

**Confirmed Minutes of the 105th Meeting of
the Environmental Impact Assessment Subcommittee
held on 18 September 2008 at 9:30 am**

Present:

Dr NG Cho-nam, BBS (Chairman)
Dr Dorothy CHAN, BBS
Ms Betty HO
Prof Paul LAM, JP
Mr Edwin LAU
Dr MAN Chi-sum, JP
Prof POON Chi-sun
Mr Simon WONG, JP
Dr YAU Wing-kwong
Ms Josephine CHEUNG (Secretary)

Absent with Apologies:

Mr TSANG Kam-lam (Deputy Chairman)

In Attendance:

Mr C W TSE, JP	Assistant Director (Environmental Assessment), Environmental Protection Department (EPD)
Mr C C LAY	Assistant Director (Conservation), Agriculture, Fisheries and Conservation Department (AFCD)
Dr P M SO	Senior Conservation Officer (Biodiversity), AFCD
Mr KWAN Chung-kit	Office Manager (CBD), EPD
Ms Loletta LAU	Executive Officer (CBD), EPD

In Attendance for Agenda Item 3:

Mr H M WONG	Principal Environmental Protection Officer (Strategic Assessment), EPD
Mr Tom TAM	Senior Environmental Protection Officer (Strategic Assessment) ³ , EPD
Mr Simon CHAN	Conservation Officer (Scientific Interest), AFCD
Ms Grace WOO	Representative of Mutual Luck Investment Ltd.
Ms Selene CHIU	Representative of Mutual Luck Investment Ltd.
Mr Albert YIU	Representative of Mutual Luck Investment Ltd.
Mr Eric BOHM	Chief Executive Officer, World Wide Fund for Nature Hong Kong (WWF)
Dr Alan LEUNG	Senior Conservation Officer (Terrestrial), WWF
Dr Janet LEE	Conservation Officer (Mai Po projects), WWF

Mr Damien KU	Project Consultant, CH2M HILL Hong Kong Ltd.
Dr Tim NORMAN	EIA & Ecology Consultant, RPS Group
Mr Chris FOOT	Landscape & Visual Impact Consultant, ADI Ltd.
Ms Silina KWOK	Architect, Wong Tung & Partners Ltd.
Ms Ellen CAMERON	Archaeological Consultant, Archaeological Assessments Ltd.

In Attendance for Agenda Item 4:

Mr Elvis AU, JP	Assistant Director (Water Policy), EPD
Dr H Y YEUNG	Principal Environmental Protection Officer (Sewage Infrastructure), EPD
Mr Peter BALDWIN	Senior Environmental Protection Officer (Sewage Infrastructure)2, EPD
Mr Sam WONG	Principal Environmental Protection Officer (Regional Assessment), EPD
Mr Stanley LAU	Senior Environmental Protection Officer (Regional Assessment)3, EPD
Mr W W CHUI	Chief Engineer/HATS, Drainage Services Department (DSD)
Mr Lawrence HO	Senior Engineer(1)/HATS, DSD
Mr Andrew YUEN	Engineer(10)/HATS, DSD
Ms Fanny WONG	Environmental Protection Officer/HATS, DSD
Mr Freeman CHEUNG	Executive Director, ENSR Asia (HK) Ltd.
Mr Peter LEE	Associate, ENSR Asia (HK) Ltd.
Ms Amy CHEUNG	Senior Environmental Consultant, ENSR Asia (HK) Ltd.

Action

Agenda Item 1 : Confirmation of the draft minutes of the 103rd meeting held on 19 May 2008

The Chairman informed Members that the draft minutes of the 103rd meeting held on 19 May 2008 had been confirmed by circulation.

Agenda Item 2 : Matters arising

Environmental Assessment report on Pilot Project for Public-Private Partnership Conservation Scheme, Sha Lo Tung Valley, Tai Po

2. The Chairman said that at the meeting held on 8 September 2008, the Subcommittee discussed the Environmental Assessment (EA) report on “Pilot

Project for Public-Private Partnership Conservation Scheme, Sha Lo Tung Valley, Tai Po” and the project proponent was requested to provide supplementary information. The supplementary information, except the Environmental Monitoring and Audit (EM&A) Manual for which they required more time for preparation, had been circulated to Members for information.

(Post-meeting note: The EM&A Manual provided by the project proponent after the meeting was circulated to Members of the EIA Subcommittee.)

3. A Member declared interest as the Green Power, in which he served as the Chief Executive Officer, was the conservation partner of the Sha Lo Tung (SLT) proposal. The meeting agreed that he had to abstain from the meeting for this item in view of the direct involvement in the proposal being considered.

4. Having regard to the findings and recommendations of the EA report and supplementary information provided by the project proponent, Members agreed to recommend to the full Council that the EA report could be endorsed with the following proposed conditions. As no Environmental Permit would be issued by the Environmental Protection Department (EPD) for the project, the conditions should be spelt out in the legally-binding agreement between the project proponent and the Government.

- (a) A robust mechanism and legally enforceable measures should be put in place to ensure the full implementation and continuing compliance of recommendations and mitigation measures on environmental and nature conservation committed by the project proponent, including those in the EA report, Conservation Management Plan and EM&A Manual;
- (b) the project proponent should ensure that the project is constructed and operated in accordance with the information and recommendations described in the EA report, EM&A Manual and relevant documents;
- (c) measures should be taken to ensure the operation of the Multi-cultural Education Retreat cum Columbarium Complex would not have any unacceptable environmental impact on the overall nature conservation principles of the Ecological Reserve, in particular that the Multi-cultural Education Retreat would not be

turned to a resort-type facility or any facilities with a business nature;

- (d) the “festival days” with special traffic and visitor management arrangements should also include Saturdays immediately preceding and after the Ching Ming Festival as well as Saturdays immediately preceding and after the Chung Yeung Festival. Regular reviews should be conducted by the Conservation Management Board on the definition of “festival days” in light of traffic management and site control in the Columbarium Complex. The special traffic and visitor management arrangements should be set out in the sales and purchase agreement between the project proponent and niche buyers to avoid dispute in future;
- (e) during the operation of the Columbarium, burning of effigies and paper offerings should be prohibited in the site, including the Columbarium Complex, Multi-cultural Education Retreat, Nature Interpretation Centre and open space. Burning of incense and candles should also be prohibited in the site, except that one incense of a reasonable size could be lit up within the Multi-cultural Education Retreat;
- (f) the project proponent should submit reports of the EM&A results on ecological and water quality monitoring during the construction phase to the EIA Subcommittee on a quarterly basis and those reports during the operational phase on an annual basis until the end of the first year after full operation of the Columbarium. The project proponent should also submit monitoring reports for the Ecological Reserve to the EIA Subcommittee on an annual basis; and
- (g) the project proponent should submit a tree-felling and re-planting plan to the EPD and Agriculture, Fisheries and Conservation Department (AFCD) for agreement before commencement of the construction works.

5. The meeting also agreed that there was no need to request the project proponent to attend the full Council meeting.

Agenda Item 3 : Proposed development at Fung Lok Wai, Yuen Long
(ACE-EIA Paper 6/2008)

Internal Discussion Session

6. The Chairman informed Members that agenda items 3 and 4 would be divided into the following four sessions –

- (a) Internal Discussion Session
- (b) Presentation Session
- (c) Question-and-Answer Session
- (d) Internal Discussion Session

The Presentation Session and Question-and-Answer Session would be opened to the public. Internal Discussion Sessions of agenda items 3 and 4 and all other sessions of the meeting would remain closed.

7. A Member declared interest as her company had some indirect business dealings with one of the project proponent's parent companies (Cheung Kong (Holdings) Limited) but has no direct involvement in the project under consideration. A Member declared interest as the Green Power, in which he served as the Chief Executive Officer, had received donations from one of the project proponent's parent companies (Cheung Kong (Holdings) Limited) but has no direct involvement in the project under consideration. The meeting agreed that both Members could stay and continue to take part in the discussion in view of the indirect relationship with the project proponent.

8. The Chairman informed Members that five sets of public comments had been received by the EPD during the public inspection period from 8 August to 6 September 2008. Separately, two Members had raised some questions about the EIA report. The public comments as well as the response from the project proponent to the Members' questions had been circulated to Members for reference before the meeting. Moreover, a letter from the World Wide Fund for Nature Hong Kong (WWF) (the conservation partner of the project), explaining their involvement in the project and reasons for supporting the project, was tabled at the meeting for Members' information.

9. Members agreed that the discussion should focus on compatibility of the Wetland Nature Reserve (WNR) and residential development, options of

development forms, landscape and visual impacts, tree felling impacts, management of the WNR, management of the residential development and traffic impact assessment.

(The project proponent team joined the meeting at this juncture.)

Presentation Session (Open Session)

10. Ms Grace Woo introduced the background and purpose of the project. Dr Tim Norman briefed Members on the findings of the EIA study. Dr Alan Leung referred to the note tabled by the World Wide Fund for Nature Hong Kong (WWF) and explained their involvement as the conservation partner in the project and reasons for supporting the project. He also highlighted that their interest in the project was purely conservation with no financial benefit involved.

Question-and-Answer Session (Open Session)

Compatibility of the wetland nature reserve and residential development

11. In reply to a Member's enquiry about the compatibility issue of having a residential development next to a WNR area, Dr Tim Norman explained that the issue of compatibility was considered in detail throughout the planning process. The residential development was compatible with the environment in achieving both objectives of nature conservation and development. As fish ponds required active management in order to maintain their ecological value, the project comprising the nature reserve and a management regime would improve and enhance the site condition of the abandoned and deteriorating fish ponds and ensure their sustainability. Impacts of the development on wildlife and birds were fully addressed with appropriate mitigation measures. Mr Chris Foot added that from the perspective of visual impacts, the proposed development would integrate well with the natural and aquacultural landscape with mitigation measures to enhance visual integration of the development, including stepped building profiles, visual corridors, green measures on building facades and extensive buffer areas. Detailed discussions had been conducted with the Planning Department to ensure that the development would blend in well with the existing landscape.

12. In response to the Chairman's enquiry about the issue of zoning

requirement, Ms Grace Woo confirmed that the proposed development complied with the zoning requirements of the area which was zoned as “Other Specified Uses (Comprehensive Development and Wetland Enhancement Area)”. It allowed limited low-density private residential/passive recreational development in exchange for committed long-term conservation and management of the remaining fish ponds or wetland within the development site. Dr Tim Norman added that the “no-net-loss in wetland” principle under the Town Planning Board guidelines was a key development criterion for the project.

Options of development forms

13. In reply to a Member’s enquiry about the options of development forms, Dr Tim Norman explained that during the selection process of the preferred option, three schemes (1A, 1B and 1C) of development forms were explored. Both options 1A and 1B had a footprint of about 4 ha but with different building height profiles. Under option 1A, eight blocks of 14-18 storeys and seven groups of buildings of 4-8 storeys would be built. Under option 1B, nine blocks of 15 storeys and seven groups of buildings of 4-10 storeys would be built. These two options complied with the “no-net-loss in wetland” principle. Mr Chris Foot said that for option 1C, the footprint was more extensive requiring about 6 ha as the building height was lower, including 29 blocks of 7-10 storeys and 27 4-storey terrace houses. This option was not acceptable as it could not comply with the “no-net-loss in wetland” principle. From the perspective of visual impacts, the more extensive building blocks under option 1C would disturb the green backdrop to a greater extent and the development parameters would impose limitations on the application of more innovative architectural design features.

14. A Member asked whether impacts of different building profiles on the birds had been assessed. Dr Tim Norman explained that survey findings revealed that a vast majority of bird movements were at a relatively low altitude. Increasing the height of the buildings would not make a big difference on the impacts on the birds. Thus, it was better to have fewer buildings which were slightly taller (as in the case of options 1A and 1B) than having more buildings which were slightly lower (as in the case of option 1C). Under options 1A and 1B, more space in between buildings would maintain a better sightline and views of the habitat for the birds. Under this principle, there was a slight preference for option 1A over 1B.

Landscape and visual impacts

15. A Member queried the contrast of the relatively high building blocks as compared with the low-rise village houses in the vicinity. Mr Chris Foot explained that the two hills located to the south of the building development would form a backdrop for the buildings. Moreover, the building blocks in Tin Shui Wai near the site were also key features of the landscape.

16. A Member enquired about the design of sky gardens under option 1A. Mr Chris Foot explained that the design was intended to punctuate the visual mass of the development by having a visually permeable feature to maximize the views and produce the effect of softened sightline on the natural landscape.

17. Ms Grace Woo noted a Member's suggestion of adopting aesthetic building design to each building in order to blend the buildings into the natural landscape, such as the use of visual corridors, voids in the facades and variation of design features (such as by means of visual greening and re-orientation of stepped building heights). The Chairman suggested that the uniform building design in Tin Shui Wai should be avoided. Ms Woo said that while the detailed design of the buildings was not yet finalized, she assured Members that the building design would be aesthetically pleasing.

Tree felling impacts

18. A Member expressed concern about the large number of trees to be felled. Mr Chris Foot explained that the principle of the tree felling proposal was to preserve as many trees as possible, in particular those in the WNR. Out of the 665 trees in the site, 178 were banana trees and majority of the rest were recently planted fruit trees. The EIA recommended that about 238 trees (36%) would be retained in-situ and about 28 (4%) would be transplanted. After the felling of 399 trees (60%), over 1,000 new trees would be re-planted at a compensatory ratio of 2.6 to 1. Native tree species would be re-planted as far as possible to facilitate integration of the trees to the existing landscape. There was no valuable old tree or "Fung Shui" tree within the site.

19. In reply to the Member's concern over the monitoring of contractors, Mr Chris Foot confirmed that the contractors would be closely

monitored to avoid damage to the retained and transplanted trees. Access to protected tree areas would be restricted. Contractors would be required to employ site staff with knowledge in horticulture or arboriculture.

20. In response to a Member's enquiry about the tree compensatory ratio, Mr C C Lay advised that there was no fixed tree compensatory ratio and it would depend on the circumstances of individual project. For the current project, the compensatory ratio of 2.6 to 1 was appropriate, having regard that a green belt of native woodland would be created and majority of the trees affected were banana trees.

Management of the Wetland Nature Reserve

21. A Member enquired about the availability of an independent monitoring mechanism for management of the WNR. Dr Alan Leung explained that an Environmental Committee would be set up to oversee the management of the WNR. The function and membership of the Environmental Committee would be in line with those of the Lok Ma Chau Spur Line project. The WWF would manage the WNR and report progress to the Environmental Committee. Mr Eric Bohm added that the project would be separately accounted for within the WWF. The progress of the project would be reported to the Scientific Advisory Committee which comprised academics and experts. The WWF hoped that the project would be a model for integrating development with nature conservation. After WWF handed over the management responsibility of the WNR to an independent non-profit making Foundation, representatives of WWF would join the Environmental Committee to continue the monitoring and advisory role. Separately, a Trust Management Board would be set up to monitor the funding matters of the Foundation.

22. In response to the Member's enquiry about the long-term financial commitments for the WNR, Mr C W Tse advised that the project proponent should be responsible for the creation, enhancement and management of the WNR until a successor could be identified to the satisfaction of the EPD. The project proponent would be fully responsible for providing financial support to the long-term management of the WNR so as to meet the standards stated in the EIA report. Noting Members' concern about the status of Mutual Luck Investment Ltd., Ms Grace Woo confirmed that until a successor was identified as afore-mentioned, the parent companies (Cheung Kong (Holdings) Ltd., Sun Hung Kai & Co. Ltd. and Far East Consortium International Ltd.) would undertake to

provide long-term back-up of the financial responsibility for the WNR. The EPD would follow up with them in this aspect.

23. A Member noted that the project proponent would provide an annual operating fund of \$3,950,298 for the WNR, Ms Grace Woo explained that they would inject an adequate amount of seed money into the future Foundation. It would be calculated on the basis of the annual operating budget of the WNR. The annual operation cost, at present value, was \$3,950,298 as advised by the WWF.

24. A Member enquired about the monitoring role of AFCD when the Habitat Creation and Management Plan (HCMP) for the project was available. Mr C C Lay advised that they would examine the plan, monitor the progress of the project during the construction and operational phases and provide assistance where necessary.

25. Two Members expressed concerns about the control over the access to the WNR. Dr Tim Norman explained that the current thinking was that access would be on a restricted basis for preservation of the WNR in a sustainable manner. The WNR would be opened to the public in a controlled manner while the residents of the proposed residential development would not have privilege of access. The WNR would be mainly for access to research and to conservation education purposes but the details had yet to be worked out and the final decision on the detailed arrangements would be up to the management of the WNR. A Member expressed concern about the control of access to the WNR which should be a good place for public environmental education.

26. In reply to a Member's enquiry about the proposed education and resource centre, Dr Tim Norman explained that the facility was not meant to be a large-scale visitor center for the general public. It was basically a small structure with management office and reception counter to receive small groups of visitors.

27. The Chairman noted that Leopard Cat was not included in the mammal list of the EIA report and White-throated Kingfisher, Pied Kingfisher, Red-billed Starling were not chosen as target species for the design of the WNR. Dr Tim Norman explained that the most important consideration was to choose the appropriate habitat and species which were most sensitive and abundant. If the habitat was suitable for these species, it would be suitable for the less sensitive ones. The targets would be revisited prior to the commencement of

construction. A more focused list reflecting key indicator species of wetland habitat quality would be developed in consultation with the Environmental Committee.

Management of the residential development

28. The Chairman enquired about the means to avoid possible conflicts between the management of the WNR and that of the residential development which would be independent from each other. Dr Tim Norman explained that there were merits for the management of the WNR to be independent from that of the residential development. To avoid possible conflicts, the setting of environmental-friendly management principles for the residential development would be useful. Residents who would choose to live near a WNR should respect these principles in caring for the nature.

29. A Member expressed concerns about the use of pesticides and insecticides in the residential development. Mr Chris Foot explained that mechanical measures rather than chemical means for managing the soft landscape (trees, shrubs and lawn) area would be used as far as possible. Dr Tim Norman added that with the appropriate choice of plant species, improvement of landscape design and adoption of intensive management techniques, the use of chemicals for landscape enhancement would be minimized. Ms Grace Woo said that requirements of using organic-based or biodegradable chemicals could be included in contractual agreements to ensure that the ecological principle of the project would be upheld.

30. The Chairman expressed concerns about runoff of contaminated water from the residential development to the wetland area. Dr Tim Norman explained that the residential runoff only formed a small part of the water catchment in the wetland, which would be part of the water source for the freshwater marsh. The water source for the fish pond area was maintained by a separate hydrological system. For the runoff from the residential area, grease and chemicals, if any, would be filtered by traps and the water would be retained in the storage ponds for some time which allowed natural breaking down of organic-based or biodegradable chemicals, if any.

31. The Chairman noted that there were concerns about possible outbreak of Avian Flu having regard that a residential development was located in close vicinity to a WNR. Mr Eric Bohm explained that the WWF would institute

a three-tier system of precautionary measures in cooperation with the Department of Health and AFCD. Information would be disseminated to residents about the latest development and the importance of personal hygiene. Mr C C Lay advised that the Fung Lok Wai WNR was different from the Mai Po Nature Reserve which had a high concentration of birds and visitors were attracted for bird watching there. Closure of the Mai Po Nature Reserve due to the occurrence of Avian Flu was necessary on public health safety grounds. For the WNR, the key objective was to conserve the natural environment for the birds' usage rather than attracting visitors. It was envisaged that the issue of Avian Flu would not be a great problem for the management of the WNR and residential development.

Traffic impact assessment

32. A Member noted that traffic impact assessment (TIA) was not presented in the EIA report. Mr Kelvin Leung explained that the Study Brief for the EIA study did not require the submission of TIA report and thus it was not included in the EIA report. However, the effects of the increase in traffic regarding noise and air were assessed and included in the EIA. The TIA was conducted in 2003 and the report, including the proposal of upgrading the access road on government land, was submitted to the Transport Department. Two Members enquired about possible environmental impacts of the road works and increased traffic. Mr Kelvin Leung said that the anticipated increase of traffic flow which was only about 300 vehicles per hour. Ms Selene Chiu explained that the air quality and noise impact assessments in both the construction and operational phases in the EIA study were based on the results of the TIA. Mr Damien Ku added that the assessment concluded that the impacts were acceptable.

(The project proponent team left the meeting at this juncture.)

Internal Discussion Session

33. On the management of the WNR, the Chairman noted that the role of the Environmental Committee, as in the case of the Lok Ma Chau Spur Line project, was relatively passive. The Committee mainly received reports to ensure that the environmental standards could be met. Members agreed that an independent Environmental Monitoring Committee with membership from the public and relevant stakeholders should be set up to supervise and monitor the day-to-day implementation and management of the WNR in a proactive manner.

34. Two Members were concerned that residents might be given privilege to access to the WNR which would be inconsistent with the objective of promoting conservation education. Public access to the WNR should be allowed on a restrictive basis for education purpose. Dr P M So clarified that as stipulated in paragraph 15.3.2 of the EIA report, residents of the residential development would neither have privilege over the general public for access to the WNR nor the liability of its maintenance. Mr C W Tse advised that as stipulated in paragraph 2.7.2 of the Executive Summary, whilst conservation was the prime objective of the WNR, limited public access would be allowed on a restricted basis so as not to create disturbance to birds. Occasional guided tours and some educational facilities could be contemplated. Picnicking and similar activities would not be allowed within the WNR. The Chairman said that under the Ramsar Convention, the land use should be in line with the principle of “wise use of wetlands” in that maintenance and operation of fish ponds in an ecologically sustainable manner should be encouraged.

35. On potential runoff of contaminated water from the residential development site, a Member considered that chemicals and pesticides to be used, if necessary, should not have any unacceptable environmental impact on the WNR. This should be one of the key principles under the environmental-friendly management approach of the residential development.

36. On the TIA, a Member suggested and Members agreed that the project proponent be required to provide the TIA report for Members’ information.

(Post-meeting note: The project proponent provided the TIA report after the meeting and the report was circulated to Members of the EIA Subcommittee.)

37. Having regard to the findings and recommendations of the EIA report and information provided by the project proponent, Members agreed to recommend to the full Council that the EIA report could be endorsed with the following conditions –

- (a) the project proponent should be responsible for the construction of the WNR as part of the development and should provide an undertaking to take sole responsibility for the management of the WNR until a successor could be found to the satisfaction of the EPD. The project proponent should consult the Advisory Council

on the Environment (ACE) during the identification of the successor;

- (b) prior to the construction of the WNR, the project proponent should set up an independent Environmental Monitoring Committee to supervise the implementation and monitor the effectiveness of the proposed mitigation measures of the project, in a proactive manner, according to the HCMP, the EIA report and the Environmental Monitoring and Audit (EM&A) Manual. The composition of the Committee and its terms of reference should be submitted to the ACE for endorsement. In addition, the Environmental Monitoring Committee should review all submissions under the EM&A Manual before these submissions are submitted to the EPD;
- (c) the project proponent should submit the final HCMP for the WNR (which should include a plan on the financial arrangement for the proper long-term operation of the WNR for information) to the ACE, EPD and the Agriculture, Fisheries and Conservation Department (AFCD) for endorsement before the construction of the WNR;
- (d) the WNR should not be used for any other purpose except for those specified in the HCMP;
- (e) the project proponent should put in place a five-yearly review programme for the HCMP, and the review reports should be submitted to the ACE, EPD and AFCD for endorsement;
- (f) the project proponent should submit reports of the environmental monitoring and audit results during the construction phase to the EIA Subcommittee of the ACE on a half-yearly basis and those reports during the operational phase on an annual basis until the end of the third year after full operation. The need for future submission will be subject to review; and
- (g) the project proponent should submit a proposal on the environmental-friendly management of the residential portion of the development to the EPD and AFCD to ensure that, among other thing, chemicals and pesticide to be used (if necessary) in residential

portion of the development would not have any unacceptable environmental impact on the WNR. The submission should be made before the residential portion is occupied.

38. The Subcommittee also recommended that the EPD should follow up with the project proponent to provide an undertaking to ensure that the parent companies (Cheung Kong (Holdings) Ltd., Sun Hung Kai & Co. Ltd. and Far East Consortium International Ltd.) of the project proponent would take up the responsibility mentioned in para. 37 (a) above, if the project proponent failed to do so.

39. The meeting also agreed that there was no need to request the project proponent to attend the full Council meeting.

Agenda Item 4 : Harbour Area Treatment Scheme (HATS) Stage 2 - Investigation
(ACE-EIA Paper 7/2008)

Internal Discussion Session

40. The Chairman informed Members that one set of public comment was received by the EPD during the public inspection period from 12 August to 10 September 2008. Separately, a non-EIA Subcommittee Member raised some questions about the EIA report. The public comments and response from the project proponent to the non-EIASC Member's questions were circulated to Members for reference before the meeting.

41. Members agreed that the discussion should focus on the interface with other projects, water quality impacts, odour problem, landscape and visual impacts, contingency plans and planned centralized sludge treatment facility.

(The project proponent team joined the meeting at this juncture.)

Presentation Session (Open Session)

42. Mr W W Chui introduced the background and purpose of the project. Mr Freeman Cheung briefed Members on the findings of the EIA study.

Question-and-Answer Session (Open Session)

Interface with other projects

43. The Chairman enquired about the interface problem and potential cumulative impacts arising from the project of “Container Terminal 10 Development at Southwest Tsing Yi” (CT10 project). Mr Freeman Cheung explained that the site and the timing of the CT10 project was not available when the EIA report of Harbour Area Treatment Scheme (HATS) Stage 2A was compiled and hence it was not possible for the current EIA study to assess the cumulative impacts of the concurrent operation of the two projects. It should be noted that the Study Brief of the CT10 project required the project proponent to assess the impacts, including detailed hydrodynamic and water quality impacts, with particular attention to the hydrodynamics, dispersion and dilution effects on the sewage effluent discharged from the HATS outfall at Stonecutters Island.

44. In reply to the Chairman’s further enquiry about the significance of hydrodynamic impact of the CT10 project, Mr W W Chui explained that the CT10 project might involve reclamation works resulting in changes in the coastline. The project proponent of the CT10 project would have to conduct detailed water quality modelings. It was envisaged that the impacts of the reclamation works on the water quality would not be very significant. Mr Freeman Cheung added that the CT10 would be at the southwest of Tsing Yi while the existing Stonecutters Island Sewage Treatment Works (SCISTW) outfall area was in the middle of the faster current of the Victoria Harbour. It was envisaged that the reclamation would not reach out to the channel bringing significant hydrodynamic impact. However, it would still depend on the final layout of the CT10. Comprehensive assessment would have to be conducted when detailed design of the CT10 was available. Mr C W Tse confirmed that the Study Brief of the CT10 project was issued in August 2008 and the Study Brief required the project proponent to address all the cumulative impacts of planned projects in the vicinity, including HATS Stage 2A.

Water quality impacts

45. A Member expressed concerns about the water quality at the outfall area of the SCISTW after implementation of the HATS Stage 2A project. Mr Freeman Cheung explained that about 75% of sewage currently generated around Victoria Harbour was collected and treated under HATS Stage 1. With

the implementation of HATS Stage 2A, the remaining 25% of sewage would be collected and treated at the enhanced SCISTW and discharged to the existing outfall area. The enhanced treatment facilities would remove about 40% of organic nitrogen, 40% to 50% of ortho-phosphate (PO₄), 70% of biological oxygen demand (BOD), 80% of suspended solids and 99.9% of the *E. coli*. It was predicted that the size of the mixing zone near the existing outfall area of the SCISTW would be smaller with the implementation of HATS Stage 2A due to the reduction in pollution loading in the background by intercepting the raw sewage from Hong Kong Island and better dilution capacity at the outfall location. There would be an overall improvement of water quality due to the implementation of the project. The exceedance of total inorganic nitrogen was mainly caused by the high level of pollution loading of the discharge from the Pearl River Delta. The exceedances of unionized ammonia and PO₄ were found to be localized and would not impair the integrity of the water body.

Odour problem

46. In reply to a Member's enquiry about measures to minimize the odour problem, Mr W W Chui explained that under HATS Stage 1, a number of odour emission sources had already been covered, enclosed and deodourized. The provision of similar mitigation measures would be extended to HATS Stage 2A. However, the sedimentation tanks which were not covered at the moment had been identified as one of the odour emission sources that required further mitigation measures to ensure that the air sensitive receivers would not be affected. As there was increasing number of sensitive receivers around the facility, all of the sedimentation tanks would need to be covered and provided with adequate ventilation and deodourization facilities. Mr Freeman Cheung added that a two-stage deodorization system with 97% odour removal efficiency would be installed in the SCISTW to meet the odour criterion stipulated in the Technical Memorandum on Environmental Impact Assessment Process at the identified air sensitive receivers. Mr W W Chui said that for the HATS Stage 2B project, a separate EIA study would be conducted when the project went ahead. The odour problem and appropriate mitigation measures would be studied in detail. HATS Stage 2B would further upgrade the sewage treatment level by the addition of a biological treatment plant on a site adjacent to the SCISTW. The odour treatment facilities under HATS Stage 2A would not jeopardize those to be provided under HATS Stage 2B. Mr Elvis Au advised that a study on the co-use of the land under HATS Stage 2B had commenced in May 2008, including the possibility of building an underground biological treatment plant with other

container and port related facilities on the deck cover.

Landscape and visual impacts

47. The Chairman asked the possibility of minimizing the visual impacts of the structures of Preliminary Treatment Works (PTWs). Mr W W Chui explained that the PTWs were relatively low-rise structures when compared with the surroundings. To enhance landscape quality and reduce adverse visual impacts, roof greening and vertical greening would be adopted where possible. As an example, a green roof had already been provided at Wan Chai East PTW. Appropriate greening and landscape improvement measures would continue to be adopted in other PTWs where possible and relevant parties in the district would be consulted.

Contingency plans

48. In reply to a Member's enquiry about contingency plans, such as in the case of power failure, Mr W W Chui indicated that a modular design was used for SCISTW with parallel streams of facilities, dual power supply and standby pumps, treatment units and equipment. Standby unit(s) and dual or backup power supply would also be provided at all PTWs under this project. Since commissioning of the HATS Stage 1 in 2001, there had not been any major problem of power supply to the SCISTW and PTWs. The operation had been non-stop since its commissioning and had provided satisfactory treatment results.

Planned centralized sludge treatment facility

49. In response to a Member's enquiry about the planned centralized sludge treatment facility, Mr Lawrence Ho said that the facility could handle at least 1,500 tonnes of sludge from SCISTW per day in the first phase. The project was at its planning stage and its commissioning would match with that of HATS Stage 2A project. The sludge generated from the HATS Stage 2A project would be delivered to the new facility for treatment without the need to be disposed of at the landfills.

Internal Discussion Session

50. Having regard to the findings and recommendations of the EIA report and information provided by the project proponent, Members agreed to

recommend to the full Council that the EIA report could be endorsed without condition.

51. The meeting also agreed that there was no need to request the project proponent to attend the full Council meeting.

Agenda Item 5 : Monthly updates of applications under Environmental Impact Assessment Ordinance

52. Members noted the updates.

Agenda Item 6 : Any other business

Tentative items for discussion at the 106th meeting

53. The agenda was being compiled. Members would be informed in due course.

Agenda Item 7 : Date of next meeting

54. The next meeting was scheduled for 20 October 2008.

(Post-meeting note: The meeting scheduled for 20 October 2008 was cancelled.)