

**Confirmed Minutes of the 275th Meeting
of the Advisory Council on the Environment (ACE)
on 13 July 2026 at 2:30 p.m.**

Present:

Prof John CHAI, SBS, JP (Chairman)
Prof Kenneth LEUNG, BBS, JP (Deputy Chairman)
Mr CHEUNG Chi-wah
Mr Eric HO
Ms Linda HO
Mr Alex KWAN
Ms Grace KWOK
Dr Theresa KWONG
Mr Simon NG
Prof QIU Jian-wen
Mr Albert SU, MH, JP
Mr Jonathan WU
Dr William YU
Ms Fabia TAM (Secretary)

Absent with Apologies:

Ms Ada FUNG, BBS
Prof Alexis LAU, JP
Prof Dennis LEUNG
Mr Daryl NG, SBS, JP
Prof WONG Kam-bo
Dr Raymond YAU

In Attendance:

Environment and Ecology Bureau (EEB)

Ms Heidi CHENG	Principal Information Officer
Ms Karen CHEK	Chief Executive Officer (CBD)
Ms Cynthia LAU	Executive Officer (CBD) 1
Miss Glory CHONG	Executive Officer (CBD) 2
Miss Michelle WONG	Executive Officer (CBD) 2 (Designate)

Environmental Protection Department (EPD)

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

Agriculture, Fisheries and Conservation Department (AFCD)

Mr Simon CHAN	Assistant Director (Conservation)
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Planning Department (PlanD)

Ms Isabel YIU	Acting Assistant Director of Planning / Technical Services
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In Attendance for Item 4:*EPD*

Dr Vanessa AU, JP	Deputy Director of Environmental Protection (1)
Mr FONG Kin-wa	Assistant Director (Air Quality Management)
Dr LAW Chi-wing	Principal Environmental Protection Officer (Assessment & Noise)

Development Bureau (DEVB)

Ms Pecvin YONG, JP	Deputy Secretary for Development (Planning & Lands) 1
Ms Apple LAU	Assistant Secretary (Northern Metropolis) 3

Transport and Logistics Bureau (TLB)

Mr Melvin NG	Principal Assistant Secretary for Transport & Logistics 3
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In Attendance for Item 5:*EPD*

Ms Clara U	Principal Environmental Protection Officer (Territory North)
Ms Hyde MAK	Senior Environmental Protection Officer (Territory North) 3
Mr William WONG	Environmental Protection Officer (Territory North) 31

AFCD

Mr Boris KWAN	Senior Nature Conservation Officer (North)
Ms WONG Cheuk-ling	Nature Conservation Officer (Kam Tin)

Project Proponent Team*Highways Department (HyD)*

Mr Patrick NG	Project Manager / Major Works
Mr Derek CHUNG	Chief Engineer 6 / Major Works
Mr James CHOW	Senior Engineer 3 / Northern Metropolis Highway

Project Consultant*AECOM Asia Company Limited*

Mr Freeman CHEUNG	Team Leader (Environment)
Mr Steven WONG	Deputy Team Leader (Environment)
Ms Connie CHAN	Deputy Project Manager
Mr Alex LI	Managing Director
Ms Gigi LAM	Ecologist

In Attendance for Item 6:*EPD*

Ms Marlene HO	Principal Environmental Protection Officer (Territory South)
Ms Jenny TSANG	Senior Environmental Protection Officer (Territory South) 1
Mr Andy WONG	Environmental Protection Officer (Territory South) 11

AFCD

Dr SO Chi-ming	Senior Marine Conservation Officer (Advisory)
Mr LAM Chun-pong	Marine Conservation Officer (Advisory) 2

Project Proponent Team

Airport Authority Hong Kong (AAHK)

Mr Peter LEE	Chief Sustainability Officer
Mr Paul LAU	General Manager, Engineering
Mr Chris WONG	General Manager, Land & SKYTOPIA Projects

Project Consultants

Ove Arup & Partners Hong Kong Limited

Mr Franki CHIU	Director
Mr Barry WONG	Associate Director

ERM-Hong Kong, Limited

Mr Raymond CHOW	Partner
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Action

The Chairman welcomed all to the meeting and informed Members that apologies of absence had been received from Ms Ada Fung, Prof Alexis Lau, Prof Dennis Leung, Mr Daryl Ng, Prof Wong Kam-bo and Dr Raymond Yau.

Item 1 : Confirmation of the draft minutes of the 274th meeting held on 11 May 2026 (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 40th Nature Conservation Subcommittee Meeting (ACE Paper 6/2026)

4. The Nature Conservation Subcommittee (NCSC) Chairman reported the key discussions on “Proposed Amendments to the Wild Animals Protection Ordinance (Cap. 170)” at the 40th NCSC Meeting. Members’ suggestions and key discussions were summarised in ACE Paper 6/2026.

Item 4 : Dedicated Legislation to Accelerate the Development of the Northern Metropolis – Environmental Protection Related Matters (ACE Paper 7/2026)

5. The Chairman invited Members to refer to *ACE Paper 7/2026*, which provided an overview of the legislative proposals in relation to environmental protection matters to be taken forward under the proposed Northern Metropolis (NM) Development Bill, including the Construction Noise Control Proposal to streamline the procedures and requirements for Construction Noise Permits (CNPs)

while maintaining the construction noise standard; and the Cross-Boundary Flows Proposal to facilitate the use of construction equipment in cross-boundary infrastructure construction projects.

6. 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)

7. With the aid of a PowerPoint presentation, Dr Vanessa Au briefed Members on the legislative proposals and legislative timetable.

Streamlined Procedures

8. In response to a Member's questions on the acceleration of the NM development through the streamlined procedures, other critical path issues and the extension of the arrangements to projects outside the NM, Dr Vanessa Au indicated that the streamlined procedures could shorten the processing time for CNPs from 18 to 14 days whereas their maximum validity would be extended from six months to one year. She said that, following a reduction in the number and frequency of CNP applications by half and the waiver of applications for adjustments of machinery deployment, the administrative work would be greatly reduced for the industry while the actual time saved for each individual project would be subject to the circumstances of the project concerned. Dr Au added that the new arrangements could also facilitate the deployment of plant and machinery from Shenzhen for the construction of cross-boundary railway projects which would be critical to supporting the NM development. She remarked that given the strategic significance of NM, it was indeed the Government's intention to confine the applicable areas of the proposed legislation only to the NM at this stage, as well as to apply the streamlined procedures for CNPs and facilitation of deployment of plant and machinery to certain construction projects as specified in the Bill only.

9. A Member asked whether the conditions stipulated in the Environmental Permits (EPs) would take precedence over the new dedicated legislation for NM and whether enforcement actions would remain unchanged. Dr Vanessa Au confirmed that statutory requirements of the EPs under the Environmental Impact Assessment (EIA) framework and the new legislation were both legally binding and would operate in parallel. She said that EPD would adopt a proactive monitoring mechanism by issuing early reminders to contractors when there were signs of non-compliance and enforcement actions would continue be taken against non-compliance.

10. A Member hoped that the legislative exercise would be completed soon to speed up the NM development which was an important project for Hong Kong in alignment with the First Five-Year Plan for Economic and Social Development of the Hong Kong Special Administrative Region (2026-2030) (Five-year plan). He

opined that the new approach would not undermine the existing regulatory work and law enforcement standards.

Noise Control Measures and Standards

11. A Member enquired if the operating hours for powered mechanical equipment (PME) could be extended as it was quieter than conventional machinery. Dr Vanessa Au responded that the Government encouraged the adoption of quieter PME and other noise mitigation measures. On the Member's further questions concerning noise data sharing and the release of official guidelines on equipment adoption, Dr Au informed that operational guidelines on equipment would be issued for contractors' reference. Under the new Technical Memorandum (TM), contractors would be required to conduct on-site noise monitoring, submit regular data to EPD and display the real-time noise level at construction sites.

12. With reference to a Member's questions on noise control standards under the streamlined procedures and the measures to ensure the living quality of residents in the NM when construction works were done on a 24-hour basis, Dr Vanessa Au assured that the existing noise standards remained unchanged although the procedures were simplified. As the noise standards were calculated based on the distance between the construction sites and the nearby residential premises, additional noise mitigation measures would be required under the TM if domestic premises were present within 100 m of the construction works.

Conclusion

13. Members were supportive of the new legislative proposals which adopted a revolutionary and performance-based approach to solve the bottleneck for the development of the NM. The Chairman remarked that the NM was a strategic development project in Hong Kong's Five-Year Plan as it would serve as a key hub for innovation and technology, education, housing and industry. He encouraged the Government to follow through with the process to accelerate the implementation of the new legislation with a view to enhancing the efficiency of NM development while maintaining rigorous regulatory noise control.

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

Item 5 : Report on the 165th Environmental Impact Assessment Subcommittee Meeting - EIA report on "NM Highway – San Tin Section" (ACE Paper 8/2026)

14. The Chairman invited Members to refer to *ACE Paper 8/2026* which reported the recommendations of the EIASC on the EIA report on NM Highway – San Tin Section.

15. A Member declared that her company would be involved in an MTR project in the vicinity of the project area which might have an impact on the current EIA. Another Member also declared at the EIASC meeting held on 15 June 2026

that his company had business relationships with the project proponents of agenda items 5 and 6. To avoid potential conflict of interest, the Member abstained from joining the subsequent discussion of the current project while the other Member from both projects.

(Two Members left while the presentation team joined the meeting at this juncture.)

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

16. Mr Patrick Ng briefed Members on the background of the project while Mr Freeman Cheung reported the key EIA findings, mitigation measures as well as the project proponent's responses to comments from the public and EIASC Members with the aid of a PowerPoint presentation.

Ecological and Environmental Impacts

17. In response to a Member's suggestion on the coordination of water resources for the 5-hectare (ha) of wetland and the downstream Ngau Tam Mei (NTM) drainage revitalisation works, Mr Steven Wong assured that HyD would work out with CEDD the water resources issues to create cross-project synergy. The Chairman followed up to ask for more details on the coordination of water resources of the two projects. Mr Freeman Cheung indicated that the detailed wetland water sourcing design, hydraulic assessment and cross-departmental coordination arrangements would be provided in the Habitat Creation and Management Plan (HCMP). Ms Connie Chan added that seasonal water monitoring would be launched soon to formulate the water retention arrangements for both projects to facilitate the preparation of the HCMP. The HCMP would be finalised in consultation with Environmental Committee (EC) before submission to the authorities.

18. The Chairman sought to know the basis of the assessment on the noise impacts on egrets and bats. Ms Connie Chan shared that an artificial intelligence (AI) camera was deployed to observe bird behaviours near San Tin Highway (STH) at Kam Tin River. Monitoring data showed that persistent roadside noise of the highway environment did not have much impact on the activities of egrets in the area whereas the bat roost found in the assessment boundary was located in a disused school surrounded by village houses. Given that the alignment and height of the new viaduct near Kam Tin River would be similar to those of STH, Ms Chan said that the overall impacts on birds were assessed to be low. Additionally, she confirmed that a compensatory bat shelter would be provided under the Northern Link Environmental Permit. As both the disused school and the proposed bat shelter were outside the alignment, the overall impacts on bats were also assessed to be low.

19. To address a Member's question on the possibility to deploy full-enclosure noise barriers for the residential sites near Pok Wai, Mr Steven Wong replied that all noise mitigation options would be reviewed and finalised in the Road Traffic

Noise Mitigation Plan (RTNMP) based on actual site conditions and the requirements stipulated in the EIAO-TM. The Member suggested the adoption of the small pocket forest techniques for planting more native species along the highway to boost biodiversity. Mr Wong said that suitable locations would be explored for the purpose.

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

Internal Discussion Session (Closed-door session)

Ecological Impacts

20. Having regard to Members' concern on the noise impacts to birds, Ms Clara U explained that AI bird-recording devices had been installed near Kam Tin River since October 2025 and no bird collision events were recorded. Apart from resident egrets, black-winged stilts, wild ducks and other migratory birds were found near the viaduct. She said that the numbers and species of assemblages were comparable to those at wetland parks. A Member remarked that bridge piers could provide shaded habitats for fish and barnacles which were food for birds. Dr Samuel Chui supplemented that equipment was deployed to observe bird behaviours in different habitats near the bridge structures. The results showed that, even with traffic on the existing viaduct, there were neither noticeable disturbance to birds nor bird collision incidents. On the contrary, foraging and sheltering activities were observed under the viaduct. Based on such evidence, it was concluded that extra mitigation measures for birds were not required.

21. While noting the observation results, the Chairman considered the relevant assessment in the EIA report about a future project a bold one. A Member also had reservations on the project proponent's comments on the birds' adaption to the high-traffic environment because adaptation to noise disturbance did not equate to an absence of impacts.

Draft Conditions

22. Members considered that the EC should be consulted before the finalised HCMP was submitted to DEP under the first condition while the brief introduction on wetland monitoring under the second condition should be fine-tuned to reflect its obligatory nature.

23. Members noted that the third condition was meant to provide a clear pointer to deploy AI fire detection systems as a fire preventive measure. With reference to the Chairman's enquiry, Mr Gary Tam confirmed that fire control was not a requirement under the TM. Mr Simon Chan remarked that the project proponent had noted Members' views on deploying AI for fire monitoring and further details about fire control measures would be contained in the finalised Woodland Compensation Plan (WCP). Considering that fire control was only one of the possible measures to support woodland sustainability and the requirement

was outside the statutory EIAO framework, Members agreed that it was not necessary to highlight this aspect in the condition. Instead, the EC should be consulted before the finalised WCP was submitted to DEP.

24. Members agreed to the fourth condition on consolidating those mitigation measures in the EIA report for the protection of wildlife to serve as a standardised implementation guidelines for contractors down the road. The guidelines should be submitted to the EC to be established under the fifth condition.

25. Regarding the sixth condition on the submission of a finalised RTNMP, Mr Gary Tam explained that it allowed flexibility for adjusting the mitigation measures in the finalised version of the nearby private housing development. A Member considered that the project proponent might consider providing at-source mitigation measures after the locations of the sensitive receivers were confirmed. In response to the Chairman's question on the need for the RTNMP to be considered by the EC, Mr Gary Tam explained that the RTNMP would not require much advisory inputs given its technical nature.

26. Based on the recommendations of the EIASC with some amendments incorporated, the meeting agreed to endorse the EIA report with the following six conditions.

(a) Brief Introduction

- (i) The Project Proponent had committed to enhancing and integrating the existing ponds and marsh / reed habitats located to the west of the NTM Water Treatment Works, with the aim of creating a diverse and interconnected wetland habitat of approximately 5 ha (S.8.11.4.8 of the EIA report). A HCMP had been prepared and appended to the EIA Report. Condition (1) was recommended to require the submission of a finalised HCMP.
- (ii) During the EIA study, the Project Proponent installed an AI-powered monitoring device at the Kam Tin River to better understand bird utilisation of the wetland habitats. Based on the monitoring findings, specific mitigation measures had been devised (S.8.8.2.10 of the EIA report). For example, piling works during the dry season would be scheduled to take place at high tidal levels (i.e. above 1.0 mCD), when the riverbed of the Kam Tin Main Drainage Channel was largely submerged, in order to minimise disturbance to the watercourse and associated avifauna. To further strengthen environmental monitoring for wetland habitat (S.7.3.3 of the Environmental Monitoring & Audit (EM&A) Manual), Condition (2) was recommended to require the submission of a proposal of the smart monitoring initiatives.
- (iii) The EIA had proposed a woodland compensation site at She Leng (S.8.11.4.6 of the EIA report). Together with the adjacent woodland

compensation areas proposed under other projects, a contiguous and sizable woodland area of approximately 22 ha would be formed, with the potential to achieve moderate to high ecological value. The Project Proponent had committed to preparing a WCP. Condition (3) was recommended to require the submission of a finalised WCP.

- (iv) Certain sections of the proposed alignment were located in close proximity to recognised sites of conservation importance and other ecologically sensitive areas, including the Lam Tsuen Country Park. The EIA report had proposed a range of ecologically friendly mitigation measures (S.8.11.3 of the EIA report), such as the extensive adoption of viaduct structures to facilitate wildlife movement beneath the highway, and the incorporation of bird-friendly design features, including the use of non-transparent and non-glaring materials for noise barriers. Condition (4) was recommended to require the submission of a Design Plan on Wildlife-friendly Measures (DPWFM) to consolidate the relevant mitigation measures.
- (v) For continuing the public engagement (S.8.11.4.10 of the EIA report) during the course of design and construction for the Project, Condition (5) was recommended in setting up an EC for the Project, comprising government departments, green groups and academics, to advise on the preparation of the HCMP, WCP and DPWFM.
- (vi) In view of the planned developments along the proposed alignment (S.4.4.1.4 of the EIA report), liaison with the proponents of the planned developments was necessary to refine both at-source mitigation measures (such as the erection of vertical and cantilever noise barriers) and at-receiver mitigation measures (such as the provision of acoustic windows), with a view to formulating a cost-effective and practicable proposal. Condition (6) was recommended to require the submission of a finalised RTNMP.

(b) Conditions

The Project Proponent should –

- (1) submit a finalised HCMP for the proposed wetland compensation and enhancement areas as recommended in the EIA report to the DEP for approval no later than three months before the commencement of construction of the wetland compensation and enhancement areas. Specifically, the HCMP should include the collaboration with the relevant authorities on the NTM Drainage Channel revitalisation. Moreover, construction works at the wetland habitat to the west of NTM Water Treatment Works should commence only after the construction of the wetland compensation and enhancement areas had begun. The Project Proponent should consult AFCD and EC (as per Condition (5) below) on

the HCMP prior to submission to the DEP;

- (2) no later than three months before the commencement of construction of the Project, submit a proposal of smart initiatives (including AI-powered device) to enhance the monitoring works of birds and mammals at the wetland compensation and enhancement areas and at Kam Tin River to the DEP for agreement;
- (3) submit a finalised WCP for the compensatory woodland as recommended in the EIA report to the DEP for approval no later than three months before the commencement of compensatory woodland planting. Any construction works of the Project affecting the existing woodland should start only after the commencement of compensatory woodland planting. The Project Proponent should consult AFCD and EC (as per Condition (5) below) on the finalised WCP prior to submission to the DEP;
- (4) submit the DPWFM for the Project, including highway structures and noise barriers, to the DEP for approval no later than three months before commencement of construction of the Project. The DPWFM should consolidate the measures proposed in the EIA report to minimise threats including bird collision and road kills, and barrier effects on wildlife movements. The Project Proponent should consult AFCD and EC (as per Condition (5) below) on the DPWFM prior to submission to the DEP;
- (5) set up an EC no later than three months before the commencement of construction of the Project. The EC should advise on the preparation of the HCMP, WCP and DPWFM, and review the effectiveness of implementation of the proposed ecological mitigation / enhancement measures of the Project according to the EIA report and the approved HCMP, WCP and DPWFM. The EC should have a wide representation such as representatives of the relevant government departments (including AFCD), green groups and academics. The list of members and terms of reference of the EC should be submitted to the DEP for approval; and
- (6) no later than six months before the commencement of construction of road traffic noise mitigation measures, submit a finalised RTNMP to the DEP for approval. The Project Proponent should liaise with the relevant implementation party(ies) of the planned developments as identified in the EIA report along the project alignments prior to submission to the DEP.

(Post-meeting notes: The ACE's comments on the EIA report were submitted to the DEP on 24 July 2026.)

Item 6 : Report on the 165th Environmental Impact Assessment Subcommittee Meeting - EIA report on “Water Recreation and Yacht Bay Development” (ACE Paper 9/2026)

27. The Chairman invited Members to refer to *ACE Paper 9/2026* which reported the recommendations of the EIASC on the EIA report on Water Recreation and Yacht Bay Development.

28. The Chairman declared that his subsidiary company might submit tender for the development project of AAHK. A Member declared that AAHK was a Member of the Business Environment Council (BEC) and Mr Peter Lee was their Board Director. While there was no collaboration between BEC and Mr Peter Lee on the current EIA project, BEC was conducting capacity-building work for AAHK under a commercial service contract. Members also noted that another Member had declared before the EIASC meeting that his company would submit tender for the Water Recreation and Yacht Bay area. To avoid potential conflict of interests, the Chairman and the Member abstained from joining the subsequent discussion of the project while the other Member was absent from the meeting. The Deputy Chairman took over the chairmanship from this point onward.

(The Chairman and a Member left while another Member and the presentation team joined the meeting at this juncture.)

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

29. Mr Peter Lee briefed Members on the background while Mr Franki Chiu reported the key EIA findings, mitigation measures as well as the project proponent's relevant responses to comments from the public and EIASC Members with the aid of a PowerPoint presentation.

Ecological and Environmental Impacts

30. A Member asked about the risks of invasive species from foreign vessels and the testing of residual copper content from anti-fouling agents. Mr Peter Lee replied that there was no assessment on invasive species in the EIA report as Hong Kong was a busy port with large volume of overseas vessels. Mr Lee informed that they would engage local academics to work out a suitable sampling and testing arrangements for monitoring the impact of antifouling agents. He welcomed other suggestions from Members.

31. A Member was pleased to note the revised proposal with an extended eco-shoreline. Mr Peter Lee explained that two of the seawalls were not covered in the original proposal as they were located in shallow waters close to the South Runway and it could be hazardous to aviation activities if foraging birds were attracted to the areas. He said that aviation safety considerations would be incorporated into the relevant eco-shoreline design in consultation with the EC.

32. In reply to a Member's enquiry about the breakdown of opposing public comments, Mr Peter Lee stated that the opposing comments were mostly expressing concerns about the possible impacts on Chinese White Dolphins while others were mainly about the transportation impacts on Tung Chung Bay during the construction period. He added that quite some of those comments were repetitive or containing similar contents.

Marine Operation Management

33. The Deputy Chairman sought details about the booking system as Members were concerned about the effectiveness of the penalty arrangements. He also asked why referral of breaching cases to the enforcement authorities would not be made a standard arrangement. Mr Peter Lee said that any non-compliance records would affect a user's future booking and all vessels would be reminded of the Marine Park regulations, including speed limit and the possibility of referring violating cases to enforcement authorities at the time of booking. He explained that the nature and severity of the violations as well as the availability of sufficient evidence would be considered before a case was referred. He assured that serious breaches would definitely be referred to the relevant authorities.

34. As regards the Deputy Chairman's query on the "non-normal circumstances" for night-time water park activities, Mr Chris Wong explained that normally water activities would not be held after evening for safety reasons, but night-time events such as nocturnal eco-kayaking and waterfront concerts might be permitted for special occasions. He said that applications for night-time events would be assessed on a case-by-case basis against a list of criteria including the nature and time of the event, noise levels and environmental impacts involved. Mr Wong indicated that they would adjust the wording to make it clear that night-time events would only be held rarely on special occasions.

35. In response to a Member's question, Mr Chris Wong responded that the berthing places associated with a proposed hotel in the study area were covered by a previous EIA report.

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

Internal Discussion Session (Closed-door session)

Marine Operation Management

36. The Deputy Chairman remarked that staff of AAHK should not be tasked to make a judgement on when and whether to refer a violation case to the authorities as they were not enforcement officers. The Government should liaise with AAHK to work out an arrangement for data referral to AFCD or EPD for consideration of enforcement actions.

37. Having regard to a Member's questions on the enforcement authorities and actions, the Deputy Chairman shared that Marine Park was under the jurisdiction of AFCD which could conduct joint operations with the Police. While not involved in AFCD's operations, Dr Samuel Chui shared EPD's experience in environmental enforcement actions. He said that successful prosecutions relied on solid evidence and the chain of custody which tracked the collection and handling of the evidence. Mr Simon Chan echoed that footage alone without a complete chain of custody might not be sufficient to satisfy court requirements. The Deputy Chairman and the Member suggested that AFCD and EPD should work closely with AAHK to ensure that the data would be collected in an appropriate manner to facilitate enforcement work in the future. The Deputy Chairman shared that AAHK had experience in successful marine operation management and enforcement through their vessel speed monitoring system established for the Third Runway project.

38. Ms Marlene Ho added that the approval condition on Marine Traffic Management Plan (MTMP) would oblige the project proponent to set out details about the real-time vessel tracking system including data collection and integrity and proper arrangement for referring data to AFCD.

Draft Conditions

39. With reference to past practices, the Deputy Chairman proposed that the project proponent should consult AFCD on the Eco-shoreline Implementation Plan (ESIP) and the Ecological Enhancement Plan (EEP) before the commencement of the relevant construction works. In addition, an EC should be established to advise on the preparation of relevant plans. To address a Member's enquiry, the Deputy Chairman responded that eco-shorelines could be regarded as mitigation and ecological enhancement measures under the EIA Ordinance.

40. Members agreed that the project proponent should be required to submit a MTMP and an Environmental Management Plan for the Water Park (EMPWP) to ensure that the ecological impacts including disturbances to marine mammals and other environmental impacts would be kept to the minimum.

41. Members noted that anti-fouling agents were already under the control of prevailing laws and regulations. The impacts of anti-fouling agents were assessed to be low in the EIA report and Members agreed that a condition on this aspect was not necessary.

42. Based on the recommendations of the EIASC with some amendments incorporated, the meeting agreed to endorse the EIA report with the following five conditions.

(a) *Brief Introduction*

- (i) Eco-shoreline would be provided at the breakwaters under this Project. As stated in the EIA report (EIA S.7.7.2.4 and S.7.7.2.5), an eco-shoreline study report, including recommendations on the types of eco-shoreline, design plans, and the implementation programme would be prepared and submitted to the authority for agreement prior to commencement of construction works. Condition (1) was proposed to require the submission of an ESIP in specifying the types of the eco-shoreline and the implementation plan.
- (ii) Other potential ecological enhancement features, such as artificial reefs, oyster shell reefs, restocking of fish fries / shellfishes and translocation of corals, would also be explored to further enhance the marine ecological resources and support ecological functions during the detailed design, taking into account the marine conditions, exposure of wave and storm surge, bathymetry, substrate and adjacent usage and activities (EIA S.7.7.3.1). Condition (2) was proposed to require the submission of an EEP in specifying the types of ecological enhancement features to be adopted and the implementation plan.
- (iii) As stated in EIA S.2.11.1.1, the project proponent had conducted a series of consultation activities to collate comments from different stakeholders. For continuing the public engagement, Condition (3) was proposed for setting up an EC to advise on the preparation of the ESIP and EEP (as required under Conditions 1 and 2, respectively).
- (iv) According to EIA S.7.7.2.2, smart initiatives would be adopted to monitor the travel speed and travel routes of the visiting yachts with an aim to minimise the interaction with the adjacent marine parks so as to minimise disturbance to marine mammals. S.7.4.1.4 and S.7.7.2.2 of the EIA also stated that a prebooking and registration arrangement that linked booking priority with compliance performance on relevant environmental practices including vessel speed control, vessel travel routes to reduce footprint within marine parks would be implemented. Condition (4) was proposed to require the submission of a MTMP in specifying the relevant controls accordingly.
- (v) An EMPWP would be developed prior to the operation to control activities in the Water Park, covering operation guidelines and details such as demarcation of Water Park boundary, provision of positioning devices for water sports vessels, vessel speed control, code of conduct on marine mammal encounter, no wastewater discharge, promotion of use of biodegradable and ocean friendly sunscreen, and Special Events arrangement at Water Park and its preventive measures, etc. (EIA S.2.3.1.5). Condition (5) was proposed to require the submission of an the

EMPWP in specifying the environmental practices to be implemented in the Water Park.

(b) Conditions

The Project Proponent should –

- (1) no later than 3 months before commencement of construction of the eco-shoreline, in consultation with AFCD and EC (set up under Condition (3)), submit the ESIP to the DEP for approval. The ESIP should include recommendations on the types, design and extent of eco-shoreline to be implemented at each proposed breakwater (i.e. the proposed three breakwaters at Hong Kong Port South Berthing Facility and the proposed vertical breakwater at Tung Chung East Marina) and the implementation programme;
- (2) no later than 3 months before commencement of construction of the Project, in consultation with AFCD and EC (set up under Condition (3)), submit the EEP to the DEP for approval. The EEP should provide (a) the types of ecological enhancement features to be adopted, including artificial reefs, oyster shell reefs, restocking of fish fries / shellfishes; (b) the design, location and quantity of the ecological enhancement features; and (c) the implementation programme of the ecological enhancement features;
- (3) set up an EC no later than 4 months before the commencement of construction of the Project. The EC should be consulted to advise on the preparation of the ESIP and the EEP and review the effectiveness of implementation of the proposed requirements and ecological enhancement measures of the Project according to the EIA report and the approved ESIP and EEP. The EC should have a wide representation including representatives of relevant government department (including AFCD), green groups and academics. The list of members and terms of reference of the EC should be submitted to the DEP for approval;
- (4) no later than 3 months before commencement of operation of the proposed Marina, in consultation with AFCD, submit the MTMP, to the DEP for approval. The MTMP should include (a) the imposition of speed limit for the vessels under the Project and the visiting yachts, (b) the suggested vessel travel routes; (c) the set-up of the real-time vessel tracking system including data integrity measures and the smart initiatives to be adopted; (d) the mechanism to alert the concerned vessels in case of deviation; and (e) the implementation arrangement of the compliance performance linked booking and registration system with a view to minimising disturbance to the adjacent marine parks. The Project Proponent should review the marine traffic movement data and submit the data bi-monthly to EPD and AFCD and also report annually to the ACE on the effectiveness of the MTMP for the first two years of operation of the Project; and

- (5) no later than 3 months before commencement of operation of the Project, submit the EMPWP, to the DEP for approval. The EMPWP should include the environmental practices to be implemented in the Water Park, including the demarcation of Water Park boundary, area for motorised water sports and means to track the position of the motorised water sport vessels, vessel speed control, promotion of use of biodegradable and ocean friendly sunscreen, and the arrangement, types of Special Events to be held at Water Park and the preventive measures.

(Post-meeting notes: The ACE's comments on the EIA report were submitted to the DEP on 24 July 2026.)

Item 7 : Any other business (Closed-door session)

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

Item 8 : Date of next meeting (Closed-door session)

44. Members would be advised on the agenda in due course.
45. There being no other business, the meeting ended at 5:35 p.m.

**ACE Secretariat
October 2026**