Confirmed Minutes of the 124th Meeting of the Environmental Impact Assessment Subcommittee held on 19 August 2013 at 2:00 pm

Present:

Dr Dorothy CHAN, BBS (Chairperson)
Dr HUNG Wing-tat, MH (Deputy Chairman)
Dr Gary ADES
Prof CHAU Kwai-cheong, JP
Dr HAU Chi-hang, Billy
Prof LI Xiang-dong
Prof NG Cheuk-yee, John
Prof TAM Fung-yee, Nora, BBS, JP
Dr TSANG Po-keung, Eric
Mr WONG Lok-tak, Luther
Dr YIP Chee-hang, Eric
Miss Evelyn LEUNG (Secretary)

Absent with Apologies:

Prof FUNG Tung
Miss NG Yuen-ting, Yolanda
Prof YEP Kin-man, Ray

In Attendance:

Mr K F TANG	Assistant Director (Environmental Assessment), Environmental Protection Department (EPD)
Mr Y K CHAN	Assistant Director (Conservation), Agriculture, Fisheries and Conservation Department (AFCD)
Ms Joanne CHIN	Executive Officer (CBD), EPD
Ms Daicie TONG	Executive Manager (CBD), EPD

In Attendance for Agenda Item 3:

Mr Maurice YEUNG	Principal Environmental Protection Officer (Assessment and Noise), EPD
Mr Terence TSANG	Senior Environmental Protection Officer (Assessment and Noise)5, EPD
Mr K W CHEUNG	Senior Nature Conservation Officer (North), AFCD
Ms Cynthia CHAN	Nature Conservation Officer (North), AFCD
Dr Albert AU	Senior Medical & Health Officer (Environmental Health & Toxic), Department of Health (DH)
Dr Michael HUI	Assistant Director/Development, Civil Engineering and Development Department (CEDD)
Mr LAW Man-tim	Chief Engineer/P2 (NTN&W), CEDD
Mr HUNG Yat-ping	Senior Engineer/8 (NTN&W), CEDD

Mr Lawrence CHAU	Ag. Chief Town Planner (Studies & Research), Planning Department (PlanD)
Mr Davis LEE	Project Manager, Ove Arup and Partners Hong Kong Ltd. (ARUP)
Mr Sam TSOI	Environmental Team Leader, ARUP
Dr Kin LO	Environmental Consultant, ARUP
Mr Thomas CHAN	Environmental Consultant, ARUP
Prof T W WONG	ARUP's expert consultant
Dr Michael LEVEN	Director, AEC Ltd. (ARUP's expert consultant)
Mr LEE Wai-lam	Town Planner, ARUP
Mr James CONWAY	Landscape Architect, ARUP

In Attendance for Agenda Item 4:

Mr H M WONG	Principal Environmental Protection Officer (Strategic Assessment), EPD
Mr Victor YEUNG	Senior Environmental Protection Officer (Strategic Assessment)1, EPD
Mr K W CHEUNG	Senior Nature Conservation Officer (North), AFCD
Ms Eva YAU	Nature Conservation Officer (Yuen Long), AFCD
Mr LAW Man-tim	Chief Engineer/P2 (NTN&W), CEDD
Mr K S CHAN	Senior Engineer/9 (NTN&W), CEDD
Mr David LAM	Chief Town Planner (Strategic Planning), PlanD
Mr Peter CHAN	Study Manager, ARUP
Ms Carmen CHU	Study Deputy Manager, ARUP
Mr Sam TSOI	Environmental Team Leader, ARUP
Mr Alex NGAI	Consultant, ARUP
Mr L F MAK	Civil Senior Engineer, ARUP
Ms Theresa YEUNG	Director of Planning, ARUP
Mr Thomas CHAN	Environmental Consultant, ARUP
Mr Geoff CAREY	Director, AEC Ltd (ARUP's expert consultant)

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Action

Item 1 : Confirmation of the draft minutes of the 123rd meeting held on 27 May 2013

The draft minutes were confirmed without amendment.

Item 2 : Matters arising from the 123rd meeting held on 27 May 2013

2. There were no matters arising from the minutes of the last meeting.

Action

Item 3 : EIA Report on "North East New Territories New Development Areas"
(ACE-EIA Paper 5/2013)

Internal Discussion Session

3. The Chairperson informed Members that the discussion of the EIA report 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. The Internal Discussion Sessions and all other parts of the meeting would remain closed.

4. The Chairperson informed Members that the EIA report on "North East New Territories New Development Areas" (NENT NDAs) was a designated project under "Schedule 3" of the EIA Ordinance (EIAO). The public inspection period of the report was from 5 July 2013 to 3 August 2013. As an administrative arrangement, public comments and the gist of major issues/concerns received by EPD had been circulated to Members for reference before the meeting. Separately, submissions addressed to the Council had been circulated to Members before and at the Subcommittee meeting. Written response from the project proponent (i.e. CEDD) to questions raised by Members had also been circulated for Members' information before the meeting.

5. The Chairperson asked Members if they had any interest to declare. A Member declared indirect interest in the Kwu Tung North (KTN) NDA as he had properties in Ho Sheung Heung which were in the Village Zone not affected by the NDA plan. He and his family also had right to share in some "collective ancestral lands" in the NDA in the event that the lands were resumed by the Government. Two Members advised that the organisations/green groups which they had close connection had submitted comments to EPD. The standing practice of ACE/EIASC was that a Member declaring indirect interest could attend the meeting and take part in the discussions. The meeting agreed that all three Members could stay and continue participating in the discussion. The Chairperson suggested and the meeting agreed that the Member should abstain from voting if voting was to take at the meeting.

6. The Chairperson reminded Members to keep confidentiality of the discussion on the EIA report as the full Council had yet to consider the Subcommittee's recommendations before tendering its comments on the report under the EIAO. Members were advised to refer any enquiries to the Secretariat

for follow up in case they were approached on the discussion and/or decision of the Subcommittee.

7. For a more structured and focused discussion of the reports, the Chairperson suggested and Members agreed to raise questions on the key subject areas of the EIA reports in the order of –

(a) Ng Tung River Meanders and Rose Bitterling (RB)
(b) Ma Tso Lung Stream
(c) Long Valley and Ho Sheung Heung
(d) Land contamination regarding arsenic in KTN NDA
(e) Egretries and compensatory plantation
(f) Farmlands

[The project proponent team joined the meeting at this juncture.]

Presentation Session (Open Session)

8. Mr Davis Lee first presented an overview of the project which included the background, needs and benefits of the project. Mr Thomas Chan and Dr Michael Leven respectively briefed Members on particular questions/concerns raised by Members and the public on land identified with arsenic and the various ecological issues in the development areas.

Question-and-Answer Session (Open Session)

Ng Tung River Meanders

9. A Member asked for clarification on the inconsistent information on the fresh water fish species Rose Bitterling (RB) being classified as "Rare" and "Uncommon" in the EIA reports on NENT NDAs and development of Lok Ma Chau Loop (LMC Loop). In reply, Mr K W Cheung explained that RB had been classified as "Rare" as the species was found only in three sites in Hong Kong in 2011. The status was changed to "Uncommon" in 2013 as the species was now known from six sites including the four meanders on Ng Tung River in Fanling North (FLN) (treated as one site), fish ponds in LMC and Tai Mei Tuk, and in significant populations in Kowloon Reservoir and Tai Lam Catchment. The population of RB in the Ng Tung River meanders was not known until after the NENT NDAs and LMC Loop EIA reports had been completed.

10. A Member considered that RB might have been present all along in Ng Tung River. He asked if any of the four meanders could be retained to minimize impacts on the species. Dr Michael Leven informed that the meanders were created as wetland mitigation areas of the Ng Tung River realignment project before implementation of the EIAO. The meanders were originally surrounded by agricultural areas where human activities were excluded and of higher ecological value. Recent developments in Fanling had increased human disturbance and

diminished the ecological value and fauna use of the meanders. In the light of this, and the concern that retention of the meanders would generate hygiene concerns from future residents, it was proposed to develop the meanders except the one on the north side of the river in FLN site A1-7, and to compensate for their loss in the proposed Long Valley Nature Park (LVNP). RB would be translocated to the meanders on Sheung Yue River before commencement of works related to the Ng Tung River meanders. The meander in FLN site A1-7 would be beyond the development area of the project. It would be enhanced, fenced and managed to give an undisturbed environment for continuous use by RB and water birds. This would be compatible with retaining a population of RB in that meander.

11. A Member enquired about the mitigation measures for the loss of meanders and the translocation plan of RB. Dr Michael Leven explained that while there would be a loss of 2.75 ha of wetland including the mitigation meanders under the NDA development, they were fragmented and considered to be of low to moderate ecological value. Presence of RB would not change the ecological evaluation of the meanders. They planned to retain the westernmost meander (where RB was present) and compensate for other loss in the LVNP. Dr Leven advised that 37 ha of wetland with high ecological value would be conserved and enhanced in the LVNP. A detailed ecological habitat management plan for the park would be devised during the detailed design stage. The park would also be fenced to avoid casual human disturbance. As regards the translocation plan of RB, Dr Leven informed that notwithstanding that the population in the project site was not of conservation significance in Hong Kong context, a detailed translocation plan would be worked out appropriate for them. Assuming the worst case scenario, the impact on the loss in Ng Tung River should not affect the overall conservation status of RB as they could still be found abundant in other sites in Hong Kong.

12. A Member asked whether the mitigation measures would be different if the classification of RB was “Rare” and not “Uncommon”. Mr K W Cheung replied that under the EIAO, the project proponent should apply the avoidance-minimization-mitigation principle where any impact on an ecologically important species was identified. In the present case, RB was of conservation interest irrespective whether the species was of “Rare” or “Uncommon” status.

13. In reply to the Member’s further question on whether RB was a source of food for water birds and found before the channelization works of Ng Tung River, Dr Michael Leven said that ardeids and egrets could feed on different fish species. They could feed on RB, but in view of the presence of large numbers of other common fish species, it was unlikely that predation by birds would comprise a significant proportion of their food. With regard to the past presence of RB, it was reported in the 1980s according to the literature research conducted by Kadoorie Farm and Botanic Garden. It remained uncertain whether the species was native or introduced to Hong Kong.

14. A Member commented that CEDD should devise a comprehensive plan

to conserve RB and to ensure that the plan would be properly implemented. She opined that a more detailed survey on the meanders should be conducted to assess their ecological value. Further, the Member pointed out that the meanders were once the mitigation measure of a pre-EIA project and was concerned that this measure was now considered to be ineffective. She asked how CEDD could sustain the effectiveness of the mitigation measures now proposed in the project.

15. Dr Michael Leven clarified that RB was found in six sites in Hong Kong, and the four meanders within the project scope was treated as one of the six sites. In the worst case scenario, the ecological status of the species would not be affected even if the translocation plan was not successful. He shared Members' concern that the translocation plan must be well thought out with detailed study on the ecology and suitability of the receptor site(s). Having due regard to the habitats of RB and the host mussel, Dr Leven said that the two did not require extremely clean water to survive. That said, water quality in the LVNP would be closely monitored and the habitat suitability for RB and the mussel would be carefully assessed before implementing the translocation plan. As for the concern on the sustained effectiveness of the mitigation measures, Dr Leven explained that before the EIAO came into force in 1998, long-term ecological habitat management plans for projects were not required. When the meanders were created in Ng Tung River, they were surrounded by agricultural areas. Following the rapid developments of Fanling in the past decade, the meanders had been encroached by different human activities. Their ecological value was evaluated only as low to moderate. Presence of RB would not change the evaluation of the meanders as they were fragmented. He assured Members that under the current EIA process, project proponents were required not only to propose various mitigation measures, but were also routinely required to implement relevant ecological management plans for these measures.

16. A Member opined that a phylogenetic study should be conducted to determine the origin of RB before making any decision on translocation. The study should be conducted on all RB populations in Hong Kong rather than restricting to those found in the Ng Tung River meanders or in the LMC Loop. Dr Michael Leven reiterated that the origin of the species was uncertain. Under the EIAO, RB with its "Uncommon" status was treated as a species with conservation concern. He assured that, irrespective of its native or exotic origin, mitigation measure to be adopted for RB would be the same, i.e. avoidance and minimization, with translocation as the alternative. The overall population of the species in Hong Kong would not be affected by the translocation plan in the Ng Tung River meanders.

17. In reply to a Member's enquiry on the other five sites in Hong Kong where RB was found, Dr Michael Leven informed that two were reservoirs which were well protected. Another site was the fish ponds of Tai Mei Tuk which was more vulnerable to human disturbance. The LMC Loop EIA study also proposed mitigation measures to minimize impacts on the species.

18. In answering a Member's question on reviewing/realigning Fanling

Bypass in order to avoid the meander of Ng Tung River, Dr Michael Leven said that while it might be feasible to span the meander with Fanling Bypass, shading effects would change the ecological conditions of the site by changing the water temperature and vegetation. Mr M T Law advised that the road network at the location concerned was at-grade. Elevation of that road section might affect the connectivity of Fanling Bypass with other road networks in the FLN development area.

Impact on Ma Tso Lung Stream

19. A Member was concerned about the impacts to ecology due to the construction of Road R1. Dr Michael Leven informed that they had adopted the at-grade option for Road R1 and would need diversion of two small sections of the stream having regard to the ecological values of the area. The road would align with the stream to minimize the potential impacts, and be on viaduct at the upstream section where the area was already partially channelized and disturbed by human activities. The proposed stream diversion of 130m would give a buffer distance of at least 15m on each side of the stream. This would create a fauna corridor and help retain/restore the existing riparian habitats. Mr M T Law supplemented that Road R1 would be linked to the LMC Loop. Shifting the road further west would have impacts on the nearby housing and ancestral burial grounds. The alignment as proposed was considered the appropriate option.

20. A Member asked if any detailed survey had been conducted on the Three-banded Box Terrapin along the stream for impact evaluation. Dr Michael Leven confirmed that a thorough survey on the concerned species had been conducted. Data confirmed that the downstream riparian wetland was not the preferred habitat for the terrapins. The ecological value of the upper and middle sections of the stream was high. The lower section was of low to moderate ecological value intrinsically, but considered together with the riparian corridor which was used by a number of species of conservation significance, the ecological value was moderate to high. Mr Davis Lee supplemented that they intentionally did not disclose the locations where the terrapins were found in consideration of the "Critically Endangered" status of the species. A Member advised that the natural habitat of the terrapins was not limited to woodland streams. The species could also be found in marshy/wooded area or lower part of a mountain and stream. It could also occur in open habitats in Hong Kong.

Long Valley and Ho Sheung Heung

21. In response to a Member's enquiry about the conservation management of the LVNP as compared with the existing management agreement (MA) of Long Valley, Dr Michael Leven informed that the current MA covered 10-12 ha of Long Valley and part of the Ho Sheung Heung Fung Shui Woodland in a fragmented pattern. Under the current EIA study, a contiguous 37 ha of land in Long Valley would be designated as Nature Park. Apart from the increased area of wetland being conserved and managed, the LVNP would be administered by an integrated

conservation plan. Under the proposed scheme, the management agent could determine the area and distribution of habitats as a whole and introduced suitable management activities to the site, e.g. adjusting the habitats by changing areas of lower value such as orchards and the high bunds in the northwest of Long Valley to wetland habitats of greater value for fauna. Dr Leven added that a few households would have to be relocated. Public access to the park would be controlled. There would be an Ecological Habitat Management Plan (EHMP) with details to be agreed with stakeholders and relevant authorities at a later stage.

22. A Member asked about the rationale of zoning the LVNP as "Other Specified Uses (Nature Park)" and whether there was adequate protection to the agricultural lands in the south. Dr Michael Leven explained that the zoning was to demonstrate that Long Valley would not only be protected but would be actively managed as an integral element of the project. He considered that the most critical point was to engage interested green groups and stakeholders as well as AFCD to formulate the long-term LVNP conservation and management plan. Dr Leven informed that the areas to the south were a mixture of fragmented and small plots of dry farmland/woodland bushes, houses and burial grounds and were of lower ecological value than the mosaic of wetland habitats in the proposed LVNP. The lands would be protected by retaining the existing "Agriculture" ("AGR") zoning which would afford sufficient protection against further development.

23. Mr Lawrence Chau supplemented that the areas to be zoned "AGR" reflected the agricultural use of the lands and its ecology was under effective protection. Development of the area would be subject to the planning approval of the Town Planning Board (TPB), and ecological consideration would be taken into account. He explained that for construction of New Territories Exempted House (NTEH) in the "AGR" zone or other development in the northern area which was under the major flight path of birds, more stringent control would also be exercised by means of the layout plans. It would be recommended to TPB to include the ecological concerns in the Explanatory Statement of the Outline Zoning Plan (OZP).

24. A Member commented that the "AGR" zoning of the northern part of the LVNP might project a false impression to the villagers that small houses could be built. There had been cases where the villagers intentionally destroyed the site first and then applied for building new houses. In response, Mr Lawrence Chau explained that the above situation might have occurred when the policy was less stringent in the past. The approval procedure of TPB would have been strengthened after the OZPs of the NDAs were gazetted. While TPB would consider the characteristics of the subject site and the related application, for a "destroy first develop later" case, the Board would either reject the application or ask the applicant to reinstate any destroyed site before the application would be considered further. TPB would also be recommended to include suitable statements in the Explanatory Statement of the OZP to accurately reflect the planning intention and objectives of the land-use zonings.

Action

25. Three Members echoed the Member's concern. Mr Lawrence Chau explained the difference between the zoning of "AGR" and "Conservation Area" ("CA"), and that the "AGR" zoning for the LVNP reflected the actual agricultural use of the land and the character of the area. He reiterated that, given the high ecological importance of the area, TPB would be recommended to include information concerning conservation issues in the Explanatory Statement of the OZP to reflect the planning intention of the site and for the authority to consider relevant planning applications.

26. Regarding a Member's concern about the relationship between the zoning and preservation of the integrity of Long Valley, Dr Michael Leven said that they had applied the principles of avoidance, mitigation and compensation, and the zoning of "AGR" would serve the purpose. Mr Lawrence Chau supplemented that, even if the area was zoned as "CA", a change for wet to dry agriculture would be permitted. The Government had legal powers in land administration to control building development requiring lease modification and related applications.

Impacts of Arsenic Substance in Kwu Tung North NDA

27. A Member pointed out that arsenic was a metalloid and not a metal. He asked for the assessment constraints of the ground investigation and how the relative bioavailability (RBA) value be derived in relation to different forms of arsenic. He asked further about the assessment on human health risk.

28. Mr Thomas Chan informed that geological feature inspection of the collected soil samples had been conducted by qualified geologists. The inspection confirmed that mineralization was observed in depth of 25-27m below ground and the arsenic concentration was relatively high at around 1 200 mg/kg. Historical and current land use reviews confirmed that there were no anthropogenic activities leading to arsenic contamination in KTN. It could be inferred that soil arsenic in KTN should be naturally occurring. Mr Chan also explained that grid pattern approach had been adopted for designing the soil sampling plan in order to have a more representative coverage of KTN, despite most of the land in KTN was privately owned.

29. On the question about RBA value, Mr Thomas Chan explained that the 42% RBA value was adopted in the EIA report after comprehensive literature reviews conducted by their expert consultant, with another round of ground investigation conducted to re-confirm that the adopted RBA value was not underestimated. Mr Chan said that soil samples collected were sent to the UK for bioaccessibility test (an *in-vitro* approach for estimating the solubility of arsenic in soils and other solid materials, and this *in-vitro* study results are usually higher than the corresponding RBA values for the same soil specimens tested). The result was up to 21% which was lower than the 42% RBA value adopted by KTN.

30. Regarding the possibility of ground water contamination, Mr Thomas

Chan said they had also carried out ground investigation with collection of 20 ground water samples. The testing results indicated that the arsenic level in ground water samples was mostly below 0.001mg/litre which was on the low side. The solubility of arsenic in ground water was also considered relatively low. He added that water samples were collected for laboratory testing during the drilling process so as to simulate the excavation process which would be conducted in future to see whether arsenic would be leaked out from soil. Mr Chan said that the results showed that arsenic content was below detectable level, and therefore, the chance of leakage of soil arsenic during the construction activities in KTN was considered low.

31. Prof Wong Tze-wai elaborated further on the issue of bioavailability value. The purpose of conducting health risk assessment was to ascertain the most important routes of entry of arsenic into human body. There were two major routes for entry, namely accidental ingestion of arsenic-containing soil and inhalation of arsenic-containing dust. He pointed out that accidental ingestion of arsenic substance by children was unlikely given the high urbanized living environment in Hong Kong. As for drinking water, RBA value was assumed to be 100% as arsenic was soluble in water and would be absorbed in totality by human body. Mr Thomas Chan supplemented that the maximum soil arsenic level of 1 220 mg/kg was applied for risk estimation. The soil was located at 15m below ground level and was unlikely to be excavated during the construction period. Water spraying of the construction sites would be adopted to allay the concerns on dust inhalation.

32. In reply to a Member's question on the solubility of arsenic under different pH values, Mr Thomas Chan said that the consultant had not specifically tested the solubility of arsenic in KTN soil. The water being used as a flushing media during the drilling process had been tested and was confirmed that the arsenic content was far below the detectable level. He confirmed that arsenic level in ground water should be relatively low.

33. Three Members were concerned about the oxidation potential and solubility of arsenic under low pH value (acid rain) during the excavation process as they considered that the bioavailability of different forms of arsenic would vary immensely. Mr Thomas Chan replied that the pH value of the ground water samples had been measured, and the lowest value was around pH 5. He was confident that the solubility of arsenic soil should be relatively low. In addition, 20 soil samples from down to the depth of 20m below ground level had been collected in October 2010 and sent to the UK laboratory for arsenic specimen testing. The testing result indicated that only 1-2% of arsenic was contributed from the more toxic Arsenic (III), with over 95% from the less toxic Arsenic (V). Mr Chan supplemented that using "total arsenic" in the health risk assessment, regardless how many different forms of arsenic which the water samples had, was a conservative approach in order to safeguard the health of residents in KTN.

34. In response to a Member's further question about the treatment method for arsenic-containing soil in KTN and its potential environmental impact, Mr

Thomas Chan confirmed that the total volume of arsenic-containing soil which required treatment was estimated to be 1.2 million m^3 located at central, west and southwest regions of KTN, and all would be treated on-site. He informed that the proposed treatment methods "cement stabilisation/solidification" were well established world-wide and had been adopted in other local projects such as North Tsing Yi Shipyard and Kai Tak Development project.

35. Answering the question from a Member on the prevailing standard for assessing arsenic soil, Mr Thomas Chan advised that in dealing with naturally occurring substance, according to the *Practice Guide for Investigation and Remediation of Contaminated Land* issued by EPD, a "Health Risk Assessment" (HRA) would have to be conducted to formulate appropriate mitigation measures from health risk consideration. Mr Chan also explained that the Dutch Value was more stringent because the Netherlands relied heavily on agricultural industry.

36. As regards the time gap as well as the handling of soil samples for sending over to the UK laboratory, Mr Thomas Chan said that the samples were sent to the UK within one week after collection. While the samples did not require chemical preservation, they were placed in black-coloured plastic bags and stored in glass bottles, and be packed in freeze boxes under 4^oC before air-freight to the UK.

[Post-meeting note: PP informed that on file check, the soil samples were sent to the UK laboratory within one month after collection.]

37. In replying to a Member's further questions, Mr Thomas Chan said that the cemented/solidified materials would be backfilled on site. He said that the cement-soil mixing ratio had yet to be determined. This would be set out as one of the contract requirements that the contractors have to calculate their own mixing ratio which was taken most appropriate for individual works sites.

Mitigations and Alternative Locations for Egretries and Compensatory Planting

38. A Member enquired about the engineering constraints of avoiding the Man Kam To Road Egretry and how the effectiveness of the egretry relocation plan could be guaranteed. Dr Michael Leven said that the western end of Fanling Bypass was connected to Man Kam To Road and an interchange for the road networks was required. The location of the proposed Man Kam To Road Roundabout was constrained by the existing development in the north and the bridge over Ng Tung River in the south. Regarding the effectiveness of relocating the Man Kam To Road Egretry, Dr Leven said that the provision of an egretry habitat was not very complicated. It involved providing a secure site and planting appropriate species of trees and bamboos to provide the required habitat. The existing Man Kam To Road Egretry had been damaged by site clearance activities in 2012 and was evaluated as of low to moderate ecological value. Future occupation of this egretry even without the project in place, and hence potential impacts of the project to the Man Kam To Road Egretry, was uncertain. In order to

ensure that the impacts of the project on the Man Kam To Road Egretry would not affect the egret population as a whole, Dr Leven informed that the new egretry site was proposed on a precautionary basis to provide an alternative nesting/ foraging site for egrets. There were no previous overseas cases of egretry relocation for use as reference. He said that the MTR Corporation had provided a tree and bamboo habitat in the mitigation wetland as a potential egretry location for the Lok Ma Chau Spur Line Extension project on a voluntary basis. The site was now used as a winter roost by egrets, which might be a prelude to future use as a breeding site. A recent example was in Ocean Park. Dr Leven advised that it would take a few years to demonstrate effectiveness of the relocation plan.

39. Dr Michael Leven advised that there were 9-11 nests at the existing Man Kam To Road Egretry in 2013 which represented only a small proportion of the breeding egret populations in Hong Kong. He emphasized that egrets were free to nest anywhere. The loss of the egretry site was different from the loss of egret populations. He said that they would conduct clearance of the egretry in the non-breeding season to avoid impact on nesting birds as set out in the Environmental Monitoring and Audit (EM&A) Manual. Pre-site clearance check for the egretry would be conducted. The worst case scenario would be that egrets would nest in the alternative sites and chose not to return in the next season.

40. A Member considered that the proposed roundabout at Man Kam To Road was unduly large and encroached on the egretry. He enquired if the size of the roundabout could be reduced or be replaced by a signalized junction. Mr Davis Lee replied that the roundabout was required in light of its significance in connecting Fanling Bypass to Man Kam To Road and access for local villagers. The roundabout would serve 5 legs of roads and a signalized junction was not suitable. The size of the roundabout was designed in accordance with the *Transport Planning and Design Manual*. The egretry unavoidably would be impacted as a result of the road construction.

41. The Member requested if CEDD could demonstrate the viability of the alternative egretry site intended to compensate for the loss of the existing Man Kam To Road Egretry. Dr Michael Leven responded that they would establish bamboos and trees in the proposed site based on knowledge of the nesting habitat requirements for egrets. There had been cases that the species actually sought to live close to areas of human activity, such as the egretries in Ping Che, Ocean Park, Mai Po Tsuen and Tai Po town centre. They would establish an alternative egretry site well before the commencement of the road construction works that would impact on the existing Man Kam To Road Egretry. This would allow suitable nesting habitat be readily available if the egrets chose to use the site.

42. A Member enquired on the feasibility of enhancing the Ho Sheung Heung Egretry rather than creating a new alternative site, as the former had a large colony of nests and a long history for use by different species of birds. Dr Michael Leven replied that the Ho Sheung Heung Egretry was outside the boundary of the NDA project. Further, active conservation would be constrained by land

ownership concerns. Provision of an alternative egretry was taken to be a more practicable option.

43. The Member commented that there were no details in the EIA report on the compensatory planting plan for the 8.88 ha of woodland that would be impacted or lost directly as a result of the project. Dr Michael Leven said that there would be a loss of secondary woodland and hillside plantation of low to moderate ecological value. That would be compensatory planting of approximately 80 000 trees and shrubs at a ratio of approximately 2:1 relative to the area of habitat to be lost. The EIA report had included a list of native trees and shrubs species recommended for planting. As in the case of other EIA studies, a more detailed plan would be formulated and provided in the detailed design stage of the project and incorporated in the EM&A Manual. The Member urged that more details of the planting plan should be provided to the EIASC/ACE for consideration.

44. On tree relocation, the Member requested that there should be no topping of trees as they would have very low survival rate after the relocation. He suggested that trees should be moved with an intact canopy or with minimal cutting/pruning.

45. Mr K W Cheung in reply said that details of the compensatory planting including a list of native planting materials were included in the EIA Report. Compensatory woodland planting was a standard mitigation measure in most EIA studies. AFCD was the maintenance agent and had ample experience in afforestation. Their experience showed that with proper management, compensatory woodland planting could be successful and the rate of success had been on the rise in recent years.

Farming practices

46. A Member noted that 28 ha of farmlands would be affected. Among the 34 ha of agricultural lands identified as having potential for rehabilitation/resite, only 5 ha were in public lands. He urged that the Government should assist all affected farmers to continue their farming practices if they so chose. Mr Lawrence Chau responded that the Government would introduce a specific agricultural rehabilitation scheme for the affected farmers. This included actively liaising with private land owners of potential agricultural rehabilitation lands for leasing or resuming. The Government was also considering different options of securing lands for agricultural rehabilitation and resumption was one of the options being considered. The Government had also identified 160 ha of lands with good potential for agricultural rehabilitation in the vicinity of the NDAs to facilitate agricultural resite and rehabilitation for the affected farmers.

Synergy of new towns

47. A Member enquired if the project proponent had considered developing

the KTN NDA to serve the hinterland of NENT after the KTN NDA was extended to form the new Fanling (FL)/Sheung Shui (SS)/Kwu Tung (KT) New Town. He also asked that particular attention should be made to the livelihood and economic development of the KTN and FLN NDAs to avoid recurrence of the plight of the Tin Shui Wai New Town.

48. Mr Lawrence Chau responded that the future residents of the NDAs had the benefit of having access to the well-established community, shopping and amenity facilities and employment opportunities of the nearby FL/SS New Town. The NDAs would provide additional facilities including a hospital, schools, a swimming pool complex, a sports stadium , etc. which would benefit the whole SS/FL/KT New Town accommodating a larger population. The town hall in FL/SS could also enjoy a larger population catchment. Green transportation and pedestrian/cycling networks were designed to provide convenient access linking up different parts of the new town. The design concept was a coherent new town through integration of the old and new communities. The Government had designated 22 ha for commercial, research and development industry, and reserved over 400 000m^2 floor spaces for retail, commercial and community activities. Some 37 000 job opportunities were expected to be generated in the NDAs. This accounted for 22% job-to-population ratio, as compared to 8% for Tin Shui Wai.

[The project proponent team left the meeting at this juncture.]

Internal Discussion Session

49. The Chairperson reminded Members that the EIA Subcommittee could make recommendations to the full Council on the EIA report with the following approach –

(i) endorse the EIA report without condition; or
(ii) endorse the EIA report with conditions and details of the proposed conditions; or
(iii) defer the decision to the full Council for further consideration, highlighting issues or reasons for not reaching a consensus or issues to be further considered by the full Council; or
(iv) reject the EIA report and inform the proponent the right to go to the full Council.

Ng Tung River meanders

50. A Member considered that CEDD should conduct a more detailed study on RB, and to submit a detailed implementation plan on the translocation plan of the species to Long Valley.

Ma Tso Lung Stream

51. A Member considered that CEDD should review and revise the

alignment of Road R1 linking up to the proposed stadium at Ma Tso Lung in order to avoid the need to divert Ma Tso Lung Stream. Opinion was also made that avoiding impacts on the stream should be given further consideration if feasible from an engineering point of view.

Long Valley and Ho Sheung Heung Priority Site

52. A Member pointed out that the site was assessed to be of high ecological value in the EIA. She suggested that CEDD should consider zoning the farmland at the north of LVNP as "CA" instead of "AGR" as in the current Recommended Outline Development Plan (RODP) for the NDAs so as to enhance protection of the ecologically important habitat/birds flight path in Long Valley. Further, it was pointed out that 'dry farming' activities could be applied under "AGR" which would in effect change the ecological value of the wetlands.

Soil contamination with arsenic substance

53. A Member considered that the analysis of arsenic-containing soil in the EIA report was in order. However, he advised that the contaminated soil, after going through the "cement solidification/stabilization" treatment processes, would normally increase by 4-5 times in volume. He saw no value in backfilling the treated soil in the same site. He considered that the proposed mitigation measures in handling the treated soil in the EIA report were not up to the highest standard. Besides, the detection of 23 400 mg/kg of arsenic in one soil sample was problematic, and that the proposed threshold for treatment of arsenic-containing soil at 571 mg/kg would have significant impact on the mitigation measure to be implemented. The Chairperson said that CEDD should be required to provide a detailed treatment plan before commencement of excavation works. A Member added that CEDD should double-check the bioavailability of arsenic under different conditions. Another Member explained that arsenic-containing soil would be oxidized after being dug out and exposed to air, and the bioavailability and toxicity would change. CEDD should conduct a more detailed study on the toxicity of the contaminated soil and to go through the treatment process, as well as to examine whether the treated materials were fit for backfilling.

Egretries

54. A Member considered that the design of the Man Kam To Road Roundabout should be reviewed to avoid encroaching on the egretry. A Member suggested, and echoed by another Member, that even if the project could not avoid the egretry, CEDD should improve the relocation plan and to provide a detailed design and implementation plan to confirm viability of the new egretry. A Member considered that the existing Man Kam To Road Egretry did not hold many nests. It was therefore fragile and might not be sustainable. Further, it would subject to many human and traffic disturbances in future. On the other hand, the Ho Sheung Heung Egretry was well established with a long history of regular patronage by egrets and other birds. He suggested enhancing the Ho

Sheung Heung Egretry for higher nesting capacity. Should the enhancement was constrained by land ownership, CEDD could consider creating a new egretry next to the Ho Sheung Heung Egretry to create synergy rather than setting up an alternative one in Man Kam To. Mr Y K Chan advised that the Ho Sheung Heung Egretry was located outside the present development proposal and the suggestion of a Member was an offsite mitigation measure. Under the EIA process, CEDD had to prove that onsite mitigation measures were not available or would not be practicable before they could propose any offsite measure.

Compensatory planting

55. A Member repeated his demand that there should be no topping of trees for transplanting. Mr K W Cheung advised that CEDD could be requested to include such in the tree management plan for follow-up when drawing up relevant contracts.

Farmlands

56. A Member shared with another Member's view that the Government should make all efforts to provide suitable farmlands for the affected farmers who wished to continue with their farming practices.

Synergy of new towns

57. A Member considered that there should be regular reviews on the changing needs of FL/SS/KT New Town to make a better integration to serve the NENT hinterland. Another Member considered that the concept of green and sustainable community should be incorporated in the project design. Opportunity should also be taken to revitalize the existing FL/SS New Town.

58. A Member suggested that CEDD should re-design the housing development on the northwestern bank Ng Tung River to avoid affecting the meander, which was taken to be completely delineated from the project.

59. Having regard to the findings and recommendations of the EIA report and the information provided by CEDD, the Subcommittee agreed to recommend to the full Council that the EIA report could be endorsed with the following proposed conditions –

Conditions of endorsement

(a) CEDD shall submit a detailed proposal on the methodology and monitoring strategy for the relocation of the uncommon fish species Rose Bitterling to demonstrate that the mitigation measures proposed are effective prior to commencement of construction works;
(b) CEDD shall submit detailed arsenic treatment plan(s) for sites that

require soil treatment to (i) check and confirm validity of the bioavailability assumed in the EIA report; (ii) fine-tune the treatment method/treatment level of the "cement solidification and stabilization" processes; and (iii) advise on the handling of the treated materials, prior to commencement of construction works;

(c) CEDD shall submit, prior to commencement of construction works, a detailed proposal for the establishment of alternative egretry site(s), which should include the detailed location and design of the alternative egretry site(s) and a monitoring programme to assess and confirm the effectiveness of the mitigation measure. In the event that, based on monitoring results, the alternative egretry site(s) are found not effective, other feasible alternatives should be proposed and implemented, e.g. enhancement of the existing egretry site of Ho Sheung Heung and its vicinity; and

(d) CEDD shall submit, prior to commencement of construction works, a compensatory tree planting plan in consultation with the relevant authorities, including but not limited to the Agriculture, Fisheries and Conservation Department, to the satisfaction of DEP before commencement of works. The plan should include details of implementation and management of the proposed compensatory planting areas. Measures for protecting trees potentially affected by the project as well as trees to be transplanted should be adopted. Topping of trees should be avoided.

60. EIASC also proposed the following recommendations as suggestions/ advice to the project proponents –

Recommendations

(a) CEDD should further review, at the detailed design stage, the design/alignment of Fanling Bypass with a view to avoiding to the maximum practicable extent or minimizing disturbance of the meanders of Ng Tung River. CEDD should also consider adjusting the housing developments which encroach upon the meanders, in particular at the one to the north of Ng Tung River (north-west of Wa Shan and a compensated ecology of the Ng Tung River realignment project), with a view to avoiding/minimizing the meanders to be affected;

(b) CEDD should consider adjusting the design and alignment of Road R1 linking up to the proposed stadium at Ma Tso Lung to avoid the need to divert Ma Tso Lung Stream;

(c) CEDD should further review the design of the traffic junction at Man Kam To Road, e.g. by adopting a signal junction instead of a roundabout or reducing the size of the roundabout, to minimize potential impacts to egrets roosting/foraging at the Man Kam To Road Egretry; and

(d) CEDD should consider recommending the zoning of the farmland

at the north of Long Valley Nature Park as "Conservation Area" (CA) instead of agricultural uses (AGR) as recommended in the Recommended Outline Development Plan (RODP) for the NDAs. The proposed "CA" zoning can provide better protection of the ecologically important habitat/birds flight path in the area

61. Since ACE had received a number of submissions from green groups and local communities on the social and other impacts of the project which were outside the purview of the EIA regime, the meeting would propose the Council to forward the following comments/observations to the Government for further consideration –

(a) A comprehensive study on the phylogenetic of Rose Bitterling in their populations in Hong Kong should be conducted, for the purpose of confirming the origin and status of the species, and enhancing the corresponding guideline/policy on its conservation;
(b) There should be strong initiatives from the Government to identify suitable farmlands for those affected residents who want to continue with their farming practices in the NDAs; and
(c) There should be a good synergy of the NDAs with the existing FL/SS New Town for development into a green community/ neighbourhood to serve the NENT hinterland.

62. The meeting also agreed that CEDD and their consultant team should attend the full Council meeting on 9 September 2013 to explain the feasibility, practicability, programming and effectiveness of the mitigation measures in order to avoid to the maximum practicable extend, reduce or remedy the impacts, and to answer any questions which Council Members might have on the NENT NDAs EIA report.

[Two Members left the meeting at this juncture.]

Item 4 : EIA Report on "Development of Lok Ma Chau Loop"
(ACE-EIA Paper 6/2013)

Internal Discussion Session

63. The Chairperson asked Members if they had any interest to declare. Three Members advised that the organisation/green group with which they had close connection had/might have submitted comments to EPD. The meeting agreed that they could stay on and continue participating in the discussion.

64. The Chairperson informed Members that the EIA report on Development of the Lok Ma Chau (LMC) Loop was a designated project under "Schedule 3" of the EIAO. The public inspection period of the report was from 5 July to 3 August 2013. As an administrative arrangement, public comments and the gist of major issues/concerns received by EPD on the project had been circulated to Members

for reference before the meeting. Written response from the project proponent (i.e. CEDD) to questions raised by Members had also been circulated for Members' information before the meeting.

65. The Chairperson reminded Members again to keep confidentiality of the discussion on the EIA reports as the full Council had yet to consider the Subcommittee's recommendations.

66. For a more structured and focused discussion of the report, the Chairperson suggested and Members agreed to raise questions on the key subject areas of the EIA report in the order of –

(a) Eastern Connection Road (ECR)
(b) Ecological compensation measures
(c) Plot ratio and urban design

[The project proponent team joined the meeting at this juncture.]

Presentation Session (Open Session)

67. Mr Alex Ngai briefed Members on the EIA report of the development of the LMC Loop, including background of the project, considerations of alternatives, environmental benefits brought by the project and key mitigation measures for potential impacts to the environment.

Question-and-Answer Session (Open Session)

Eastern Connection Road (ECR)

68. Ms Carmen Chu and Mr Peter Chan responded to a Member's enquiries on the traffic assessment of the proposed Eastern Connection Road (ECR) in terms of traffic composition and traffic flow assessment. The Member considered that the consultant team had not provided adequate information to support their analysis on traffic assessments in justifying construction of the ECR.

69. Ms Carmen Chu said that the LMC Loop would be developed mainly as a higher education hub, complemented by research and development (R&D) and cultural and creative (C&C) industries. She then explained the basic assumptions regarding the number of staff and students on campus and the expected travel characteristics in and out of the Loop. One of the assumptions was that only half of the full-time students would reside on campus. Teaching staff as well as people working in the R&D and C&C sectors would require daily commuting to and from the Loop. On green initiatives, car parks would be provided only on both ends of the Loop, and public transport using environmental friendly shuttle bus service would be arranged within the Loop.

70. A Member questioned the assumption of a 2.52 trip rate per person per

day. As the LMC Loop was in a quite remote area, she was not convinced of the basic assumptions on traffic flow assessment and considered that the need of the proposed ECR had been overestimated. Mr David Lam explained that the main use of the Loop for higher education, R&D and C&C industries were established from various stages of public engagements. It was not intended to provide housing facility in the Loop other than the student hostel. Housing needs could be met by developments in the KTN NDA nearby. The ECR was essential to link up the two communities to bring synergy, namely the Loop to provide employment opportunities and the KTN NDA to provide housing and other supporting/ community services.

71. In answering a Member's question on whether widening of the West Connection Road (WCR) could meet the additional traffic demand and absorb the need for the ECR, Ms Carmen Chu said that substantial land resumption, including residential land, would be involved if the WCR was to be further widened to provide an additional traffic lane. Mr Peter Chan added that without the proposed ECR, the additional traffic loading of the WCR arising from developments of the LMC Loop would overload WCR and block up the San Tin Interchange. Mr M T Law supplemented that the ECR would provide good connectivity of the LMC Loop with the surrounding areas including the KTN NDA, in order to complement the Loop in the provision of various services and facilities. There would also be an MTR station in KTN NDA in future, which could give access to the Loop from the east with the MTR KTN station cum the ECR, while from the west with the MTR LMC station cum the Direct Link. All the planning designs were to give high accessibility to the Loop.

72. In reply to a Member' question on improving the San Tin Interchange to cater for the additional traffic loading, Mr Peter Chan explained that any works on the interchange would have great implications on the cross boundary traffic and involve major re-design of the transport networks. The Member remarked that the proposed ECR could not blend in well with the natural environment of the Loop.

73. A Member considered that the capacity of the LMC transit service should prove adequate to cater for the traffic demand for the whole Loop area. He questioned that CEDD had not provided clear measures to promote green transport in the Loop. The Member also requested for further justification for the proposed ECR to be used as an alternative access road for emergency situation in the Loop, as there was already a link to Shenzhen in case of emergency. A Member echoed that the EIA report had not assessed the proportion of people commuting between the Loop and Shenzhen, as this group would not use the ECR but other road networks. Mr David Lam clarified that the link to Shenzhen was a long-term proposal for pedestrian access only. The ECR would serve as an alternative route in case the WCR failed and provided a more reliable vehicular connection network to the Loop. Mr Peter Chan supplemented that there was no MTR service to the LMC Loop. They had planned green measures by connecting the Loop to the adjacent facilities, including the LMC and KTN MTR stations using environmental friendly (electric) shuttle service within the Loop.

Ecological compensation measures

74. A Member asked if the existing reed bed areas proposed to be removed and re-created in another part of the LMC Loop could be revised by retaining and integrating part of them in the Amenity/Activity Corridor zone. Mr Geoff Carey replied that the existing reed marsh was fragmented, and re-creating the marsh in one piece in another location would make it more integrated. Their plan was that in the area where the amenity zone met with the ecological areas, there would be an open freshwater marsh area. This would provide visual amenities for people living and working in the LMC Loop. There were also fragmentation problems if buildings were to be built around the existing reed marsh.

75. The Member enquired further about the preservation of fish ponds which, together with the Shenzhen River meander and the Ecological Area, were under the major birds flight path. Mr Geoff Carey said that the whole Hoo Hok Wai Wetland area including the fish ponds was zoned as "CA" in the draft OZP. This should assure the protection of the fish ponds and preserve the integrity of the birds flight path.

76. In answering a Member's question on the study and mitigation on possible bird collisions, Mr Geoff Carey said that collisions could be caused by the building itself and the construction material used for the buildings, e.g. use of reflective glass causing disorientation of birds, and use of transparent glass misleading birds that a clear path was ahead. They had recommended the following mitigation measures in the EIA report –

(a) use of non-reflective materials for buildings;
(b) no lighting at top of buildings or pointing to the sky or adjacent habitats to minimize disorientation of the birds; and
(c) use of non-transparent non-reflective materials for noise barriers in rural areas, particularly along major birds' flight line corridors.

Plot ratio and urban design

77. A Member remarked that the project design could have been more creative as the LMC Loop was a unique piece of land which could be developed from scratch. He suggested that a more comprehensive urban design approach could be adopted for the development with improvements in the following areas –

(a) Promotion of a people-oriented community. The project development should provide for human comfort, a hierarchy of spaces for people to interact, and allow people and nature to interface with each other;
(b) Low carbon and green initiatives. CEDD should provide more details on the passive design, including how they made use of natural ventilation and daylight to reduce energy consumption; and
(c) Heritage. CEDD should exploit the natural resources and integrate

such in the core of the design.

78. Mr David Lam agreed that urban design was an important element in formulating the RODP and a Master Urban Design and Landscape Plan had been prepared. He quoted some major urban design concept and features in the Loop development, including an east-west running boulevard serving as wind and activity corridor, three green connectors serving as visual corridors, and public open space/courtyards amongst buildings for people to interact. All these were to aim to foster interaction amongst different users and vibrancy. Detailed guidelines on urban design and landscape would be drawn up to promote people-oriented community when they worked on the detailed layout proposals at a later stage.

79. A Member commented further that there were no intermediate outlets for the ECR and the WCR, which would create a lot of unnecessary traffic in the Loop. Mr Peter Chan explained that all vehicles commuting from the ECR or the WCR would have to terminate at the public transport interchange (PTI) once they entered the Loop. People would then move around within the Loop either on foot or by green transport or cycling. This was to reduce traffic circulating within the Loop. Ms Theresa Yeung elaborated further on the urban design concept.

80. In response to a Member's enquiry on any plans to introduce solid waste treatment system in the Loop, Mr Sam Tsoi said that they would introduce the necessary initiative on separation and recycling of solid waste in the Loop. In answering the Member's further enquiry on plans to improve the water quality in Shenzhen River, Mr Tsoi said that under the Shenzhen City 2020 plan, the Shenzhen City Government was planning to improve the water quality of the tributaries leading to Shenzhen River.

[The project proponent team left the meeting at this juncture. A Member also left at this juncture.]

Internal Discussion Session

81. The Chairperson reminded Members that the EIA Subcommittee could make recommendations to the full Council on the EIA report with the following approach:

(i) endorse the EIA report without condition; or
(ii) endorse the EIA report with conditions and details of the proposed conditions; or
(iii) defer the decision to the full Council for further consideration – highlight issues or reasons for not reaching a consensus or issues to be further considered by the full Council; or
(iv) reject the EIA report and inform the proponent the right to go to the full Council.

Eastern Connection Road

82. The Chairperson relayed a Member's view that CEDD should provide more information to justify the construction of the ECR. Three Members echoed that there should be a balance between environmental protection and engineering considerations for the proposed ECR. They considered that CEDD should clarify whether the ECR was intended as a routine connection road, which would be very different from an alternative emergency access. While they accepted the creation of another access point to the LMC Loop, if considered necessary, the choice of location, design and carrying capacity of that access point should be reviewed/adjusted having due regard to avoiding the greater impacts on the ecology and landscape in the east side of the Loop. A Member considered that provision of parking spaces would encourage the use of private cars, which ran contrary to the concept of low carbon travel. He suggested that all vehicular traffic leading to the Loop should stop at KTN and LMC MTR stations. Passengers should then commute to the Loop on green transport. Another Member opined that conservation of the Loop should override the need for the ECR, in view that the ECR would bring significant ecological impacts. She also echoed a Member's concern that the analysis of the traffic need of the road required further justification.

83. A Member supported the construction of the ECR and considered that CEDD had provided sufficient mitigation measures, e.g. to go underneath the meander and an underpass section, to minimize the impacts to the surrounding environment. Two Members commented that should the ECR was intended principally as an emergency access road, the design, size and location of the road could be much different in order to reduce damage to the environment.

84. The Chairperson concluded Members' views that CEDD should provide more information to explain the whole assessment parameters for the need of the ECR. They should strike a balance between engineering consideration and environmental protection, and to demonstrate whether the proposed mitigation measures were adequate.

Ecological compensation measures

85. A Member considered that CEDD could revise the design plan and incorporate the existing reed marsh in the campus. Another Member said that this was a natural heritage and should be retained as far as possible. A Member echoed that the whole ecology and human activities should be better integrated.

86. The meeting agreed that CEDD should be requested to provide the following supplementary information on the study before the Subcommittee could make further recommendations on the EIA report –

(a) CEDD to provide further justifications and analysis of the traffic assessments for the proposed ECR, including the consideration of

other alternatives for access to the LMC Loop, in addition to the WCR; and

(b) CEDD to consider the feasibility of retaining as far as possible the existing reed beds as part of the proposed amenity area/activity corridor.

Item 5: Any other business

Language used for preparing EIA reports and provision of simultaneous interpretation service for members of the public

87. The Chairperson relayed comments from the public observing the open session that they had difficulty in understanding the NENT NDAs EIA report as all the information were prepared in English. The EIASC paper and discussions on the project were also conducted in English. She pointed out that the Executive Summary of the EIA report was available in Chinese. Members agreed to a Member's earlier suggestion at the meeting that as an interim measure, the Secretariat could consider provision of simultaneous interpretation (SI) service on a case-by-case basis subject to adequate prior notification for request for the service as well as availability of resource on the day of meeting. As there would be open session of the next ACE meeting when the NENT NDAs EIA report would be discussed, the Secretariat was to arrange SI service as practicable. ACE would be invited to discuss the matter at the next suitable occasion.

88. Mr K F Tang supplemented that should a member of the public had difficulties in understanding the EIA report under inspection and request explanations, the EIAO Office could refer the request to the project proponent. In response to a Member's comment that this arrangement had not been made known to the public, Mr Tang said that the EIAO Office would encourage project proponents to include a contact person in the advertisement for public inspection of their EIA reports to facilitate public enquires on the details contained in the subject EIA report.

Tentative item for discussion at the next meeting

89. The Chairperson informed Members that the EIA report on West Kowloon Cultural District was scheduled for submission at the next meeting.

Item 6: Date of next meeting

90. The Chairperson informed Members that the next meeting was scheduled on 13 September (Friday).

EIA Subcommittee Secretariat
August 2013