

**Confirmed Minutes of the 203<sup>rd</sup> Meeting of  
the Advisory Council on the Environment  
held on 27 January 2015 at 2:30 pm**

**Present:**

Prof Paul LAM, SBS, JP (Chairman)  
Prof CHAU Kwai-cheong, BBS, JP (Deputy Chairman)  
Ir Cary CHAN  
Prof FUNG Tung  
Dr Billy HAU  
Dr HUNG Wing-tat, MH  
Dr Michael LAU  
Prof Albert LEE  
Ir Prof Irene LO  
Ir MA Lee-tak, SBS  
Prof John NG  
Miss Yolanda NG, MH  
Prof Nora TAM, BBS, JP  
Dr Eric TSANG  
Ir Conrad WONG, BBS, JP  
Prof Jonathan WONG, MH, JP  
Mr Stanley WONG, SBS, JP  
Ms Pansy YAU  
Dr Eric YIP  
Mr Andrew LAI (Secretary)

**Absent with Apologies:**

Mr Anthony LOCK  
Mr Luther WONG  
Dr Carrie WILLIS, SBS, JP

**In Attendance:**

Ms Anissa WONG, JP	Permanent Secretary for the Environment / Director of Environmental Protection
Mr SO Ping-man	Assistant Director (Conservation), Agriculture, Fisheries and Conservation Department (AFCD)

Mr Wilson CHAN	Assistant Director of Planning / Technical Services, Planning Department (PlanD)
Ms Esther LI	Principal Information Officer, Environmental Protection Department (EPD)
Miss Evelyn LEUNG	Chief Executive Officer (CBD), EPD
Ms Daicie TONG	Executive Manager (CBD), EPD

### **In Attendance for Item 2:**

Mr KS WONG	Secretary for the Environment
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### Action

#### **Item 1 : Welcoming remarks**

The Chairman thanked Mr KS Wong, Secretary for the Environment to join the meeting and he would brief Members on the environmental initiatives in the 2015 Policy Address. He welcomed Ir Cary Chan, Dr Michael Lau, Prof Albert Lee, Ir Prof Irene Lo, Ir LT Ma, Ir Conrad Wong and Mr Stanley Wong who newly joined the Advisory Council on the Environment (ACE) for the current term. The Chairman also registered his sincere thanks to seven retired members, i.e. Dr Gary Ades, Dr Dorothy Chan, Mr Oscar Chow, Prof Li Xiang-dong, Dr Alfred Tam, Prof Ray Yep and Prof Ignatius Yu for their valuable support and contributions to the Council in the past years.

#### **Item 2 : Briefing by the Secretary for the Environment on the environmental initiatives in 2015 Policy Address** *(ACE Paper 1/2015)*

#### **Presentation and Question-and-Answer Sessions (Open Session)**

2. With reference to a powerpoint presentation, Mr KS Wong highlighted five priority areas announced in the 2015 Policy Address, namely air quality, water quality, combating climate change and energy conservation, waste management and nature conservation. He assured Members that the Government was determined in taking forward the initiatives in the coming years and leading Hong Kong to become a more sustainable and liveable city. The Chairman invited Members to give their comments on these initiatives.

***EIA process and consultations***

3. A Member suggested that the Environment Bureau (ENB)/EPD could engage ACE in the environmental impact assessment (EIA) process and the formulation of environmental initiatives in an early stage. He also proposed the Government to partner with green groups in implementing environmental initiatives so as to maximize community support. Another Member echoed that environmental policies and major infrastructural projects discussed at ACE could indeed bring positive contributions to the overall development of Hong Kong through improving the built environment and enhancing ecology and conservation efforts. It was unfortunate that public attention was often drawn to the criticisms towards these policies/projects. There could be a paradigm shift for ACE to make a more positive contributing role in the consultation process. A Member remarked that the Government should take into account the cumulative impacts of development projects in an area and conduct strategic environmental assessments and engagements. A case in point was the development plan of Tung Chung New Town extension viz. the Hong Kong-Zhuhai-Macao Bridge (HZMB) and the third runway projects.

4. A Member said that as the advisory role of ACE had been stipulated in various environment-related ordinances, further consideration could be given on the protocols as when and how ACE could be engaged in the policy formulation process. Another Member said that the Government should undertake comprehensive and sustained public engagements on environmental policies. He opined that ad hoc engagement exercises would not be conducive to facilitate meaningful discussions in the community. A Member appreciated the efforts made by ENB/EPD in involving non-governmental organizations (NGOs) to promote public awareness on different environmental initiatives in the community. She suggested that the partnership could be strengthened at district levels by engaging more local residents in the process.

***Electricity efficiency and green buildings***

5. A Member opined that the 5% electricity saving target set for Government buildings in the coming five years appeared to be conservative. He said that the Government should set an example for the private sector to work towards greater reduction of electricity consumption for their buildings. He pointed out that while new building designs had been successful in promoting energy efficiency, further efforts had to be made for existing

buildings which accounted for some 80% of all buildings in the territory. The Member suggested that long-term strategies could be devised to sustain the community's efforts in energy saving and efficiency. Another Member echoed his support for energy efficiency performance in buildings. He suggested the Government to adopt a more aggressive energy saving target for both Government and private buildings and take a pioneering role in meeting the green building standards such as BEAM Plus. This could encourage the private sector to invest more in improving energy efficiency performance of their buildings.

### ***Electric vehicles***

6. A Member said that charging infrastructure was a crucial factor in supporting the wider use of electric vehicles. He pointed out that while some charging points were open for use by the public free of charge, other operators would levy parking fees when rendering the charging service. The Member opined that under the prevailing legislation governing the sales of electricity, only the two power companies could charge the public on the use of power and that might constrain the development of charging stations. He enquired if the Government would review the situation and negotiate with the two power companies for liberalizing the sales of electricity at charging stations in the forthcoming review of the Scheme of Control Agreement. The Member also suggested the Government to offer more incentives for companies to operate charging points as a sustainable business. Another Member added that the Government should take the lead in overcoming various technological challenges in order to encourage the wider use of electric vehicles in Hong Kong.

### ***Environmental industry and accreditation of environmental professionals***

7. A Member suggested that the Government should encourage the environmental sector in Hong Kong to help develop the territory into a "smart city". From a macro perspective, comprehensive plans should be devised to nurture young talents and establish accreditation systems for personnel in the environmental sector for enhancing professionalism of environmental protection in Hong Kong.

8. A Member suggested that the Education Bureau could have an active role in promoting an environment-conscious culture and instilling behavioural

changes in the community. He supported the suggestion to foster young talents in Hong Kong for developing the environmental sector. Accreditation systems should also be established to enhance the career opportunities of the young generation. Another Member echoed the importance of education and professional accreditation. He pointed out that the Government should promote the core value of ecological citizenship, i.e. citizens had both rights as well as obligations to protect the environment. A Member also asked the Government to strengthen the promotion of environmental education and consider setting up accreditation systems which would help reinforce the professional status of environmental experts in Hong Kong.

### ***Nature Conservation***

9. A Member said that the Sai Wan management plan should be drawn up carefully without causing undue impacts on the ecological integrity and naturalness of the area. He suggested that the Government should conduct a strategic study on the biodiversity status of Sai Wan with relevant stakeholders before developing the management plan. The Member also asked EPD to submit the draft Biodiversity Strategy and Action Plan (BSAP) for discussion in ACE.

10. A Member enquired about the progress of the Harbour Area Treatment Scheme Stage 2B that would improve water quality outside Victoria Harbour. He was concerned that quality of the western waters off Hong Kong, being the important habitats for the Chinese White Dolphins (CWDs), was of poor quality because of the pollutants brought from the Pearl River and generated locally. The Member appreciated the commitment of establishing marine parks at the Brothers Islands as well as the southwest Lantau waters off Fan Lau and Soko Island for the protection of CWDs. However, the key core area off West Lantau identified by the long-term monitoring and scientific studies was left out. The West Lantau waters should be included in the present round of designation of marine parks for the conservation of the declining Chinese white dolphin. He was also concerned that while green groups agreed with the criteria for selecting important country park enclaves to be designated as country park, there were serious doubts on the assessment process and the list of enclaves selected. In the Country and Marine Parks Board meeting, some members had expressed disagreement in view that some of the areas with high biodiversity values had not been included.

11. A Member referred to a recent news report on the noticeable decrease in the CWD population in north Lantau waters near the airport. He opined that it was imperative for the Government to step up protection measures for CWDs. Regarding agricultural development under the New Agricultural Policy, the Member said that agricultural lands were important habitats for various wildlife species. Citing the recent initiatives in developing agricultural lands in Lai Chi Wo near Sha Tau Kok in northeast New Territories, he commented that relevant bureaux and departments could work closer to develop the lands serving both farming and nature conservation values. Another Member shared that the relevant policy bureaux and departments should work together to implement the pledged environmental initiatives.

12. A Member, with reference to his experience in the Environment and Conservation Fund (ECF), suggested the Government to rationalize the various funding schemes undertaken by different policy bureaux and departments in promoting environmental and other social activities at different levels so as to better meet changing needs in the community.

13. A Member suggested that climate change strategies should be discussed by ACE as meteorological changes would affect people's livelihood across the globe in an unprecedented scale.

14. Mr KS Wong gave a general response to the observations and comments raised by Members –

- (a) Thematic engagement exercises had been arranged on a wide range of initiatives such as air quality, resources management, energy saving and green building, and conservation. A “bottom-up” approach was adopted to gauge community views on municipal solid waste charging, while a system of steering committee with working groups and focus groups was used for drawing in advice/views from experts and relevant stakeholders before preparing the BSAP public consultation;
- (b) The Government had achieved the 5% electricity saving target up to 2013/14 for existing buildings. It could be very challenging for new buildings to excel further in energy reduction taking into account that some of them had already met exemplary standard under the “BEAM Plus” Platinum certification;
- (c) ENB/EPD would continue working with the relevant bureaux and

departments to foster a low-carbon and liveable built environment to reduce Hong Kong's overall demand on electricity consumption. Further initiatives on promotion of energy saving and green buildings would be announced in the coming months;

- (d) ECF had approved eight food waste reduction proposals targeting at redistribution of surplus food in 2014. It would be of added value if the funding applications could bring about social benefits to the community;
- (e) EBD/EPD had joined hands with the relevant policy bureau, e.g. the Development Bureau and the Transport and Housing Bureau in preparing the blueprints on air quality and waste management. Close cooperation among government bureaux would ensure the smooth implementation of various environment-related initiatives;
- (f) Accreditation systems and training pathways for environment-related professionals had been established by relevant organisations such as “BEAM Professional” of the Hong Kong Green Building Council with support from the Government;
- (g) ENB/EPD would continue working with the Education Bureau in promoting environmental education in schools;
- (h) Community Green Stations would first be set up in Shatin and the Eastern District. EPD would partner with NGOs to strengthen environmental education and promote green living. Waste reduction and recycling activities could gear towards local needs;
- (i) EPD would review the promotion of food wise and waste reduction culture through green education in schools as well as close cooperation with relevant government departments;
- (j) Sai Wan management plan would help conserve the existing natural environment of the area. Eco-tourism and associated activities would be carried out in a sustainable manner;
- (k) The Government had pledged to protect CWDs which would be impacted by the HZMB and the third runway projects and would implement the necessary mitigation measures;
- (l) Priorities had been set for improving water quality on both sides of Victoria Harbour. Improvements measures would be extended to other areas in phases; and
- (m) Plans on Hong Kong's strategies on combating climate changes would be discussed by ACE in the run-up of the United Nations Climate Change Conference to be held in Paris by end 2015.

15. Ms Anissa Wong said that the Government had engaged and consulted ACE at different stages of policy formulation and review of environmental initiatives. ENB/EPD would continue to engage ACE as appropriate in policy development. As regards the EIA process, Ms Wong explained that the mechanism was governed by the EIA Ordinance (EIAO). An EIA report prepared by the project proponent would be under thorough assessment by EPD in consultation with the relevant authorities in accordance with the provisions under the EIAO and its Technical Memorandum. The project proponent had to comply with the provisions in the EIA Ordinance and respond to comments from ACE and the public. Members would consider the impacts and effectiveness of the proposed mitigation measures when advising on an EIA report. It might thus confuse the role and impartiality of ACE if it were to act on behalf of the project proponent to engage the public during the EIA process. Ms Wong further advised that though not within the EIA statutory framework, project proponents were encouraged to have more communications and engagements with the public and relevant stakeholders on the key green features of their projects during their EIA studies. They were also encouraged to work towards meeting the latest environmental standards, e.g. green building certification.

16. On promotion of the environmental sector, Ms Anissa Wong said that the sector comprised various professional streams, such as electrical engineering, ecology, waste management, air scientists, waste water treatment etc.. The Government had been pursuing a wide range of measures to promote environmental protection in the community, which helped facilitate growth of the sector. For example, Government's work on green procurement could facilitate the development of certification and accreditation services, recycling industries and professional services relating to energy efficiency. As regards the nurturing of young talents, EPD was supportive of curriculum development and training on environmental management, sustainability and conservation of resources, ecology and worked in collaboration of educational and professional institutions towards this aim.

17. Responding to a Member's concern on provision of charging facilities for electric vehicles, Mr Andrew Lai explained that there were neither statutory nor contractual restrictions on the supply of electricity that would restrict the development of charging stations in the public and private sectors. He advised that among the current 1 100 charging points, around half of the facilities were set up by the Government for use by the public free of charge. The remaining ones were managed by private operators which mostly were also opened to



public use free of charge. These operators were positive about the business opportunities brought by electric vehicles and would consider expanding their market share, e.g. in residential estates. The Government would continue to review the latest technological advancement and market trends on the wider use of electric vehicles.

18. As regards the issues on BSAP, Dr So Ping-man advised that AFCD had introduced a new approach in formulating the plan through a steering committee supported by working groups and focus groups to study specific themes on biodiversity. Several ACE Members were involved in the BSAP work and had been providing valuable advice to AFCD. Members from a wide spectrum in the community, including academics, district councillors and representatives from concerned groups had been engaged in the study at an early stage to help formulate relevant strategic plans and action plans. This approach could enhance the public understanding and collate expert views during the study process. Strategic goals and guiding principles would be set out in the BSAP document, which contained more than 30 major recommendations for action. Public consultation on the BSAP blueprint would be launched soon, with phased implementation commencing by end 2015. Progress of implementing BSAP would be reviewed once every five years.

19. The Chairman concluded that Members were supportive of the environmental initiatives in the 2015 Policy Address and the efforts of ENB/EPD in leading Hong Kong to become a sustainable and green city. He thanked Mr KS Wong for his briefing and his response to Members' comments and suggestions.

*[Mr KS Wong left the meeting at this juncture.]*

### **Internal Discussion Session**

20. For the benefits of the new Members, the Chairman said the terms of reference of ACE was to tender comments/views to the Government viz. the EIA regime and formulation of environmental policy initiatives. As regards the EIA process, the protocols for ACE to consider an EIA report were governed by the EIA Ordinance. The statutory timeframe so stipulated did not allow ACE much room to conduct public engagements, nor was it the role of ACE to do so. While the public were free to give their views to ACE, there were no statutory requirements that the Council by itself had to collect and consider public

comments before discussing an EIA report. In fact, EPD was the authority under the EIA Ordinance to receive/handle public views on an EIA report. The Chairman said that in the last term, ACE Members generally felt that project proponents should be encouraged to engage and consult relevant stakeholders during their EIA studies and to organize forums to gauge public views in the process. ACE Members could be invited to attend these forums to better understand community views.

21. A Member pointed out that it was very important for Council Members, especially Members in EIASC to give comments to EPD when the project proponent applied for an EIA Study Brief for a designated project under the EIA Ordinance. She explained that the EIA Study Brief was the first key milestone in the EIA process that would set the scope of environmental issues which the project proponent had to answer/address when conducting the EIA study.

22. A Member said that in general, EIA reports submitted to ACE were very complicated covering a wide range of environmental issues. He suggested that the project proponent might be invited to give a pre-meeting briefing to EIASC Members on the key issues in the EIA report as well as views from relevant stakeholders collected and the mitigation/compensation measures to be introduced. This could enable Members to have a firmer grasp of the key issues in the EIA report before EIASC formally met, and hence facilitate the Subcommittee in making informed recommendations on the EIA report for consideration by the full Council.

23. The Chairman said that with an elevated expectation in the community that ACE should assume a more active advisory role on environmental matters, Members could consider a possible option for ACE to function similar to a “think tank” whereby the Government would engage/consult its advice in a much earlier stage when formulating policy initiatives.

24. A Member said that Members should also give due consideration on the time and efforts they would be ready to commit if ACE was to take a much more proactive advisory role at an early stage of policy formulation. Another Member suggested if the Secretariat could prepare a tentative list of agenda items for the year for Members’ advance information. This could facilitate them to get prepared for individual agenda items. A Member followed that ACE could consider setting up ad hoc working groups on specific themes and

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invite experts from outside the Council to provide advice. He considered that these working groups could accommodate a much wider expertise and experiences.

25. The Chairman remarked that most of these suggestions had indeed been discussed and reviewed by ACE in the last term. He suggested, and Members agreed, that after new Members gained more practical experience in the work of the Council, further review on the role of ACE could be conducted as appropriate.

**Item 3 : Confirmation of the draft minutes of the 202<sup>nd</sup> meeting held on 15 December 2014**

26. The draft minutes, which had incorporated comments from Members of the last term, were confirmed without amendments.

**Item 4 : Matters arising from the minutes of the 202<sup>nd</sup> meeting held on 15 December 2014**

27. The Chairman said that a site visit arranged by the MTR Corporation Ltd. (MTRC) was originally scheduled on 28 January afternoon. MTRC informed the Secretariat in the evening of 26 January that they had to postpone the visit on ground of safety concerns at the Sung Wong Toi works site. This was the second time that MTRC had postponed the visit for ACE recently, the last time was November 2014.

28. Members considered that ACE, being the principal environmental advisory body of the Government with a statutory role under the EIA process, had the duty to understand whether and how far the environmental mitigation measures pledged in the EIA reports for railways projects had indeed been implemented on the ground. They expressed deep regrets on the last-minute cancellation of the visit.

29. Members agreed that the Secretariat should write to the senior Secretariat management of MTRC to draw their attention on the matter and asked for a visit by ACE in the near future.

*[Post-meeting note: The site visit would be held on 13 March.]*

**Item 5 : House Rules of ACE**

*(ACE Paper 2/2015 – for internal discussion)*

30. The Secretary briefed Members on the background regarding the proposed changes in paras. 29 – 32 of the House Rules of ACE for reflecting the new meeting arrangements adopted by the Council since September 2013. The arrangements aimed to enhance the transparency of ACE businesses.

31. Members agreed to update the House Rules and endorsed the changes as proposed. The Secretariat would issue the updated House Rules (January 2015) to Members for internal reference after the meeting. Secretariat

**Item 6 : Election of Chairman/Deputy Chairman of the three subcommittees**

32. The Chairman informed Members that there were three standing subcommittees under ACE, namely the EIA Subcommittee (EIASC), Waste Management Subcommittee (WMSC) and Nature Conservation Subcommittee (NCSC). He referred Members to the composite membership list of the three subcommittees issued to Members before the meeting. 13 Members had signed up for EIASC, 12 for WMSC and 12 for NCSC.

33. The Chairman advised that as an established practice, the Chairmen of the three subcommittees as well as the Deputy Chairman of EIASC would be elected amongst the respective subcommittee members. He also reminded Members that only those who had signed up for the relevant subcommittee could take part in the nomination and election processes.

34. The Chairman called for nominations for the chairmanship of the three subcommittees one by one and presided over the election process.

35. After the elections, the Chairman announced the results as follows –

	<b><u>Chairman</u></b>	<b><u>Deputy Chairman</u></b>
<b>EIA Subcommittee</b>	Prof Nora Tam	Dr Hung Wing-tat
<b>Waste Management Subcommittee</b>	Prof Jonathan Wong	--
<b>Nature Conservation Subcommittee</b>	Prof Chau Kwai-cheong	--

36. The Chairman said that the chairmanship/deputy chairmanship of the three subcommittees was from January 2015 to December 2016. The Secretariat would upload the membership lists on the ACE's website for public information after the meeting. Secretariat

**Item 5 : Any other business**

37. There was no other business raised for discussion at the meeting.

**Item 6 : Date of next meeting**

38. The Chairman informed Members that ACE would not meet in February 2015. He took the opportunity to wish Members a Happy and Prosperous Chinese New Year.

39. The next ACE meeting was scheduled on 9 March 2015 (Monday). Members would be advised on the agenda in due course.

**ACE Secretariat**  
**January 2015**