequent implementation, Dr Samuel Chui said that different government departments would be involved in the subsequent discussions on the building design during which the developer would be required to take the ACE's recommendation into consideration.

49. With reference to Members' aforementioned comments, a Member concluded that the ACE could provide the following three conditions and three recommendations on the EIA report to the DEP.

(a) Conditions of Endorsement

The Project Proponent shall –

- (i) ensure no construction works at the residential development be allowed prior to the completion of wetland enhancement works at the proposed Lut Chau Nature Reserve (LCNR) and Nam Sang Wai Wetland Enhancement Area (NSW WEA). The Project Proponent shall seek the approval from DEP, in consultation with the AFCD, on the completion of the LCNR and NSW WEA;
- (ii) in consultation with AFCD, prepare an updated CMP for the proposed LCNR and NSW WEA. The CMP shall provide the design and implementation details of enhancement measures and the long-term management of wetlands within the LCNR and NSW WEA, including associated management and monitoring requirements (e.g. location, frequency and parameters), the implementation schedule, the financial and land arrangement, and the name of the management agent. The CMP shall be submitted to the DEP for approval at least one month before the commencement of wetland enhancement construction works at LCNR and NSW WEA; and
- (iii) set up an EAG to advise on the environmental aspects of the construction and establishment of the LCNR and NSW WEA at least three months before the proposed construction works. Membership of the EAG should comprise stakeholders with an interest or background in environmental and ecological issues.

(b) Recommendations

The Project Proponent is recommended to –

- (i) explore the feasibility of biomass management by reusing and recycling of the fallen trees and removed vegetations;
- (ii) minimise disturbance to wildlife during construction and operation phases by devising specific and effective measures, such as prohibiting the use of flood lights, directing outdoor lighting away from sensitive receivers, and avoiding the setting up of outdoor light emitting display panels; and
- (iii) consult AFCD to develop bird-friendly practices for the design, construction and operation within the building area of the project.

(Post-meeting notes: The above comments on the EIA report were submitted to DEP on 19 May 2025.)

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

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

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

51. The next ACE meeting was scheduled for 27 June 2025. Members would be advised on the agenda in due course.

52. There being no other business, the meeting was adjourned at 5:35 p.m.

**ACE Secretariat
July 2025**



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

19 May 2025

Director of Environmental Protection
(Attn: Mr TAM Cheuk-wai, Gary)
27/F., Southorn Centre
130 Hennessy Road
Wan Chai
Hong Kong

Dear Mr Tam,

**Environmental Impact Assessment Report on
“Proposed Comprehensive Development with Wetland Enhancement (CDWE)
at Nam Sang Wai and Lut Chau”**

The Advisory Council on the Environment (ACE) agreed that the Environmental Impact Assessment (EIA) Report on “Proposed Comprehensive Development with Wetland Enhancement (CDWE) at Nam Sang Wai and Lut Chau” (the Project) could be endorsed with the following conditions and recommendations –

Conditions of Endorsement

The Project Proponent shall –

- (i) ensure no construction works at the residential development be allowed prior to the completion of wetland enhancement works at the proposed Lut Chau Nature Reserve (LCNR) and Nam Sang Wai Wetland Enhancement Area (NSW WEA). The Project Proponent shall seek the approval from Director of Environmental Protection (DEP), in consultation with the Agriculture, Fisheries and Conservation Department (AFCD), on the completion of the LCNR and NSW WEA;

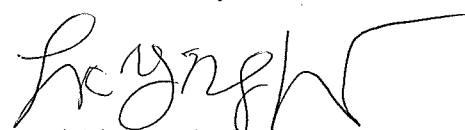
- (ii) in consultation with AFCD, prepare an updated Conservation Management Plan (CMP) for the proposed LCNR and NSW WEA. The CMP shall provide the design and implementation details of enhancement measures and the long-term management of wetlands within the LCNR and NSW WEA, including associated management and monitoring requirements (e.g. location, frequency and parameters), the implementation schedule, the financial and land arrangement, and the name of the management agent. The CMP shall be submitted to the DEP for approval at least one month before the commencement of wetland enhancement construction works at LCNR and NSW WEA; and
- (iii) set up an Environmental Advisory Group (EAG) to advise on the environmental aspects of the construction and establishment of the LCNR and NSW WEA at least three months before the proposed construction works. Membership of the EAG should comprise stakeholders with an interest or background in environmental and ecological issues.

Recommendations

The Project Proponent is recommended to –

- (i) explore the feasibility of biomass management by reusing and recycling of the fallen trees and removed vegetations;
- (ii) minimise disturbance to wildlife during construction and operation phases by devising specific and effective measures, such as prohibiting the use of flood lights, directing outdoor lighting away from sensitive receivers, and avoiding the setting up of outdoor light emitting display panels; and
- (iii) consult AFCD to develop bird-friendly practices for the design, construction and operation within the building area of the project.

Yours sincerely,



(Alan Lo)

Secretary

Advisory Council on the
Environment

c.c. ACE Chairman and Members