

URGENT BY HAND

2 November 2009

Carried States

Environmental Protection Department 28th floor, Southern Centre, 130 Hennessy Road, Wan Chai, Hong Kong

Dear Sirs,

Environmental Impact Assessment (EIA) Ordinance
Application for Approval of Environmental Impact Assessment Report
Proposed Comprehensive Development at Fung Lok Wai, Yuen Long
(Application No. EIA-149/2008)

We refer to our letter dated 7th October 2009 and submit herewith the following supplementary information for clarification of the following points for your consideration:

- (1) The management of the Wetland Nature Reserve (WNR)
 - Experienced ecologists with good knowledge in the ecology of Hong Kong and minimum 5 years relevant working experience in conservation and habitat management will be employed as the Reserve Manager for the day-to-day management and the implementation of the HCMP in respect of the WNR.
- (2) Appropriate site work practices

Good site work practices will be implemented to mitigate potential impacts:

- (a) Watering should be applied on dusty areas and all dust emission sources twice daily. The amount of mist spraying should be just enough to dampen the material without over-watering, which could result in unnecessary surface water runoff;
- (b) All dusty vehicle loads, dusty construction debris and exposed soil surfaces should be covered by tarpaulin and protected from rainfall;
- (c) Wheel-wash troughs and hoses should be provided at exit points of the site;
- (d) Silencer and mufflers on construction equipment should be utilised and should be properly maintained during construction;
- (e) High loading of suspended solids (SS) in construction site runoff shall be prevented through proper site management by the contractor;
- (f) The boundary of critical work areas shall be surrounded by ditches or

embankment. Accidental release of soil or refuse into the adjoining land should be prevented by the provision of site hoarding or earth bunds, etc. at the site boundary. These facilities should be constructed in advance of site formation works and road works;

- (g) Temporary ditches, earth bunds should be provided to facilitate directed and controlled discharge of runoff into storm drains via sand/ silt removal facilities such as sand traps, silt traps and sediment retention basin. Oil and grease removal facilities should also be provided where appropriate, for example, in area near plant workshop/ maintenance areas;
- (h) Sand and silt removal facilities, channels and manholes should be maintained and the deposited silt and grit should be removed regularly by the contractor, and at the onset of and after each rainstorm to ensure that these facilities area functioning properly;
- (i) Access roads should be protected by crushed rock, gravel or other granular materials to minimise discharge of contaminated runoff;
- (j) Manholes (including newly constructed ones) should be adequately covered or temporarily sealed so as to prevent silt, construction materials or debris from getting into the drainage system;
- (k) Construction works should be programmed to minimise soil excavation works where practicable during rainy conditions;
- (l) Chemical stores should be contained (bunded) to prevent any spills from contact with water bodies. All fuel tanks and/ or storage areas should provided with locks and be sited on hard surface;
- (m) Chemical waste arising from the site should be properly stored, handled, treated and disposed of in compliance with the requirements stipulated under the Waste Disposal (Chemical Waste) (General) Regulation;
- (n) Sewage generated from the construction workforce should be contained in chemical toilets before connection to public foul sewer can be provided. The facility should be serviced and cleaned by a specialist contractor at regular intervals;
- (o) Foul water from canteens should also be contained by chemical toilets before connection to public foul sewer can be provided;
- (p) Sedimentation tanks should be set up at the construction site so that water to be discharged can be retained for sedimentation if any discharging activity is considered necessary.
- (3) Maintenance of the landscaped areas within the residential development
 Organic-based or biodegradable chemicals, as appropriate, will be used for the
 maintenance of the landscaped areas within the residential development to safeguard the
 water quality of the runoff from the residential development. There are currently a

reasonably wide variety of such products available in the market. Examples include Nutrismart, EcoTreasure, Monty's organic liquid fertilizers, Fidelity OrgGreen organic liquid fertilizer, peanut meal, bone meal, fish meal, NuTurf Lime, etc.



URGENT BY HAND

7 October 2009

Environmental Protection Department 28th floor, Southern Centre, 130 Hennessy Road, Wan Chai, Hong Kong.

Dear Sir,

Proposed Development at Fung Lok Wai, Yuen Long at Lot 1457RP in DD 123 Application for Approval of EIA Report – Responses to ACE and Public Comments

Reference is made to the captioned application (Application No. 149-2008) we submitted on behalf of our client Mutual Luck Investment Limited on 19 May 2008, and EPD's letter dated 4 November 2008, ref. (43) in EP2/N6/P/84 Pt II, requesting our client to provide information in relation to the comments from the Advisory Council on the Environment (ACE) and members of the public.

In this regard, we are pleased to submit herewith the following documents on behalf of our client:

- Letter from Mutual Luck Investment Limited, ref. GW-118/09-L, dated 7 October 2009.
- Annex I Response to Questions raised by Members of ACE-EIA Subcommittee
- Annex II Proposal on Environmental-Friendly Management of the Residential Portion of the Proposed Development
- Letter of undertaking from Mutual Luck Investment Limited, ref. GW-117/09-L, dated 7 October 2009.

MUTUAL LUCK INVESTMENT LIMITED

7th October 2009

Environmental Protection Department Branch Office 28th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong

Dear Sirs,

Environmental Impact Assessment (EIA) Ordinance Application for Approval of Environmental Impact Assessment Report Proposed Comprehensive Development at Fung Lok Wai, Yuen Long (Application No. EIA-149/2008)

We refer to your letter of 4 November 2008, ref. (43) in EP2/N6/P/84 Pt II, requesting for further information in relation to the comments from the Advisory Council on the Environment ("ACE") and members of the public. We are pleased to provide the required information as follows:

(i) Responses to ACE comments

A copy of our responses to the questions raised by ACE members before the ACE EIA Subcommittee Meeting on 18 September 2008 is attached as **Annex I** for your reference.

(ii) Undertaking

An undertaking as requested is attached for reference.

(iii) Elaboration on the management of the Wetland Nature Reserve

The proponent or its designated successor will implement the Habitat Creation and Management Plan (HCMP) submitted with the EIA report. Experienced ecologists will be employed as the Reserve Manager for the day-to-day management and the implementation of the HCMP in respect of the WNR. Furthermore, an environmental committee will be set up to advise on and monitor the management of the WNR. All these measures will ensure that the WNR will be operated and managed in accordance with the HCMP.

Upon completion of the construction of the WNR, the project site will be divided into the WNR portion and the residential portion. The operation and management of the WNR will be independent from the management of the residential development. The WNR will be managed by the proponent until a designated successor is identified to the satisfaction of the Director of Environmental Protection or its agents. The residential development which will be under strata-titled ownership upon being marketed will be independently managed by the property manager appointed by the owners of the residential development. The residents in the residential development will not be given priority over the public to gain access to the WNR but will have equal access.

((iv)) Proposal	on environmentall	v friendly	management	of the	residential	portion
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The proposal on environmental-friendly management of the residential portion of the development is attached at **Annex II**.

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Environmental Impact Assessment (EIA) Ordinance Application for Approval of Environmental Impact Assessment Report Proposed Development at Fung Lok Wai Yuen Long at Lot 1457 R.P. in D.D. 123 (Application No. EIA-149/2008)

Response to Questions raised by Members of ACE-EIA Subcommittee

(a) The visual impact on the wetland should be comprehensively reviewed, and how the project proponent could guarantee that the development will have no impact on the visual quality.

The proposed development recognises the importance of the landscape and visual amenity of the existing fishpond / wetland areas and sought to address this through the adoption of a comprehensive landscape and visual mitigation strategy. The primary objective of this strategy was the avoidance of impact and the secondary objective the mitigation of unavoidable impacts and the compensation for potential losses in landscape resources.

During the selection process for the preferred option three schemes (1A, 1B and 1C) were explored looking at different development forms against the full range of environmental concerns. This process involved a rigorous assessment of each option from a landscape and visual perspective as well as environmental impact perspective and then the selection of a preferred option. At the end of the process it was found that two options (1A and 1B) were acceptable and these were taken forward to a more detailed assessment. An important outcome of this process was the reduction in the size of the residential development site (footprint) to 5% of the total site area versus the permitted 10% under the Outline Zoning Plan, thus maximising visual access to the green back drop formed by the wooded hillsides which bound the existing fishpond / wetland. Other outcomes included the selection of building heights which responded to the existing context and the disposition of the proposed residential blocks to minimise potential visual intrusion. Following this process the preferred options were then further refined with the adoption of the following measures:

- Stepped building height principle The proposed residential blocks for Option 1A will range in height from 14 to 18 floors fronted by low-rise buildings in order to provide a greater sense of visual integration with the existing landscape context and mirror the form of the existing landform particularly the ridgeline to the south of the development site. The proposed built form will also avoid the abrupt transition from the wetland landscape to the proposed residential development and create a more visually interesting architectural form contrasting with the abrupt nature of the existing development associated with Tin Shui Wai. Whereas Option 1B will adopt a common height (15 storeys) for the blocks which will also be fronted by low-rise buildings which also serve to enhance the development's visual integration.
- Building massing and permeable development facade The design for Option 1A incorporates significant view corridors and the creation of voids in the façade of each of the blocks allowing views through the development to the green backdrop formed by the wooded hillsides to the south. These view corridors and voids allow the development to be visually permeable. The adoption of a slightly lower building height for Option 1B will require the introduction of one additional block and a subsequent reduction in the width of the proposed view corridors.
- Maintenance of existing ridgeline and green backdrop The proposed development form allows the maintenance of the existing ridgeline and green

backdrop to the south of the development site even in relatively close views. This is achieved in Options 1A and 1B through a combination of the proposed building heights and the creation of the view corridors.

- Colour treatment of building facades The architectural design for both Option 1A and 1B seeks to reduce the apparent visual mass of the development further through the use of colour blocking utilising a range of visually recessive earth colours and on the facades of the different blocks. In addition the architectural scheme has incorporated planting on the building façade and balcony to soften the architectural form.
- Underground car parking the proposed development for Options 1A and 1B will utilise underground car parking in order to maximise the area available for landscaping and minimise potential impacts of extensive hard surfaced areas in elevated views both within and without the development site.
- Responsive building finishes In terms of the building finishes for Options 1A and 1B natural tones should be considered for the colour palette with non-reflective finishes are recommended on the outward facing building facades to reduce the potential glare effect.
- Responsive lighting design Aesthetic design of architectural and road lighting with following anti-glare design measures including the proposed zoning of lighting to avoid sensitive locations, and the use of direction and full cut off lighting, and high pressure sodium road lighting to minimise light spillage to the surrounding areas.
- Landscape Buffer Planting Based on the guidelines provided in the Final Report of the Fish Pond Study at Deep Bay Area, the buffer area will extend around the periphery of the development to the proposed marsh habitat in the WNR with a width of not less than 50m. This will provide screening of the development for low levels and create a more subtle transition between the low-lying fishponds of the WNR and the upright forms of the proposed built development. This planting in addition to the bamboo planting proposed as part of the ecological mitigation measures will also serve to visually integrate the proposals within the existing landscape framework. The buffer will utilise native tree species to link where possible to the existing wooded areas with the advantage of creating a more coherent landscape framework whilst also improving the ecological connectivity between existing woodland habitats.
- Tree Clusters The planting of a number of tree clusters on the bunds within the WNR to facilitate the establishment of habitat for different bird species but will also serve to break up the visual mass of the development in longer distance views.
- Compensatory Planting Proposals the planting proposals for the residential amenity areas and landscape woodland buffer areas include some 300 new specimen trees within the development site and a further 3,750 square metres of mass woodland planting for the landscape buffer area.

With the adoption of the measures outlined above it is considered that the preferred options (1A and 1B) address the potential landscape and visual impacts on the adjacent fishponds / wetland areas whilst also responding to the requirements of the other environmental disciplines. Given the various developmental constraints it is considered that the preferred options provide the best possible architectural solution.

For the most part the identified visually sensitive receivers (VSRs) are located outside the wetland areas and so views of the proposed development are long distance (typically around 1,000 to 2,000m). In these views the development will form a small component in an extensive panorama which extends from the uplands of Lam Tsuen Country Park to the distant skyline of Shenzhen and north to the Tsim Bei Tsui. Due to the relative scale of these views the proposed development will not significantly affect the balance between the naturalistic / farmed landscape and the developed areas.

Although the proposed development will be visible from some locations within the Hong Kong Wetland Park it will form part of the background and will not be visually prominent. For many locations within the Park views will be largely screened by the intervening vegetation particularly the existing woodland planting on the eastern and southern peripheries of the park. From these locations there will be glimpsed views of the upper portions of the towers and the level of potential visual intrusion will be significantly lower than the abrupt transition with the urban edge of Tin Shui Wai. In addition as the tree new planting within the Park matures over the next 8-10 years (programmed completion of the Fung Lok Wai proposals) its visibility will be further reduced.

(b) How the project proponent could guarantee that the development will have no impact on the ecological aspect given that the site lies between Hong Kong Wetland Park and Mai Po Nature Reserve

Ecological issues have been carefully considered from the earliest stage of the project, the objective being to avoid significant impacts where possible. Where impacts are unavoidable then an effective strategy for mitigation has been identified. An assessment of ecological impacts completed in accordance with the Technical Memorandum on the Environmental Impact Assessment Process concluded that, with the implementation of the mitigation strategy proposed, that there was no indication of a significant residual impact on features of importance for nature conservation (including Mai Po Nature Reserve) and the Hong Kong Wetland Park

The ecological impact assessment process included the following key stages:

- The ecological interests of the site and surrounding area have been comprehensively surveyed and evaluated to identify features of importance for nature conservation.
- Potential impacts of the development have been systematically assessed. This has been a rigorous process involving discussions with government and relevant Green Groups.
- A mitigation strategy has been developed.

There are characteristics of the design of the development that mean potential adverse effects on importance wildlife and their habitats are <u>avoided</u>:

- Development is relatively small compared to the size of the site (the preferred options are those that occupy the smallest area (approximately 4ha). This means that approximately 95% of the site is undeveloped and can be managed for the benefit of wildlife in the long-term.
- The development is located in the least sensitive part of the site in the south and, therefore, as far as possible from main area of wetland habitats, the Ramsar site and HKWP
- It is proposed that mitigation works will commence in advance of the construction of the residential development.

• There will be no net loss of wetland

A strategy has been identified which will <u>mitigate</u> potential impacts arising from disturbance during construction and operation, through:

- o Interim management of WNR during construction period to maintain densities of wetland bird species of conservation interest (involving the stocking of fish ponds to increase bird densities during residential construction works)
- o Progressive enhancement of fish ponds (in sectors) and creation of marsh
- o Enhancement works completed before residential superstructure works
- o A Wetland Nature Reserve will be established and managed by the Proponent
- o No percussive piling
- o Implement appropriate site working practices

Any residual effects are not significant and are considered <u>acceptable</u>. If mitigation is implemented there is no indication that the development would result in significant direct impacts on sites of importance for nature conservation (including Mai Po Nature Reserve) or the Hong Kong Wetland Park.

It is considered that rather than diminishing the value of Mai Po Nature Reserve and the Hong Kong Wetland Park, that Fung Lok Wai will provide a positive enhancement. Fung Lok Wai can provide benefits to wildlife in the north-west New Territories in the following ways:

- In the absence of the proposed development and the construction and operation of the WNR it is probable that there would be a further decline in fishpond management and a steady deterioration of wetland habitats and the populations of birds that rely upon them.
- The diversity of habitats and species that will be present within the operational WNR is predicted to be greater than that which currently exists (mainly because of the creation of freshwater marsh habitats, which have declined greatly in Hong Kong).
- The WNR will provide a working example and a model for the sustainable, long-term management of wetlands in the north-west New Territories where populations of species of conservation interest are highly dependent on the continuation of appropriate management practices (traditionally this has been aquaculture).
- (c) Elaboration on the sustainability of the Comprehensive Management Plan.

The management plan is predicated on four pillars that contribute to its sustainability:

- 1. The proponent will bear all the costs of the construction of the WNR and the establishment of its management structures.
- 2. The long-term management will be consistent with the concepts of "wise use" fore-shadowed in Article 3.1 of the Ramsar Convention through designation of about 30 ha of fishponds within the 76 ha WNR for commercial fish farming operation adopting traditional aquacultural practice. The income will off-set part of the cost of administering the operation off the WNR.
- 3. The proponent will be responsible for the management of the WNR until a successor, such as an independent Foundation, is identified to the satisfaction of EPD.
- 4. The construction and operation of the WNR will be monitored by an environmental committee. The function and membership of the environmental committee shall be in line with those of the Lok Ma Chau Spur Line project.

Proposal on Environmental-Friendly Management of the Residential Portion of the Proposal Development at Fung Lok Wai, Yuen Long at Lot No. 1457 RP in DD 123

1. Background

The Project Proponent - Mutual Luck Investment Limited (MLI), proposes to develop a residential development and a Wetland Nature Reserve ("WNR") (hereinafter collectively called the "Project") at the existing fishponds at Lot No. 1457 RP in D.D. 123 Fung Lok Wai, (the Development Site) which is a Designated Project according to Item P of Part I, Schedule 2 of the EIA Ordinance. The Development Site is about 80 ha in size. Location plan of the Subject Site is shown in **Figure 1**.

MLI submitted an application (No. ESB-055/2000) for an Environmental Impact Assessment (EIA) Study Brief under the Environmental Impact Assessment Ordinance (EIAO) on 26 May 2000 with a project profile (No. PP-091/2000). The EIA report prepared in accordance with the Study Brief [No. ESB-055/2000] issued by the Authority under the EIAO in July 2000 was submitted to EPD on 20 May 2008.

This proposal of environmental-friendly management of the residential portion of the Project is submitted in response to EPD's letter of 4 November 2008, ref. (43) in EP2/N6/P/84 Pt II, regarding the use of chemicals and pesticides in the management of the landscape grounds of the residential portion of the development.

2. The Proposed Development

The Project comprises the following main components (Figure 2): -

- About 4 ha of residential land for 148,000m² GFA residential development and a club house for residents;
- About 76 ha of enhanced and managed WNR.

The Residential Development

The proposed residential development has the following basic parameters:

Total Site Area (approximate)	80.1 ha			
Area of residential development (approximate)	4 ha			
Area of Wetland Nature Reserve (approximate)	76.1 ha			
Proposed Plot Ratio	0.185			
Proposed Residential GFA	148,000 m ²			
No. of Flats	Not more than 2,860 units			

The Wetland Nature Reserve (the WNR)

The proposed WNR will comprise two key elements:

- A large expanse of retained, but ecologically enhanced, fishponds; and,
- An area of re-created 'natural' marshland.

The retained fishponds will be enhanced through reconfiguration of pond bunds to create fewer, larger but more suitable ponds for foraging of birds. Traditional aquaculture will be practiced.

An area of approximately 14.4 ha adjacent to the residential development area will be converted into a complex of freshwater marsh habitats. This area will comprise:

- Permanent marsh composed of a series of shallow inter-locking lakes with occasional deep areas and islands.
- Seasonal marsh composed of vegetation that is inundated only during the wet season.
- Storage pond to ensure a supply of freshwater for the permanent marsh throughout the year.

The Access Road

The proposed vehicular access will be via the existing Fuk Shun Street and Yuen Long Industrial Estate to Yuen Long. Fuk Shun Street is currently a substandard road and will be upgraded to a standard of not less than 7.3m single 2-lane public road with not less than 2m wide footpath on both sides of the road (**Figure 3**).

3. The Preferred Options for Residential Development

Three development options, namely Option 1A, Option 1B and Option 1C, for the residential development are assessed:

- Option 1A all buildings not more than 18 storeys (8 blocks of 14-18 storeys, 7 groups of low-rise buildings of 4-8 storeys. A resident's club house is also provided. The residential site coverage is 32.8% on 40,000m²)(**Figure 4a**);
- Option 1B all buildings not more than 15 storeys (9 blocks of 15 storeys, 7 groups of low-rise buildings of 4-10 storey. A resident's club house is also provided. The residential site coverage is 34.4% on 40,000m²)(**Figure 4b**); and
- Option 1C all buildings not more than 10 storeys (29 blocks of 7-10 storeys, 27 4-storey terrace houses. A resident's club house is also provided. The residential site coverage is 34% on 60,000m²)(**Figure 4c**).

In respect of air quality, noise impacts, water quality impacts, sewerage and sewage treatment implications, waste management implications, fisheries impact and cultural heritage impact, all three options are considered similar and acceptable. However the three options will differ in the aspects of ecological impact and landscape and visual impact.

In respect of ecological impacts, only Option 1A and Option 1B comply with the principle of "no net loss in wetland" in the "OU(CDWEA)" zone stipulated in Outline Zoning Plan No. S/YL-LFS/7.

Upon assessment, Option 1A and Option 1B are concluded to be the preferred development options. The environmental impacts of both Option 1A and Option 1B are found to be acceptable and similar. The only slight differences are that Option 1A is slightly superior to Option 1B in terms of ecological impacts while Option 1B is slightly better in terms of landscape and visual impacts.

4. Management of the Development

Upon the completion of the construction of the WNR, the Development Site will be divided into two portions: the WNR portion and the residential portion. The operation and management of the WNR will be independent from the management of the residential development.

The WNR will be managed by the Project Proponent according to a long-term management plan following guidelines described within the Habitat Creation and Management Plan for the Project until a designated successor is identified to the satisfaction of EPD or its agents.

The residential development, which upon completion and sale will be under strata-titled ownership, will be independently managed by the property manager appointed by the owners of the residential development. The residents in the residential development will not have privilege over the general public for access to the WNR nor bear the liability of its maintenance.

5. Hydrology of the Wetland Nature Reserve

Water for the fishponds within the WNR will be obtained through rainfall which will be retained and re-circulated during drain-down periods as necessary. In other words water in the fishponds will be self-contained. During normal operation, under the management of conservation manager, pond water will only be transferred amongst the fishponds within the WNR.

Water for use in the marshland of the WNR will be provided through rainfall supplemented by run-off from the residential development and catchments A and B (**Figure 5**) immediately to the south of the proposed development area via a ditch running along the southern border of the development area. Water will drain into the storage pond at the eastern end of the proposed WNR (**Figure 6**).

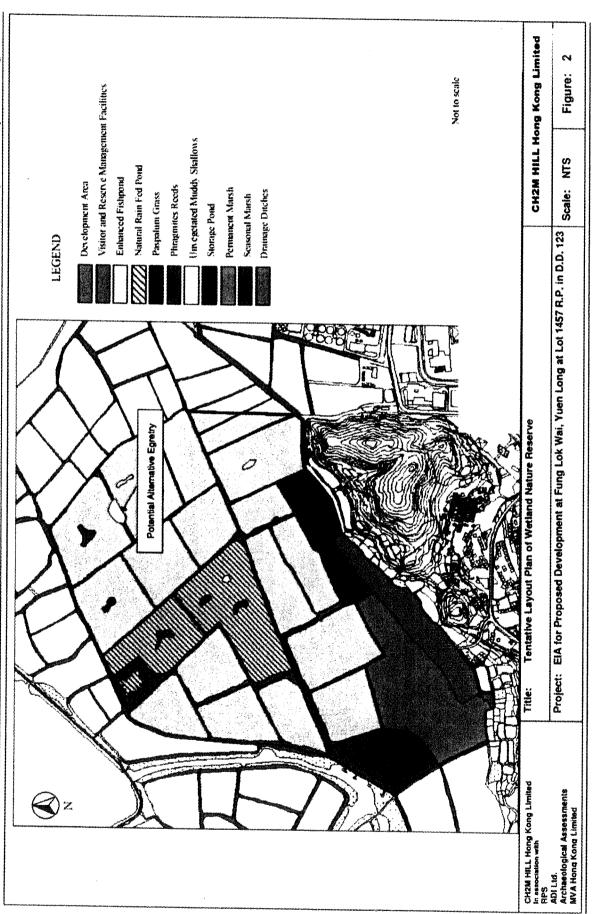
As discussed in Chapter 14 of the EIA report, the existing catchments A and B are dominated by dense semi-natural scrub and woodland vegetation. There are no apparent point sources of pollutants, such as pig farms etc. It is anticipated that suspended solids (mainly silt) in runoff during heavy rainfall periods is relatively low due to the existing dense vegetation cover in the catchments.

The run-off from residential site will pass through traps to remove oil and grease, and sand and gravel filters to reduce silt loads and particulate organic matter prior to discharge into the ditch and the storage pond. Furthermore, runoff water from the catchments and development area will be stored in the storage pond for long periods before entering the wetland area and any remaining silt that is present will be able to settle out in the water. This will further significantly reduce pollutant levels of the runoff from the residential development and catchments A and B. Foul water from the residential site, on the other hand, will be discharged to the public sewer.

6. Proposal of Environmental Friendly Management of the Residential Development

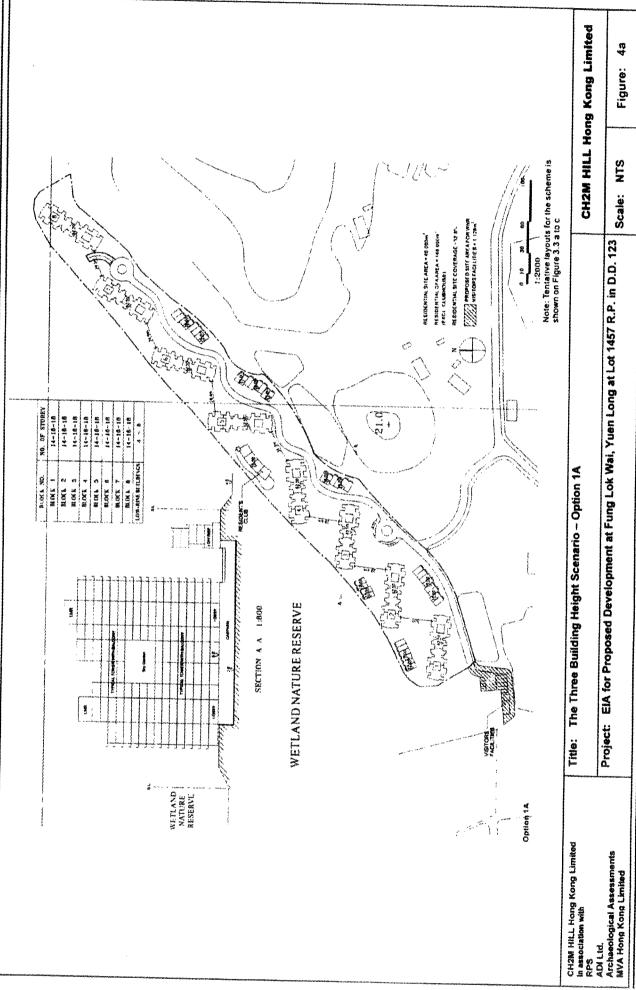
As discussed in Chapter 14 of the EIA report which is summarized in Section 5 of this submission, there are no major concerns on the water quality of the runoff from the residential development and from Catchments A and B. To further safeguard the water quality of the runoff from the residential development, the following environment-friendly management measures of the residential portion of the development are proposed:

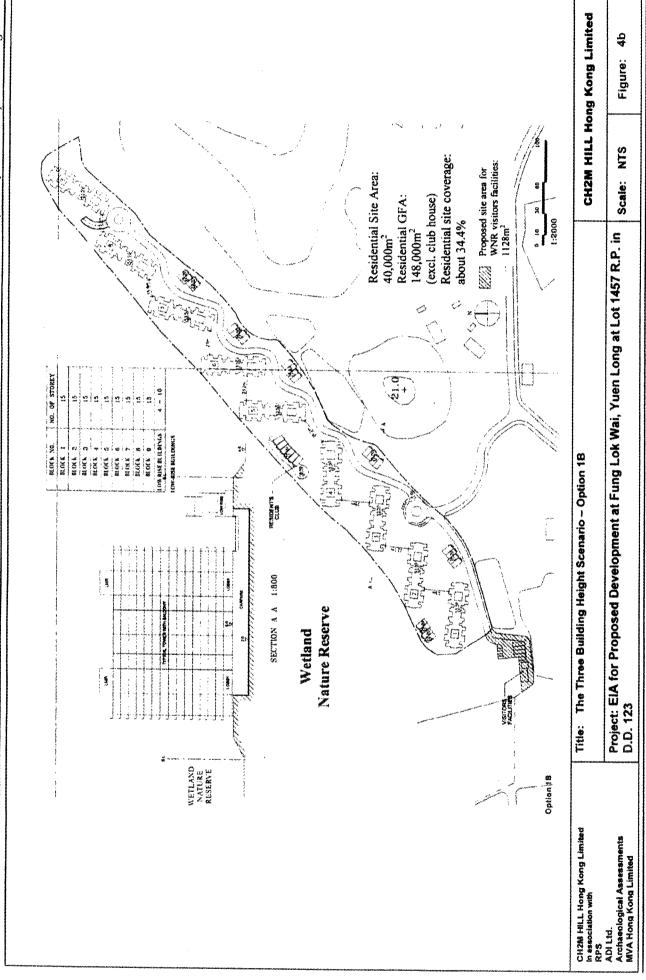
- (1) The Deed of Mutual Covenants of the residential development shall prescribe directives for:
 - (a) using organic-based or biodegradable chemicals, as appropriate, for the maintenance of the landscaped areas within the residential development.
 - (b) the property manager to require landscape contractors to follow guidelines and manuals, as appropriate, for the application of such organic-based or biodegradable chemicals in the maintenance of the residential landscaped areas. Such requirements shall be enshrined in contractual obligations for the contractors.
 - (c) the property manager to require landscape contractors to use, as far as possible, mechanical measures rather than chemical measures as a means for managing the soft landscaped areas in the residential development.
- (2) Plant species amenable to environmental friendly maintenance will be given priority consideration in the landscaping of the residential development.
- (3) Runoff from the residential area will be filtered by traps and the water to be retained in the storage ponds for some time to allow natural breakdown of organic-based or biodegradable chemicals, if any.
- (4) Separate rubbish bins for paper refuse, aluminium cans and plastics, etc will be provided in the residential development.
- (5) Central refuse collection room will be provided for collection and disposal of sorted refuses.
- (6) Educational signage giving information on the various environmental friendly measures used will be on display in the residential landscaped areas.

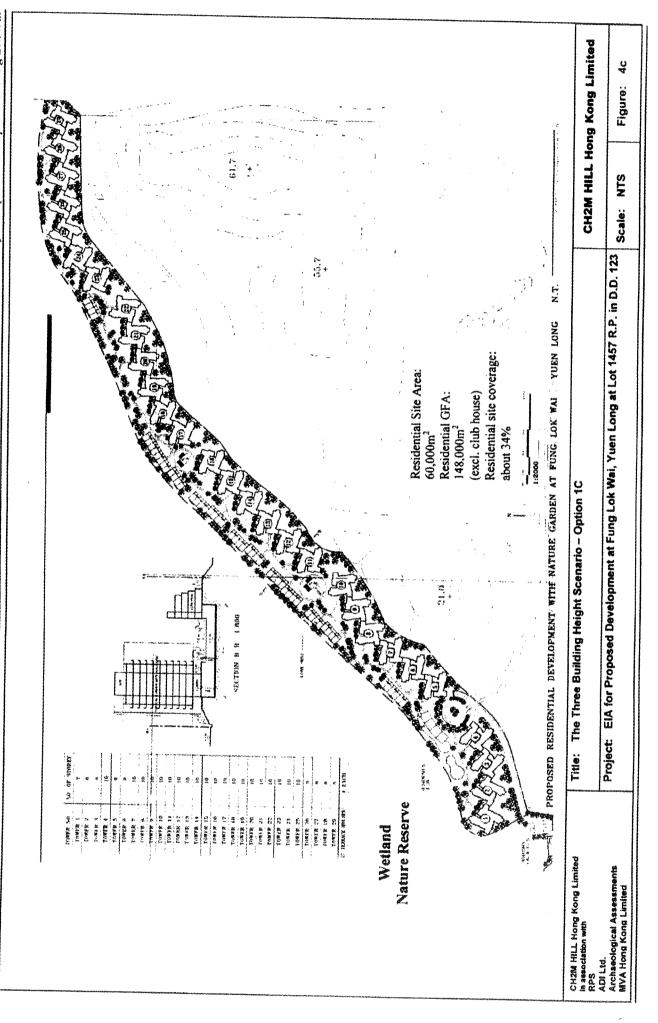


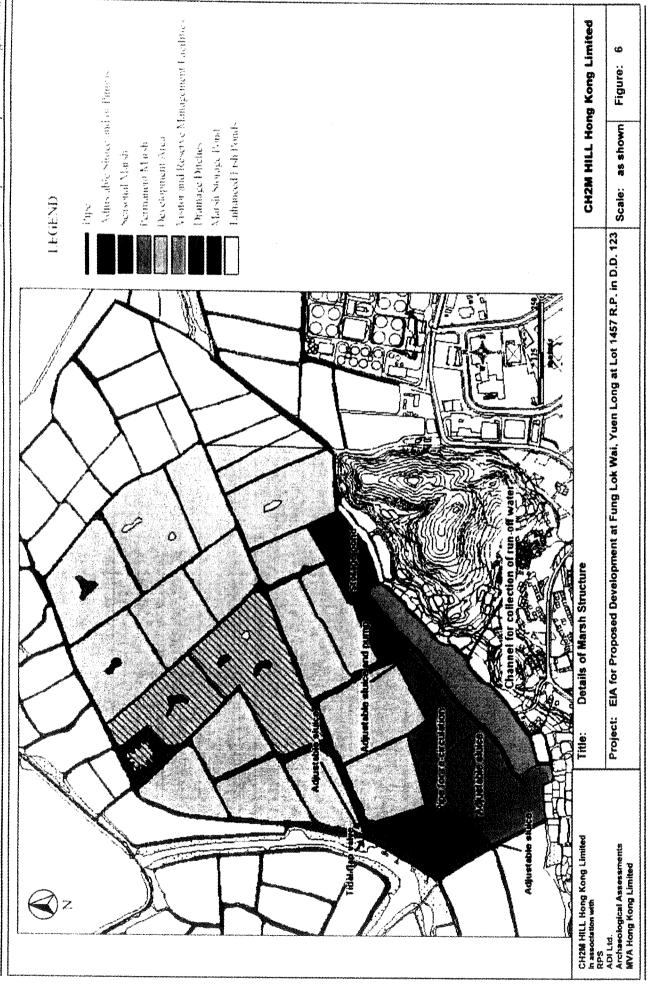
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MUTUAL LUCK INVESTMENT LIMITED

7th October 2009

Environmental Protection Department Branch Office 28th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong

Dear Sirs.

Environmental Impact Assessment (EIA) Ordinance
Application for Approval of Environmental Impact Assessment Report
Proposed Development at Fung Lok Wai, Yuen Long at Lot 1457 R.P. in D.D.123
(Application No. EIA-149/2008)

Your letter of 4 November 2008, ref. (43) in EP2/N6/P/84 Pt II, refers.

We, the project proponent of the Environmental Impact Assessment Report (Application No. EIA-149/2008), are responsible for the construction, creation and enhancement of the Wetland Nature Reserve (the "WNR") and undertake to take sole responsibility for the maintenance and management of the WNR until a successor could be found in consultation with the Advisory Council on the Environment to the satisfaction of and approval by the Director of Environmental Protection ("DEP") or its agents. Prior to the DEP's approval of a successor, we shall retain the WNR, which shall be maintained and managed as a separate unit from the residential development.

We shall notify the DEP the completion of the construction of the WNR with evidence of completion. Except for site formation works for the residential development, construction of the residential development shall not commence before the acceptance of the said notification by the DEP.

Before the sales of the residential units of the project, we shall submit to the DEP documentary proof of our ownership of the land demarcated for the WNR. We shall deposit a copy of the submitted documentary proof in the EIA Register Office and any internet websites as specified by the DEP.

We shall provide information on the WNR in the sales brochures of the residential development to inform potential buyers the arrangement for the maintenance and management of the WNR, in particular, the financial, maintenance and management responsibilities of the WNR.