

**Confirmed Minutes of the 221<sup>st</sup> Meeting of  
the Advisory Council on the Environment (ACE)  
held on 13 March 2017 at 2:30 pm**

**Present:**

Mr Stanley WONG, SBS, JP (Chairman)

Prof Nora TAM, BBS, JP (Deputy Chairman)

Dr Billy HAU

Dr HUNG Wing-tat, MH

Prof LAU Chi-pang, JP

Ms Julia LAU

Dr Michael LAU

Mr Andrew LEE

Prof Kenneth LEUNG

Mr Anthony LOCK

Ir MA Lee-tak, SBS

Prof John NG

Ir Michelle TANG

Dr Eric TSANG

Ir Conrad WONG, BBS, JP

Prof Jonathan WONG, MH, JP

Mr Simon WONG, JP

Prof WONG Sze-chun, BBS, JP

Ms Becky LAM (Secretary)

**Absent with Apologies:**

Ir Cary CHAN

Prof Albert LEE

Ir Prof Irene LO

Mr Luther WONG, JP

**In Attendance:**

Mr Donald TONG

Permanent Secretary for the Environment / Director of  
Environmental Protection

Ms Lily YAM

Assistant Director of Planning / Technical Services,  
Planning Department (PlanD)

Mr Simon CHAN

Assistant Director (Conservation), Agriculture,  
Fisheries and Conservation Department (AFCD)

Miss Heidi LIU

Principal Information Officer, Environmental Protection  
Department (EPD)

Miss Dora CHU  
Miss Apple LEUNG

Executive Officer (CBD) 1, EPD  
Executive Officer (CBD) 2, EPD

**In Attendance for Item 3:**

Mr Elvis AU

Assistant Director (Nature Conservation and  
Infrastructure Planning), EPD

Dr Jackie YIP

Senior Conservation Officer (Biodiversity), AFCD

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Action

The Chairman informed Members that apologies of absence had been received from Ir Cary Chan, Prof Albert Lee, Ir Prof Irene Lo and Mr Luther Wong.

**Item 1 : Confirmation of the draft minutes of the 220th meeting held on 13 February 2017 (Closed-door session)**

2. The draft minutes were confirmed subject to the amendments proposed by a Member in para. 53 of the draft minutes.

**Item 2 : Matters arising (Closed-door session)**

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

**Item 3 : Hong Kong Biodiversity Strategy and Action Plan 2016-2021 (ACE Paper 4/2017)**

4. The Chairman invited Members to declare interest. A Member declared that she was a member of the Steering Committee on Biodiversity Strategy and Action Plan (BSAP) and the convenor of its Marine Biodiversity Working Group. Another Member declared that he was a member of the Steering Committee on BSAP and a member of its Terrestrial Biodiversity Working Group.

*[The presentation team joined the meeting at this juncture.]*

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

5. Mr Elvis Au introduced the background leading to the formulation of a city-level BSAP. There was extensive collaboration amongst different Government departments, and with various stakeholders including biodiversity experts and academics, as well as non-government organizations (NGOs)

throughout the engagement process. Having obtained feedback from the public and relevant stakeholders and ACE during the public consultation exercise in early 2016, the Government announced the BSAP for Hong Kong on 21 December 2016. Mr Au said that it was important to take into account local conditions and capabilities in formulating the strategies and priorities in the implementation of the BSAP, and the plan would be reviewed from time to time for updating as needed.

6. With the aid of a powerpoint presentation, Dr Jackie Yip briefed Members on the background, including the vision, mission and four action areas of the BSAP, as well as the sources of funding and institutional framework for the implementation of the action plans.

### ***Conservation of Chinese White Dolphins (CWDs)***

7. In relation to a Member's enquiry on the diminishing number of Chinese White Dolphins (CWDs), Mr Simon Chan responded that under the BSAP, AFCD would update and implement the species action plan for CWDs, which was expected to be ready for implementation in 2019. In addition, marine parks would be designated in the vicinity of The Brothers, Southwest Lantau and Soko Islands with a view to protecting the important habitats for CWDs. He added that the establishment of a 2,400 hectare marine park alongside the expansion of Hong Kong International Airport into a Three-Runway System would be conducive to the conservation of the CWDs.

8. The Member further asked if there were any current measures to conserve CWDs. Mr Elvis Au replied that the proponents of designated projects were required to comply with the conditions specified in the Environmental Permits during construction and operation phases and implement mitigation measures in the approved EIA reports. He added that since the operation of The Brothers Marine Park, the marine vessel speed control in the vicinity had been closely monitored. In addition, work was underway to designate three new marine parks near Southwest Lantau and Soko Islands, as well as a compensatory marine park for Integrated Waste Management Facilities at an artificial island near Shek Kwu Chau. As dolphins inhabited trans-boundary waters and dolphin population appeared to be centred around the Pearl River Estuary (PRE), AFCD would continue to collaborate with the Mainland authorities on the conservation of the CWDs. Mr Simon Chan supplemented that while the species action plan for CWDs would be updated in 2019, AFCD would continue with the on-going efforts in implementing existing conservation measures to protect CWDs as well as enhance such measures in the

meantime.

9. A Member said that the dolphin population had decreased by 4% per annum. While he appreciated the Government's current efforts in the conservation of CWDs, he suggested the Government expedite the establishment of the marine parks. He advised that most of the core habitats of CWDs were in the Mainland waters, and thus cross-boundary cooperation in conserving CWDs in the PRE should be further enhanced.

***Effectiveness of BSAP and establishment of a baseline***

10. A Member said that it was important to mainstream biodiversity within the community and the Government. In order to monitor and review the effectiveness of mainstreaming, she suggested that a baseline study be carried out to obtain data regarding the level of awareness and understanding about biodiversity in both the public and private sectors. She added that such baseline surveys should take into account the circumstances of Hong Kong and be localized as far as practicable.

11. A Member opined that more details should be provided to enhance public understanding of the specific actions mentioned in the BSAP. Clear goals and benchmarks should be set for the specific actions so as to facilitate the review of their effectiveness as well as the promotion of and public involvement in the BSAP. He further suggested that the network of experts and professionals established during the formulation of the BSAP should be continuously engaged during the implementation stage.

12. A Member said that the baseline study should be able to form a basis for setting targets and goals. With the baseline data, the effectiveness of the BSAP could be monitored and it could at least ensure that the current biodiversity status of Hong Kong would not deteriorate.

13. Mr Elvis Au agreed to establish a baseline to provide a basis for measuring the progress of the BSAP. In addition to obtaining the baseline level of awareness and attitude of the community towards biodiversity, a scientifically sound baseline for the environmental assets in Hong Kong would be established to fill knowledge gaps. Tertiary institutions and professional bodies would be encouraged to initiate relevant studies with funding support from the Environment and Conservation Fund (ECF).

14. Mr Simon Chan supplemented that as proposed under Action Area 4 specific action 20d, a survey on knowledge and attitudes towards biodiversity in Hong Kong would be conducted. AFCD would launch the study in collaboration with NGOs and academics to obtain baseline information. He added that indicators would be developed and measures formulated to evaluate the effectiveness of the BSAP.

15. Mr Elvis Au further added that as the BSAP was a city-level plan which included a number of actions and strategies, minute details had not been provided in the document so as to make it easier for the public to read and digest and to focus the public attention on the key concepts of biodiversity and the key action areas. Implementation details would be provided to Nature Conservation Subcommittee (NCSC) at a later stage. Mr Simon Chan added that a concrete plan with time lines and deliverables would be devised for each of the actions proposed in the BSAP.

### ***Implementation of BSAP***

16. In response to a Member's written comment that the actions listed in the plan were too conservative, Mr Simon Chan explained that the Government had taken into account views collected throughout the extensive discussion with the BSAP Steering Committee and relevant stakeholders. The action plan was developed having considered the need to balance local economic and social priorities and the feasibility in achieving the mission and vision stipulated in the BSAP.

17. In response to a Member's suggestion of devising more pro-active measures to identify the geographical distribution of threatened species, Mr Simon Chan responded that under Actions 13 and 14 of the BSAP, long-term territory-wide biodiversity surveys as well as monitoring and assessment of the conservation status of species in Hong Kong would be conducted to help identify the geographical distribution of threatened species. He added that species action plans for priority species such as horseshoe crabs and incense tree would be drawn up. AFCD would also prepare species action plans for other species with conservation concerns where necessary.

18. In order to encourage land owners, rural communities and NGOs to collaborate and conserve ecologically important sites under private ownership, Mr Simon Chan further explained that the Government would support suitable projects

through the Management Agreement (MA) scheme, and continue to explore other innovative methods for achieving this goal.

***Financial resources and the set-up of a dedicated BSAP Fund***

19. Mr Simon Chan advised that \$150 million had been earmarked for AFCD to implement the action plans under the BSAP in the first three years, i.e. from 2016/17 to 2018/19; and the ECF had allocated additional resources for funding research projects, as well as education and community projects related to biodiversity.

20. In response to a Member's remark that the BSAP appeared to be re-packaging the Government's existing work on conservation, Mr Elvis Au explained that there would be additional funding as well as new institutional arrangement to support the implementation of BSAP. The \$150 million earmarked for AFCD was an additional fund dedicated to implement the action plans under the BSAP. There would also be an additional \$10 million funding from ECF for biodiversity-related education and community projects, as well as relevant environmental research and studies. Furthermore, an Inter-departmental Working Group on BSAP (WG) chaired by the Secretary for the Environment had been established to co-ordinate and monitor the implementation of the BSAP.

21. A Member was concerned that the \$150 million funding might not be sufficient for the on-going implementation of BSAP, and suggested that a dedicated BSAP fund should be established. Another Member was also concerned that there would not be enough resources to sustain the implementation of the BSAP beyond 2019, and was worried that the additional funds earmarked under the ECF could only cover part of the actions areas 3 and 4 of the BSAP. Given the considerable efforts and resources invested in the preparatory works of the BSAP, she echoed the view of the Member with the support of two other Members that a dedicated BSAP fund should be established to support the on-going implementation of the BSAP.

22. Mr Simon Chan said that in addition to ECF, there were other sources of funding, including the Sustainable Agricultural Development Fund, Sustainable Fisheries Development Fund, as well as the Ocean Park Conservation Fund that would support research and studies related to the conservation of biodiversity. Mr Elvis Au thanked Members for their support towards the implementation of the BSAP. He said that the Government was open to any sources of funding and AFCD would prioritize the actions to be carried out beyond 2019 and put in bid for

the necessary resources from the Government via the existing mechanism.

***Combatting wildlife crime***

23. A Member appreciated the Government's efforts in establishing an inter-departmental task force on wildlife crime and in strengthening the collaboration in combating illegal activities. However, to better conserve threatened species, he suggested the Government step up enforcement against wildlife crime by establishing a task force on nature crime. Mr Elvis Au explained that the Government was committed to the protection of endangered species by reviewing the penalties under existing legislation regularly and imposing heavier penalties on illegal trading of endangered species. Various departments had also been cooperating in taking enforcement actions against unauthorised activities damaging the natural environment.

24. A Member expressed support for the BSAP that was a milestone in the conservation of biodiversity in Hong Kong. As regards the enforcement against wildlife crime by the Government, he considered that adequate resources should be provided to the law enforcement bodies, and suggested collaboration with local and community-based organizations in protecting endangered species, for instance, in combating illegal felling of incense trees in Hong Kong.

25. Mr Simon Chan advised that a series of measures had been introduced to strengthen enforcement against illegal harvesting of incense trees, including the setting up of a special task force to conduct patrol at sites where important populations of incense trees were present, stepping up patrol at black spots of illegal tree felling, strengthening joint operations with the Police, as well as conducting a trial on the use of remote electronic device for monitoring the trees. In addition, AFCD and the Police would step up liaison with local residents and strengthen communication with them for collecting intelligence on illegal tree felling and associated suspects, in order to undertake enforcement actions expeditiously. A species action plan would also be drawn up for the conservation of incense trees.

26. A Member suggested the Government work with organizations to promote community participation in conservation work, and to support integrating the concept of biodiversity into schools, for instance in identifying endangered species, to drive home the message of conservation to the general public. Mr Simon Chan said that one of the actions under BSAP was to promote awareness and community

involvement through citizen science programmes. They would directly involve the general public in conserving local biodiversity, such as collaborating with NGOs and academic institutions in collecting data for projects supporting the protection of biodiversity.

***Involvement of the Nature Conservation Subcommittee (NCSC)***

27. Given that the Government would consult the NCSC on matters related to the implementation of the BSAP, a Member enquired about the involvement of NCSC and the effectiveness of such an arrangement. Mr Elvis Au advised that NCSC currently provided advice on MA projects and the recommendations of NCSC were submitted to the ECF Committee for consideration. For the BSAP, it was proposed that NCSC would be consulted on matters including setting priorities for implementation and resource allocation under the ECF, reviewing effectiveness of programmes, as well as advising on technical aspects related to the implementation of specific actions. The recommendations of NCSC would be reported to the WG for consideration.

28. A Member considered that it might not be appropriate to consult NCSC on the priority of ECF applications. He however had no objection for NCSC to be consulted on the progress reports prepared by AFCD and reviewing and monitoring the effectiveness of the BSAP programmes.

***Mainstreaming biodiversity***

29. On the need to incorporate biodiversity considerations into planning and development processes (Action 9), for instance, in the development projects involving environmental impact assessments (EIA), Mr Simon Chan said that the Sustainability Assessment System would be updated under Action 9 to better integrate biodiversity considerations in major policies and plans of the Government, and the concept of biodiversity would also be reflected in the updating of the territorial development strategy i.e. the “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030” (HK 2030+). He added that the Guidance Notes on the Environmental Impact Assessment Ordinance (EIAO) would be reviewed in collaboration with the EPD in order to integrate biodiversity considerations into EIA projects. Furthermore, various sectors of the community would be engaged to conserve biodiversity as specified in Actions 10, 11, 12 in promoting biodiversity in urban environment and promoting sustainable fisheries and agriculture.



30. A Member suggested that a biodiversity conservation plan should be drawn up as a pre-requisite for any development proposal, in order to strike a better balance between environmental considerations and development. Mr Elvis Au explained that the formulation of the BSAP in parallel with the Hong Kong 2030+ development strategy indicated the Government's commitment to balance between development and environmental conservation on a strategic level. He added that Long Valley was a good example where a 37-hectare nature park would be established to mitigate the ecological impacts arising from the development of Kwu Tung North and Fanling North New Development Areas.

31. A Member expressed support for the first BSAP for Hong Kong. On mainstreaming biodiversity, he sought clarification on the Government department that would take the lead in the updating and amending of the Hong Kong Planning Standards and Guidelines in Action 9. In response, Mr Elvis Au advised that while AFCD was the department with the relevant expertise in setting out the BSAP, it would be in close collaboration with the Planning Department (PlanD) in updating the said guidelines.

32. As regards the promotion of biodiversity in the context of urban environment, a Member suggested that more concrete strategies and actions could be put forward under Action 10, for instance, incorporating biodiversity concept into the development of large-scale projects (including public housing developments and greening and landscaping projects were under the purview of Housing Department (HD)) and new development areas as well as reviewing the relevant guidance notes for the EIAO. Another Member concurred, adding that guidelines on environmental-friendly farming practices (including organic farming) and on biodiversity considerations in planning and development processes could be developed to promote biodiversity. A Member also suggested that considerations on the biodiversity should be incorporated in the existing standards and guidelines for the planning and design of new developments as early as practicable.

33. In response, Mr Elvis Au advised that in order to incorporate the concept of urban ecology into the planning of development projects, AFCD had consulted the Greening, Landscape and Tree Management Section (GLTMS) under the Development Bureau in formulating pilot programmes to incorporate biodiversity considerations into the landscape master planning and devising relevant guidelines in future. HD would be involved on a need basis when relevant projects were underway.

34. Mr Elvis Au advised that the GLTMS had commenced the work in collaboration with various departments to include relevant requirements into contracts with a view to putting the BSAP initiatives into effect. Having commenced the ground work of mainstreaming with both the public and private sectors, Mr Simon Chan advised that AFCD had been working with various works departments to update and incorporate biodiversity considerations in their practice notes. AFCD would also collaborate with relevant business organizations to mainstream biodiversity conservation into the business sector.

35. Mr Elvis Au added that the GLTMS had commenced the work in collaboration with various departments to include relevant requirements into contracts with a view to putting the BSAP initiatives into effect. Having commenced the ground work of mainstreaming with both the public and private sectors, Mr Simon Chan advised that AFCD had been working with various works departments to update and incorporate biodiversity considerations in their practice notes. AFCD would also collaborate with relevant business organizations to mainstream biodiversity conservation into the business sector.

36. A Member was appreciative that the WG had included many bureaux/departments (B/Ds), and suggested that works departments such as the Highways Department (HyD) should also be involved. Mr Simon Chan advised that while the WG comprised only B/Ds with greater relevancy to biodiversity, other departments might participate in the WG on an ad-hoc basis. Mr Elvis Au advised that there had been on-going mainstreaming work in the Government for the past three years. The substantial preparatory works and numerous BSAP Steering Committee and working groups meetings as well as informal meetings had contributed to mainstreaming biodiversity in the Government and formulating the BSAP. He mentioned that it was uncommon for an advisory body like the BSAP Steering Committee to involve so many representatives from the relevant B/Ds. Mr Au added that the relevant works departments were invited to a number of fora organized in collaboration with the GLTMS to discuss about urban ecology. PlanD had also been involved to incorporate the concept of biodiversity in the territorial development strategy, i.e. the HK 2030+.

37. A Member expressed support for the implementation of the BSAP. To promote the importance of mainstreaming within the Government, he suggested providing training on biodiversity for the newly appointed officers at or above a certain rank. He shared that a survey had been conducted three years ago by using the questionnaire adopted in many European countries. The results showed that

the biodiversity awareness and understanding among members of the Legislative Council and District Councils were the lowest, and that of the general public and Government departments, EPD inclusive, was also on the low side. Relevant NGOs and committees and boards, on the other hand, had a higher awareness and understanding towards the biodiversity.

38. With reference to the recent public consultation conducted by the Council for Sustainable Development on the local consumption of various kinds of biological resources imported from other countries, the Member also suggested that the BSAP should address the issue of global biodiversity footprint instead of focusing only on local biodiversity.

39. Considering that many developments and projects would take a number of years to complete, a Member suggested that the Government could explore the feasibility of including biodiversity considerations in existing contracts. Given that an increasing number of people lived in urban areas, the Member concurred that the promotion of biodiversity in the urban environment was important. She opined that the participation of public and private sectors should be encouraged to enrich biodiversity in both the built environment and new developments and projects.

### ***Promotion and education***

40. With reference to overseas experience, a Member suggested that updates on the implementation of the BSAP should be published regularly, for instance, in the form of newsletters. He further suggested that initiatives in promotion and education should be focused to encourage public participation, such as introducing urban ecology programmes to schools and the community. One example of urban ecology programme included the enhancement of wildlife corridor connectivity. Another Member concurred and shared a successful example of planting for butterflies in school.

41. On promoting biodiversity in education, a Member suggested with the support of another Member that the Education Bureau (EDB) should play a more active role in incorporating the concept of biodiversity in school curriculum and promoting relevant activity-based programmes for students, given the exam-orientation culture in local schools.

42. Mr Elvis Au said that biodiversity would involve the entire community and all Government departments. With reference to action 21, he advised that the EDB would, in collaboration with AFCD, lead the promotion of diversity in educational fields. Specific actions included incorporating the concept of biodiversity in the school curriculum, and enhancing the resources for early childhood education on nature conservation. As regards urban ecology, the associated work would be led by GLTMS which would oversee the development of greening policies, guidelines and strategies for various works departments.

### ***Other concerns***

43. As more and more people enjoyed outdoor recreation activities such as hiking and with increasing numbers of outdoor races held in the natural areas of Hong Kong, a Member drew Members' attention to the undesirable destruction caused to the nature. He was concerned that the promotion of ecotourism activities would bring negative effect to the biodiversity.

### ***Conclusion***

44. The Chairman thanked the representatives of EPD and AFCD for their presentation. He summarized the views of Members and concluded that Members were in general supportive of the BSAP. However, Members raised concerns on the financial resources and requested the Authority to consider setting up an independent fund for the BSAP project. He invited the project team to take into account Members' comments and suggestions in the implementation of the BSAP and to report to ACE regularly on the implementation progress.

*[The presentation team left the meeting at this juncture.]*

### **Internal Discussion Session**

45. A Member was of the view that NCSC should not be assigned to vet ECF applications. But he had no objection for NCSC to vet the applications if they were made under a dedicated BSAP fund.

46. Mr Donald Tong clarified that NCSC would be consulted on matters related to the implementation of BSAP, which might include setting priorities for implementation, reviewing effectiveness of programmes, as well as advising on technical aspects related to the implementation of specific actions. NCSC might

be invited to examine and give advice on ECF applications related to the biodiversity. The ECF Committee, being an independent statutory body, would make reference to the comments of other parties in its decision making processes. It would be up to NCSC to decide whether it would like to offer comments on the ECF applications related to the biodiversity, and propose priorities or otherwise.

47. Mr Simon Chan explained that AFCD would be responsible for providing comments on ECF applications submitted under the priority research theme of biodiversity. NCSC, on the other hand, would be consulted on the overall implementation of the BSAP, which might include setting priorities to proposals funded by the \$150 million allocated to AFCD. These proposals might include contracts with local tertiary institutions and/or NGOs. AFCD would also report to NCSC regularly on the progress of the implementation of the BSAP for review.

EPD

48. Mr Donald Tong said EPD and AFCD would prepare a paper to clarify the role and responsibilities of NCSC in the implementation of the BSAP for ACE's consideration in due course.

AFCD

49. A Member remarked that NCSC should continue to be consulted on MA and Public-Private Partnership (PPP) applications.

50. A Member said that she had no objections to give comments on ECF applications if consulted but agreed with another Member that it would not be appropriate for NCSC to set priorities on these applications. She further raised the concern on whether NCSC or even ACE Members would possess adequate expertise and experience to study and give advice on the research proposals of the BSAP. She suggested that the Government should explore ways to ensure there were adequate experts on board, such as by appointing co-opt members.

51. A Member remarked that there were very few experts in the biodiversity and ecology fields, making it difficult for ACE to give advice on related proposals. He suggested that the composition of the ACE be reviewed given that ACE and its subcommittees were frequently tasked with giving advice on technical issues such as the BSAP.

52. A Member suggested that by establishing a dedicated BSAP fund, a BSAP Projects Vetting Committee could be set up with members with the relevant background and experience.

53. Mr Donald Tong noted the suggestion for outside expertise to help assess some proposals. He said that ACE did not have co-opted members at the committee level but the Administration would give thought on ways for inviting outside expertise on a need basis to give advice on individual proposals as and where necessary; and would consult ACE or NCSC in due course.

**Item 4 : Report of the 138th Environmental Impact Assessment Subcommittee Meeting (Closed-door session)**

54. The Chairman invited declarations of interests from Members. A Member declared that he was commissioned to a research contract by the Drainage Services Department (DSD) to review the potential of all DSD facilities in promoting urban biodiversity. The research had no direct relationship with the two EIA reports to be discussed. Another Member being a member of WWF, advised that WWF had submitted comments to EPD on the EIA reports to be discussed. He also advised that the WWF's renewal programme of facilitates at Mai Po had engaged various consultants. A Member declared that some subsidiaries of his company were engaged with projects of the DSD, but with no direct relationship with the two EIA reports to be discussed. A Member also advised that he had collaborated with Ecosystems Ltd. on the project "Outlying Islands Sewerage Stage 2 - Upgrading of Tai O Sewage Collection, Treatment and Disposal Facilities". The meeting agreed that the four Members could stay on and continue participating in the discussion.

55. A Member reported that ACE Paper 5/2017 had summarized the discussion and recommendations of the EIASC meeting held on 20 February 2017 on two EIA reports, namely "Outlying Islands Sewerage Stage 2 - South Lantau Sewerage Works" and "Outlying Islands Sewerage Stage 2 - Upgrading of Tai O Sewage Collection, Treatment and Disposal Facilities".

56. Having regard to the findings of the EIA reports, EIASC recommended the full Council to endorse the EIA report on "Outlying Islands Sewerage Stage 2 - South Lantau Sewerage Works" with one condition and four recommendations; and the EIA report on "Outlying Islands Sewerage Stage 2 - Upgrading of Tai O Sewage Collection, Treatment and Disposal Facilities" with three conditions and one recommendation. With no further comments from Members, the Chairman concluded that the meeting agreed to recommend the Director of Environmental Protection (DEP) to endorse the EIA reports with the conditions and recommendations as set out in paragraph 11 of the ACE Paper

5/2017.

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

*Reclamation Works of the Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road Project*

57. A Member opined that the collapse of seawalls of the Hong Kong-Zhuhai-Macao Bridge (HZMB) Hong Kong Link Road Project had attracted great public concern and suggested that the environmental issues concerned be discussed at a full Council or EIASC meeting.

58. Mr Donald Tong explained that after the concerned EIA report was approved by EPD, HyD had submitted an application for variation of the EP, proposing to change to a non-dredged method for reclamation. Given that this method would help minimize the impact to water quality and the environment and reduce marine construction traffic, EPD granted the relevant Environmental Permit (EP) to HyD. Having reviewed all information provided by HyD, including the regular Environmental Monitoring and Audit (EM&A) Reports, EPD confirmed that there was no evidence to suggest that the temporary rockfill platform had contravened the EP conditions or any pollution control law.

59. Considering the public concern and interest attracted by the issue, the Chairman suggested that discussion of the issue relating to compliance of EP conditions at ACE and EIASC meeting could be considered.

60. A Member remarked that on the recommendations of EIASC, the ACE had endorsed the EIA report of the project. She considered that EPD rather than ACE should be the party held responsible for monitoring and enforcing the EIAO and compliance of EP conditions. For cases relating to non-compliance of EP conditions that had attracted great public concern, the relevant departments, including EPD, could be asked to provide the relevant information.

61. Mr Donald Tong assured Members that EPD was the main department statutorily assigned to implement the EIA programme and enforce the EIAO. For the purpose of protecting the environment, EPD would continue to promptly and diligently discharge its enforcement responsibilities without delay should there be non-compliance of EIAO or EP conditions by project proponents and/or their contractors. Having regard to the legal roles of ACE in the statutory EIA

process to advise the Government, should Members wish to seek clarification on the compliance of EP on specific environmental issues that had attracted widespread attention in the Legislative Council, the community and/or, media reports, EPD would coordinate with relevant parties to see the best way in making information available to Members as appropriate.

*[Post-meeting notes: An information note on the Roles of the ACE in relation to the Implementation of the EIAO was issued to Members on 27 March 2017.]*

*Visit to CLP facilities*

62. The Chairman reminded Members that a site visit organized by the CLP to its facilities at Castle Peak Power Station and Black Point Power Station would be held on 20 March 2017. The itinerary of the visit was submitted to Members on 2 March 2017.

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

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

64. The next ACE meeting was scheduled for 3 April 2017 (Monday). Members would be advised on the agenda in due course.

**ACE Secretariat**  
**April 2017**