

TERMS OF REFERENCE

Hong Kong Offshore Wind Farm in Southeastern Waters Stakeholder Liaison Group

Introduction

In accordance with Condition 2.9 in the Further Environmental Permit (FEP) of the Hong Kong Offshore Wind Farm (HKOWF) (No.: FEP-01/341/2009 issued on 24th November 2014) or any subsequent FEP where applicable, the Stakeholder Liaison Group (SLG) is to be established and operated as follows:

1. The Permit Holder shall, within six months upon the issue of the Environment Permit (EP-341/2009 – updated to FEP-01/341/2009), set up a Stakeholder Liaison Group which will be known as the Offshore Wind Farm Stakeholder Liaison Group (HKOWF-SLG);
2. The HKOWF-SLG will comprise representatives of concerned parties, including those related to the fishery sector, academia/environmental, NGOs and community groups.
3. The role of the HKOWF-SLG will be to facilitate communications and consultation in respect of environmental impacts of the project. The HKOWF-SLG will provide a forum for stakeholders to advise on the design, construction and operation of the project.
4. The approved Environmental Impact Assessment (EIA) for the Project is Registered Number AEIAR-140/2009 entitled: Hong Kong Offshore Wind Farm in Southeastern Waters.
5. The Permit Holder shall inform the Advisory Council on the Environment (ACE) and the Director in writing of the membership and terms of reference of the HKOWF-SLG and should take into account the views of ACE.
6. The Permit Holder shall, within one month of the dates of meetings, place all minutes of meetings, relevant documents and associated papers of the HKOWF-SLG on the dedicated website.

The Terms of Reference (ToR) for the HKOWF-SLG sets out the details of the Mission and Objectives of the consultation group and provides a framework for the Organisational structure, Membership and Operating mandate. The ToR are presented under five headings as follows:

HKOWF-SLG Mission

The mission clarifies the overarching HKOWF-SLG long term goal(s) and duration/life span and is as follows:

The mission of the HKOWF-SLG is to provide an advisory forum for stakeholders (with specific reference to the fishery sector, environmental and hiking groups) to advise on the design, construction and operation of the planned Offshore Wind Farm in Southeastern Waters.

HKOWF-SLG Objectives

Specific objectives for the HKOWF-SLG as stated in the FEP are as follows:

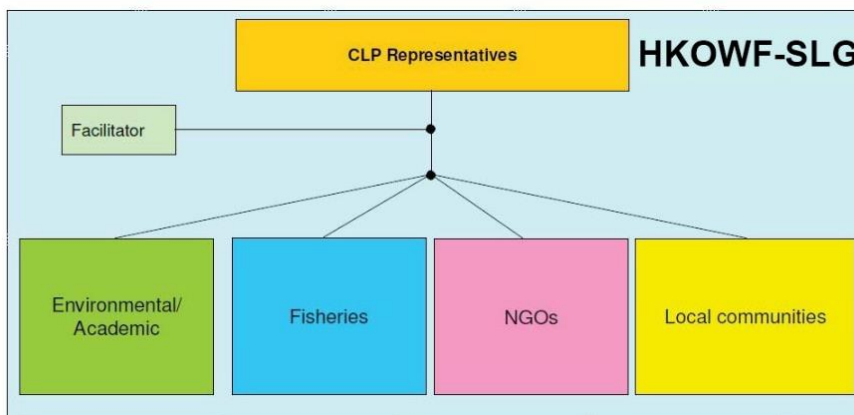
- The HKOWF-SLG will provide a forum for stakeholders to advise CLP on design issues for the OWF;
- The HKOWF-SLG will provide a forum for CLP to inform stakeholders on the progress of construction and findings of monitoring and audit works;
- The HKOWF-SLG will provide a forum for CLP to inform stakeholders on the operation of the OWF.

HKOWF-SLG Organisational Structure

The proposed organisational structure of the HKOWF-SLG consists of four main groups (refer to *Figure 1*) and provides for representation of the main project stakeholder sectors as follows:

1. Environmental/academic;
2. Fisheries;
3. Local Community; and,
4. NGOs.

Figure 1 Structure of the HKOWF-SLG



HKOWF-SLG Membership

A selection process for the HKOWF-SLG membership will be undertaken to include the combination of expertise and interests required of the HKOWF-SLG members, as per the mission. Each member of the HKOWF-SLG will serve for a period of two years initially.

HKOWF-SLG Operating Mandate

The operational procedures for the effective functioning of the HKOWF-SLG include the following:

- The HKOWF-SLG is a forum to facilitate the project by providing input on the design, construction and Environmental Monitoring & Audit (EM&A).
- The HKOWF-SLG is anticipated to meet every six months or as required and the first meeting was already organised in the first half of 2010. The first meeting of the 5th term of the HKOWF-SLG is expected to take place in the first half of 2021.
- The appropriate frequency of meetings, thereafter, will be based on projected workload within the three main phases of the Project (design, construction and operation).
- Membership duration will be for two years and the HKOWF-SLG membership submitted to ACE and Environmental Protection Department (EPD) prior to establishment. Any updated membership will be placed on the dedicated website.
- HKOWF-SLG members will be requested to agree to a code of conduct which will include a requirement that members express externally solely their personal or stakeholder group views and refrain from commenting by name on other members' views and opinions. Furthermore, HKOWF-SLG members will be requested to keep confidential any restricted/proprietary information received or discussed as part of the HKOWF-SLG meetings.
- All meetings will be held in Cantonese with translation in English available where appropriate.
- Meeting minutes, membership and associated presentations/documents will be made available to the public within one month of each HKOWF-SLG meeting through a dedicated website.

Secretariat Structure and Role & Responsibilities (R&R)

CLP will provide secretarial services and may consider hiring an external, third party consultant to facilitate the organisation and functioning of the HKOWF-SLG. This third party may then act as the HKOWF-SLG secretariat.

The secretariat would be responsible for all meeting notices, agendas, working with CLP to ensure proper expertise is represented at relevant meetings, meeting translation, minute taking, and co-ordination of the HKOWF-SLG deliverables.

There will also be a meeting facilitator to facilitate the HKOWF-SLG meeting discussion and conflict resolution, if and when, required.

The secretariat will be responsible for the management of the HKOWF-SLG member's code of conduct and this will be detailed in the HKOWF-SLG implementation/operation guidelines.

Special Note on the Role of Government

It is also understood that the HKOWF-SLG is an advisory body to the Project Proponent and will take into account the views of ACE. Government are not expected to be directly involved in the HKOWF-SLG but may be invited to attend special topic meetings.

Deliverables of the HKOWF-SLG

The secretariat will be responsible for the outputs of the HKOWF-SLG which will be scheduled on an 'as needs basis' dependent on the workload of the HKOWF-SLG and these have been identified as follows:

- Briefing papers
- Agendas
- Presentations
- Meeting minutes – list of actions, review outputs
- Materials for upload to website

It is a permit condition to ensure that meeting minutes are made available to the public within one month of each HKOWF-SLG meeting through the dedicated website.

HKOWF-SLG Implementation/ Operation Guidelines

To maintain the effective functioning of the group a living document (separate attachment to the ToR) will be produced and periodically updated by the secretariat to act as the reference guide for the implementation (history) and operation (functioning) of the HKOWF-SLG (*Annex 1*).

ANNEX 1 – HKOWF-SLG Implementation/ Operation Guidelines

Structure/Outline for development

1. Introduction

- a. Mission
- b. Objectives
- c. Membership
Make reference to the ToR for the HKOWF-SLG.

2. Role of Government in the Project

It is also understood that the HKOWF-SLG is an advisory body to the Project Proponent and will operate with full consideration of the views of ACE.

3. Role of ACE

Pursuant to Condition 2.9 of the Permit:

- The HKOWF-SLG will take into account the views of ACE.

4. Start-up procedures for HKOWF-SLG

Dissemination of materials provided to HKOWF-SLG members for an understanding of the Project scope and meeting at the start-up time of the Stakeholder Liaison Group. In order to advise on the environmental impacts of the project the HKOWF- SLG will need to be fully informed of what measures are required pursuant to the EIA and the EM&A documents. Upon joining the HKOWF-SLG each member shall receive the following documentation:

- i. The approved EIA for the Project
- ii. The approved EM&A Manual for the Project
- iii. The 4th August 2009 Environmental Permit for the Project (EP-341/2009). Any update of the EP will be provided through the dedicated website.

5. Role and responsibilities of the Meeting Facilitator.

The Permit holder will utilise a meeting facilitator to help ensure meetings are run efficiently and all points of view are adequately and fairly addressed.

6. HKOWF-SLG Members Code of Conduct

- i. Status of membership – voluntary
- ii. Role and function – review and comment obligations with possible specifics
- iii. Duration of membership for a period of two years.
- iv. Obligations - internal and external, e.g., confidentiality, media relations etc. Including, but not limited to, a requirement that members who express external views do so solely on their personal or stakeholder group views and refrain from commenting by name on other members' views and opinions.
- v. Lines of communication
- vi. Resignation issue

7. Periodic performance reviews of the HKOWF-SLG

8. Meeting dates and projected frequency throughout the different phases of the Project

9. Deliverables of the HKOWF-SLG

- i. Briefing papers
- ii. Agendas
- iii. Presentations
- iv. Meeting minutes – list of actions, review outputs
- v. Materials for upload to website.

Agreed minutes for all HKOWF-SLG meetings and relevant documents and papers will be displayed on the dedicated website under condition 2.9 of the FEP within one month of each HKOWF-SLG meeting.

10. Inaugural meeting to establish the HKOWF-SLG

The HKOWF-SLG will be established by holding an inaugural meeting and the following carried out:

- The ToR will be reviewed and agreed.
- Frequency of HKOWF-SLG meetings and dates discussed.
- The Guidance Notes for the functioning of the HKOWF- SLG will be reviewed and agreed and include:
 - i. Procedures for providing comment on design, construction and operational phases of the project.
- The overall project scope and programme will be reviewed and Project knowledge and expectations levelled through the Facilitator.