

**Confirmed Minutes of the 150th Meeting
of the Environmental Impact Assessment Subcommittee
on 10 January 2022 at 2:00 p.m.**

Present:

Prof Nora TAM, BBS, JP (Chairperson)
Prof Kenneth LEUNG, JP (Deputy Chairman)
Ms Ada FUNG, BBS
Ir Samantha KONG
Ms LAM Chung-yan
Ms Julia LAU
Dr Winnie LAW
Dr MA Kwan-ki
Dr Jeanne NG
Dr SUNG Yik-hei
Mr Simon WONG, BBS, JP
Dr WONG Kwok-yan, MH
Dr Raymond YAU
Ms Becky LAM (Secretary)

Absent with Apologies:

Prof Alexis LAU, JP

In Attendance:

Mr Owin FUNG	Deputy Director of Environmental Protection (3), Environmental Protection Department (EPD)
Mr Terence TSANG	Assistant Director (Environmental Assessment), EPD
Mr Stanley LAU	Principal Environmental Protection Officer (Strategic Assessment), EPD
Ms Mable CHAN	Senior Environmental Protection Officer (Strategic Assessment) 1, EPD
Ms Noel YIM	Assistant Environmental Protection Officer (Strategic Assessment) 14, EPD
Mr Simon CHAN	Assistant Director (Conservation), Agriculture, Fisheries and Conservation Department (AFCD)
Mr Boris KWAN	Senior Nature Conservation Officer (North), AFCD
Dr Azaria WONG	Nature Conservation Officer (Yuen Long), AFCD
Miss Sally SHEK	Executive Officer (CBD) 1, EPD

Miss Ingrid SUEN

Executive Officer (CBD) 2, EPD

In Attendance for Item 2:

Project Proponent Team

*World Wide Fund for Nature
Hong Kong*

Ms Nicole WONG, CEO

Ms Fion CHEUNG, Manager, Flyway Planning and
Training

We Deliver Consultancy Limited

Mr Gregory ERNST, Director

SMEC Asia Limited

Mr Alexi BHANJA, Managing Director

Mr Fred NG, Associate

Ms Cindy CHUNG, Senior Environmental
Consultant

aec Limited

Mr David STANTON, Director

Mr Geoff CAREY, Consultant Ecologist

Ms Grace LEUNG, Associate

Action

The Chairperson welcomed Members to the meeting by “Zoom” and informed Members that apologies of absence had been received from Prof Alexis Lau.

Item 1 : Matters arising

2. The draft minutes of the last meeting held on 13 September 2021 were confirmed by circulation on 30 September 2021 without any proposed amendments.

3. The Chairperson reported that the Environmental Impact Assessment (EIA) report on “Relocation of Diamond Hill Fresh Water and Salt Water Service Reservoirs to Caverns”, which was submitted to the EIA Subcommittee for discussion and approved by the Director of Environmental Protection (DEP) with conditions on 13 September 2021 and 16 November 2021 respectively. Members were informed of the above information by email on 17 November 2021.

4. There was no matter arising from the minutes of the last meeting.

Item 2 : Discussion on EIA report on “Mai Po Nature Reserve Infrastructure Upgrade Project”

(ACE-EIA Paper 1/2022)

5. The Chairperson informed the meeting that during the public inspection period of the EIA report on “Mai Po Nature Reserve Infrastructure Upgrade Project” from 19 November to 18 December 2021, there were no public comments received by EPD.

6. There was no declaration of interest by Members.

7. The Chairperson informed that the discussion would be divided into the Presentation and Question-and-Answer Session which would be opened to the public while the Internal Discussion Session would remain closed.

8. The Chairperson reminded Members to keep confidentiality of the discussion on the EIA report.

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

Presentation Session (Open session)

9. Ms Nicole Wong gave an opening remark and briefed Members on the project background of the Mai Po Nature Reserve (MPNR) Infrastructure Upgrade Project. Ms Cindy Chung, Mr Geoff Carey and Ms Grace Leung followed to explain the details of the assessment on different perspectives including environmental impacts, mitigation measures and environmental monitoring and audits programme with the aid of a PowerPoint presentation.

Question-and-Answer Session (Open Session)

Project Timeframe

10. With a view to minimising potential adverse impact on the ecology, a Member suggested that the timeframe of construction works should be compressed and the peak season of bird migration should be avoided. Ms Cindy Chung explained that no outdoor works would be carried out during the dry season, which was considered as the most ecologically sensitive period when there was a large

number of migratory waterbirds. Ms Nicole Wong supplemented that the timeframe for the proposed construction works was small scale as the project schedule had to be tied in with the planned maintenance works as outlined in the MPNR Management Plan 2019-2024.

Proposed Wooden Boardwalk

11. While a Member was supportive of the upgrading of infrastructure in MPNR, he expressed concern on the durability of the proposed wooden boardwalk under adverse weather condition and frequent usage by the visitors. To address the concern, Ms Cindy Chung advised that durable type of wood would be considered for the boardwalk.

12. Considering that the proposed boardwalk would be built above the existing concrete footpath which might not be in a good condition in the long run, the Chairperson was concerned that the existing concrete footpath would affect the durability of the proposed boardwalk. Ms Cindy Chung explained that the new boardwalk would be supported by new footings adjacent to the existing concrete footpath and the condition of the existing concrete footpath should not affect the proposed boardwalk. Ms Nicole Wong shared that public opinions were taken into consideration for the construction of the proposed boardwalk to avoid the unnecessary demolition and construction works for the existing concrete footpath.

13. A Member was also concerned about the disturbances or damages to the ecology brought by the wooden boardwalk such as the frequent maintenance in the operation phase. Ms Cindy Chung informed that the wooden boardwalk was designed in such that installation and maintenance could be carried out by hand-held tools, therefore disturbance to the ecology caused by maintenance works would be reduced to the minimum. In response to the concern from the Chairperson and the Member on the durability of the wooden boardwalk, Ms Nicole Wong anticipated that wooden boardwalks could normally last for 8 to 15 years.

Egretty Mitigation Measures

14. In reply to a Member's enquiry on the mitigation measures should any egretty be found in the project site, Mr Geoff Carey explained that mitigation measures to be deployed would be according to the actual circumstances such as the location of the egretty. They would consider mitigation measures such as extra

screening and adjustment on the construction timing. In consultation with the AFCD, Mr Carey assured that the most appropriate mitigation measures would be adopted. The Member further suggested that mitigation measures should be devised for some possible scenarios as general references.

Tree Pruning or Felling Works

15. The Chairperson considered that plans for tree pruning or felling works should be devised to mitigate any potential impact to the wildlife, including bats or birds prior to the works. Mr David Stanton explained that careful inspection would be carried out by experienced ecologist should there be any tree pruning or felling works.

Bamboo Species for Screen Planting

16. In response to a Member's question on the choice of bamboo species for screen planting, Mr Geoff Carey said that only native bamboo species would be deployed in the project.

Contamination of Sediment

17. A Member shared that the sediment in Mai Po was found to be highly contaminated with trace metals and reminded the project proponent to be cautious in handling sediment in the project. The Chairperson went on to ask about details of the dredging and excavation works of this project. Ms Cindy Chung confirmed that no dredging was required in this project (but minor excavation works would be required), and sediment generated would be backfilled upon the completion of construction works. As regards the amount of sediment to be excavated, Ms Chung replied that it would be more certain at the design stage.

18. To handle the excavated sediment in MPNR, Ms Nicole Wong said that WWF would closely monitor the ecology in MPNR and implement various habitat enhancement measures devised in the MPNR Management Plan. She considered that water quality for Inner Deep Bay and Shenzhen should be improved such that further contamination of sediment in MPNR should be avoided in the long run.

Habitat Enhancement

19. Two Members considered that the project proponent should take the opportunity to enhance the habitat quality of MPNR in the long term. Ms Nicole Wong explained that the proposed new tower hides and education areas would benefit scientific research and enhance learning experience of the visitors. She said that a detailed five-year MPNR Management Plan had been devised to set out strategies for conserving and enhancing the habitat and ecology in the project site.

Proposed Tower Hides

20. The Chairperson was concerned about the adverse impact on the ecology arising from the construction works and considered that the number of visitors for the existing tower hide should be provided to justify the construction of an additional tower hide. Ms Cindy Chung explained that the construction of a new tower hide instead of expanding the existing one could avoid the unnecessary tree felling and reduce the flow of visitors in the existing tower hide.

Crowd Control Measure

21. A Member was concerned that the number of visitors might increase after the upgrading of infrastructure and cause disturbances to the ecology. Ms Cindy Chung explained that only visitors with permits issued by the AFCD were allowed to enter the MPNR and they were tours guided by WWF.

Carbon Emissions

22. As regards the plans for reducing carbon emissions, Ms Nicole Wong considered that this project might not play a significant role in contributing to the achievement of carbon neutrality in view of the small scale of the project. The enhancement of the facilities would benefit public education in MPNR and would drive positive behavioural change for visitors. She added that WWF would spare no efforts in minimising adverse impact on the environment in the project. A Member suggested that WWF should give due consideration to evaluate and monitor the carbon footprints of MPNR with a view to contributing to the achievement of carbon neutrality.

Conclusion

23. There being no further questions from Members, the Chairperson thanked the project proponent team for their detailed presentation and clarification on the project.

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

Internal Discussion Session (Closed-door session)

24. The Chairperson advised that the EIA Subcommittee should make recommendations to ACE on the EIA report with the following consideration:

- (i) endorse the EIA report without condition; or
- (ii) endorse the EIA report with conditions and / or recommendations; or
- (iii) defer the decision to the full Council for further consideration, where issues or reasons for not reaching a consensus or issues to be further considered by the full Council would need to be highlighted; or
- (iv) reject the EIA report and inform the project proponent of the right to go to the full Council.

25. The Chairperson proposed and Members agreed to endorse the EIA report with conditions and recommendations.

Ecological Mitigation Measures

26. A Member suggested that the project proponent should devise mitigation measures for possible scenarios where egretry might be found in the project site. The Chairperson suggested incorporating a recommendation for the project proponent to devise egretry mitigation measures, in consultation with the AFCD. She further suggested, with the support of another Member, that the project proponent should also be recommended to devise mitigation measures for tree pruning or felling should bats or active bird nests were identified on the project site.

27. Mr Terence Tsang suggested that if Members considered the mitigation measures for egretry as well as tree pruning or felling were essential, they could be put as endorsement conditions. The Chairperson proposed and Members supported that a condition should be imposed to require the project proponent to devise an

Egretry Mitigation Measures Plan (the Plan) by qualified ecologist(s) with a view to mitigating any potential adverse impact / disturbance to the egret and breeding ardeids, if they were identified in the vicinity of and might be affected by the proposed works. The project proponent should consult the AFCD on the Plan prior to submission to the DEP for approval before commencement of the construction works.

28. The Chairperson further proposed with the support of the meeting that condition should be imposed for the project proponent to devise a Tree Pruning / Felling Plan (the Plan) by qualified ecologist(s), if tree pruning / felling was necessary, with a view to mitigating any potential adverse impact / disturbance to the wildlife, including bats or birds. The project proponent should consult the AFCD on the Plan prior to submission to the DEP for approval before commencement of the construction works.

Proposed Wooden Boardwalk

29. A Member considered that the project proponent should elaborate on the alternative materials of the footpath being considered, such as pebbles, and the justifications for proposing wooden boardwalk in the EIA report. Mr Terence Tsang informed that the project proponent considered that wooden boardwalk was more suitable for the project than other alternative materials such as pebbles as it was accessible for wheelchair and compatible with the surrounding natural environment.

30. The Chairperson opined that the construction for the wooden boardwalk including the design and the construction method might not be clear enough. Mr Terence Tsang explained that according to project proponent, there would be a gap between the new wooden boardwalk and the existing concrete footpath. As such, the condition of the concrete footpath would not affect the durability of the wooden boardwalk. The Chairperson pointed out that some footings of the wooden boardwalk might be built on top of the concrete footpath. As such, she was concerned that conditions with the concrete footpath might still affect the wooden boardwalk, including the maintenance works in the long run. A Member suggested that the project proponent should devise a maintenance plan for the wooden boardwalk including its expected lifespan, estimated timing and method of maintenance works.

31. The Chairperson suggested and Members agreed to impose a condition for the project proponent to develop, in consultation with the AFCD, a method statement and management plan for the design and construction of the wooden boardwalk, including but not limited to the maintenance of the wooden boardwalk and the existing concrete footpath beneath the wooden boardwalk, with a view to minimising disturbances to the wildlife and sensitive habitats in the vicinity. The Plan should be submitted to the DEP for approval before commencement of the construction works.

Bamboo Species for Screen Planting

32. A Member suggested that the project proponent should evaluate the invasiveness of the proposed bamboo species to be used as screen planting. The Chairperson concurred with the Member and suggested that the project proponent should conduct a review with sound justifications, in consultation with AFCD, for selecting non-invasive species for the Project. Mr Boris Kwan pointed out that the proposed bamboo species for screen planting was one of the species recorded in the MPNR.

33. A Member suggested imposing a condition to ensure that only non-invasive species should be used for screen planting in the MPNR. The Chairperson reminded that the project proponent would be required to comply with the conditions under EIA Ordinance, and thus any imposed conditions should be enforceable without ambiguity. She opined and echoed by Mr Boris Kwan that the invasiveness of species might not be easily identified and suggested imposing as a recommendation instead of a condition.

34. The Chairperson suggested and Members agreed to recommend the project proponent to identify and justify the choices of the bamboo species used for screen planting, in consultation with the AFCD, with a view to avoiding invasive species being deployed in the project.

Contamination of Sediment

35. A Member suggested that the project proponent should avoid contamination of the vicinity should there be any excavation or dredging works. Given that the sediment would be backfilled after any excavation works and the amount of materials

involved was comparatively small, Mr Terence Tsang considered that there should not be adverse environmental impact in this respect.

36. Two Members were concerned about the potential contamination of the vicinity when the excavated sediment was temporarily stored on the nearby bunds. Mr Stanley Lau supplemented that in case of heavy rainfall, the sediment which was temporarily stored on the nearby bunds might be washed down to the adjacent gei wais which would be fully drained and thus fully contained without affecting the nearby waterbodies. In addition, he advised that a conservative estimate of inert construction and demolition materials was around 96 tonnes.

37. In view of Members' concern about potential contamination, the Chairperson suggested and the meeting agreed to recommend the project proponent to minimise the amount of excavated materials generated from the proposed construction of tower hides, reduce the duration of the temporary storage of the sediment on the nearby bunds as well as backfilling as far as practicable in order to avoid possible cross contamination in the works area and the immediate vicinity.

Habitat Enhancement

38. Considering that there was a lack of positive impact on the overall habitat quality of the MPNR in this project, the Chairperson proposed and the meeting agreed to recommend the project proponent to explore ways to enhance the habitat quality in the project site as far as practicable.

Carbon Emissions

39. A Member suggested that the project proponent should enhance efforts in bringing positive impact to the environment, such as reducing carbon emissions. The Chairperson proposed and Members supported to recommend the project proponent to adopt effective and innovative measures to minimise carbon emissions arising from the proposed construction works with the aim to achieve carbon neutrality within the project site.

Crowd Control Measure

40. As significant increase in the number of visitors was not anticipated, the meeting agreed that no condition or recommendation was necessary in respect of visitor management.

Construction of TH3

41. In view that there was no environmental concern on the construction of TH3, the meeting agreed that no condition or recommendation was necessary in respect of the location and construction of TH3.

42. There being no other comments from Members, the meeting agreed that the EIA report could be endorsed with three conditions and four recommendations. The project proponent team would not be required to attend the full Council meeting.

(Post-meeting notes: The list of proposed conditions and recommendations was circulated to Members for comments on 13 January 2022.)

Item 3 : Any other business*(i) Report on Members' comments on project profiles*

43. The Chairperson informed that the following EIA Study Briefs were circulated to ACE since the last EIASC meeting held on 13 September 2021:

	Project Profiles	Public inspection period	No. of comments from ACE
(i)	Construction of Annex Block at Hong Kong Observatory Headquarters, Tsim Sha Tsui	21 September to 4 October 2021	NIL
(ii)	Tuen Mun Bypass	5 to 18 October 2021	1
(iii)	Reclamation for Kau Yi Chau Artificial Islands	12 to 25 November 2021	6
(iv)	Kau Yi Chau Artificial Islands Development	12 to 25 November 2021	6

(v)	Hong Kong Island - Northeast Lantau Link	12 to 25 November 2021	5
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(ii) *Informal briefing on the Artificial Islands Study Briefs*

44. The Chairperson informed that subsequent to the ACE meeting on 6 December 2021, an informal meeting was arranged on 20 December 2021 for the discussion on issues in relation to the Artificial Islands Study Briefs. The EIA Study Briefs of the three projects in relation to the Artificial Islands were issued on 24.12.2021 and Members were informed by email on the same day.

(iii) *Withdrawal of application -- EIA report on "Cycle Track between Tsuen Wan and Tuen Mun (Tuen Mun to So Kwun Wat)"*

45. The Chairperson reported that the EIA report on "Cycle Track between Tsuen Wan and Tuen Mun (Tuen Mun to So Kwun Wat)", which was selected by EIASC Members for discussion at an EIASC meeting, had been withdrawn by the project proponent. The project proponent explained that they would re-submit the EIA report later. Pending the re-submission, the secretariat would provide Members with the updated / revised Executive Summary of the EIA report and Members would be invited to consider the selection status of the EIA report again.

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

Item 4 : Date of next meeting

47. The Chairperson advised Members that the next EIASC meeting was scheduled for 14 February 2022 to discuss the EIA report on "Re-provision of Open Cycle Gas Turbines at Lamma Power Station". Members would be advised on the agenda in due course.

**EIA Subcommittee Secretariat
February 2022**