A photograph of a forest stream flowing over rocks. Sunlight filters through the dense canopy of tall trees, creating dappled light and shadows on the water and surrounding greenery. The water is clear and reflects the surrounding environment.

PUBLIC INVOLVEMENT AND INTERACTION WITH STAKEHOLDERS

Reaching out to the public... an open, transparent process

Preserving the environment for the future requires active participation from the community. By keeping the public well informed, the EIA Ordinance succeeds in raising awareness of the need for environmental protection and also achieves a consensual balance between the needs of the community and the needs of the SAR's natural surroundings.

With the Ordinance, obtaining views and opinions from the public, the Advisory Council on the Environment and other stakeholders became a statutory step for the first time in the EIA process. The goal of public participation is to collect community input on proposed projects before a final decision is reached. The objective is to involve the public at large as an integral part of the planning and decision-making process. To meet this challenge, the following procedures were established to deliver efficient public involvement and interaction with stakeholders.

Public Inspection and Comment

Beginning with the Project Profile...

The first opportunity for the public and the Advisory Council on the Environment (ACE) to be involved in the statutory EIA process comes at an early stage. Public input is sought on the project profile before an EIA study brief is issued by the Director of the Environmental Protection Department, or before permission is given to the applicant to apply directly for an environmental permit.

The public is informed about the application and the availability of the project profile through an advertisement, which must be placed by the applicant in two widely circulated newspapers (one Chinese and one English) on the day following the lodging of the application. The Director also forwards a copy of the project profile to the ACE at the same time.

After reviewing the project information provided by the profile, any person can comment on environmental issues covered by the Technical Memorandum within 14 days of the advertisement by sending the public comment form via on-line facilities, by post or fax to the EIA Ordinance Register Office at the following address:

The EIA Ordinance Register Office
Environmental Protection Department
27th floor, Southorn Centre,
130 Hennessy Road,
Wanchai, Hong Kong
Fax. No. 2147 0894



Newspaper clipping of a project profile advertisement

公眾意見表格(環境影響評估) Public Comment Form for Application (Environmental Impact Assessment)	
個人資料 PERSONAL DATA	
姓名 Name:	地址 Correspondence Address:
電話號碼 Telephone Number:	傳真號碼 Fax Number:
請在下面其中一個括號上打勾。 Please tick one of the following boxes.	
<input type="checkbox"/> 大人同意將本人的個人資料向外披露。 I agree to the release of my personal data to third parties.	簽名 Signature:
<input type="checkbox"/> 大人同意將本人的個人資料內容披露。 I also agree to the release of my personal data to third parties.	日期 Date:
意見詳情 (公眾意見表格內容之有關個人資料之披露) Details of Comments (more comments can be released to relevant parties)	
項目名稱 Title of Project:	
文件說明 File Description: 意見 (如需另紙, 請另起一行。) Your Comments: (please continue on another sheet if necessary)	
註明: 請勿將此表格用郵件方式交回地政處。請將此表格以郵件方式交回環境保護處的下列地址。向當地稅務局或地政處查詢。查詢處的郵政信箱: 12號 - 雷頓道12號 - 環境保護處 - 環境影響評估科郵件郵筒。你亦可將意見傳真至: spdetext@epd.gov.hk Before you post this form, please note that you must forward this form to the Director of Environmental Protection by post in the EIA Ordinance office at the following address: Environmental Protection Department, 12/Floor, Stanley Centre, 12/Floor, Stanley Road, Wan Chai, Hong Kong. You may also email your comments to: spdetext@epd.gov.hk 傳真號碼 Fax No.: 2147 0800	

Public comment form



Members of the public inspecting project information at the EIA Ordinance Register Office.



EIA Report

A Second Opportunity with the EIA Report...

After the submission of an EIA report that meets the requirements of the EIA study brief, the applicant is required to advertise the availability of the EIA report and make it available at specified locations for the public and the ACE to comment for a period of 30 days and 60 days respectively.

During the 30-day public inspection period, the applicant must advertise the availability of the EIA Report once every 10 days. The first advertisement is placed on the day following the placement of the Report at locations required by the Director; the second advertisement is placed 10 days after the first advertisement; and the third advertisement is placed 10 days after the second advertisement.

The public can similarly send their comments using on-line facilities or by post or fax to the EIA Ordinance Register Office using the public comment form.



Tsuen Wan Environmental Resource Centre, at Tak Wah Park



Wan Chai Environmental Resource Centre at Queen's Road East

Locations for Public Inspection

To facilitate public access, a copy of the project profile and EIA report is placed at District Offices in those districts where the designated project will be located.

Copies of the project profile and EIA reports are also placed by the Director at the following locations for the public to review for 14 days and 30 days respectively.

- a) The EIA Ordinance Register Office, Environmental Protection Department, 27th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong (Opening hours: 09:00 to 12:00 and 13:30 to 16:45 from Monday to Friday and 09:00 to 12:00 on Saturday);
- b) Wan Chai Environmental Resource Centre, 221, Queen's Road East, Wan Chai, Hong Kong (Opening hours: 10:00 to 17:00 on Monday, Tuesday, Thursday, Friday and Saturday, 10:00 to 13:00 on Wednesday);
- c) Tsuen Wan Environmental Resource Centre, Tak Wah Park, Tak Wah Street, Tsuen Wan, New Territories (Opening hours: 09:30 to 13:00 and 14:00 to 18:30 on Monday, Tuesday, Thursday Friday and Saturday, 14:00 to 18:30 on Wednesday);
- d) The applicant's office (for EIA reports and executive summaries only);
- e) The EIA Ordinance website (<http://www.info.gov.hk/epd/opia>). The project profile or executive summary of the EIA report is placed on the website three days after placement of the advertisement.

Environmental Impact Assessment Ordinance Register Office

The Register Office serves as a location for the public review of documents during the public inspection period and as a submission office for applications. It is also an important information center for the Ordinance and keeps a statutory register as required under section 15 of the Ordinance. Since its opening in April 1998, the number of visitors to the Register Office rose steadily to reach a total of 2,476 by the end of the first 3-1/2 years of operation of the Ordinance.

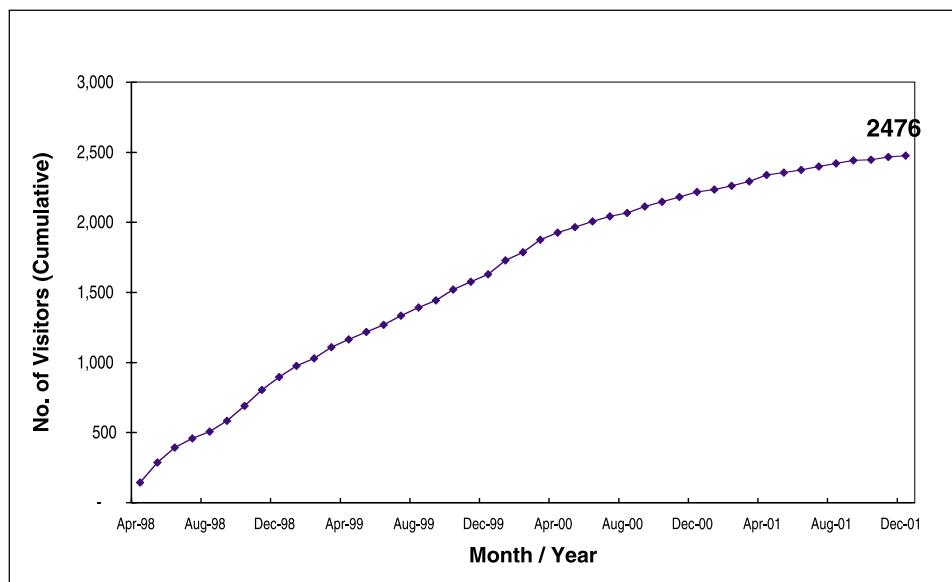


Figure 4A: Visitor Statistics for the EIA Ordinance Register Office (as at 31 December 2001)

Environmental Impact Assessment Ordinance Website

(<http://www.info.gov.hk/epd/eia>)

The EIA website was commissioned to go online at the same time as the operational date of the Ordinance. It is the first website of its kind to hold all documents for public inspection as a means of promoting a more open process and greener communication. Besides serving partially as a register holding for the Ordinance, it also holds a good deal of related information, such as guidance notes to facilitate applicants in the preparation of their applications. The site map of the website is shown in Figure 4B.

With advances in technology and the increasing availability of broadband internet access, the EPD began to place entire EIA reports (which are sometimes as long as several hundred pages) onto the website from November 1998 during the public consultation period. This effort has saved the public many long journeys to visit the EIA Ordinance Register Office.

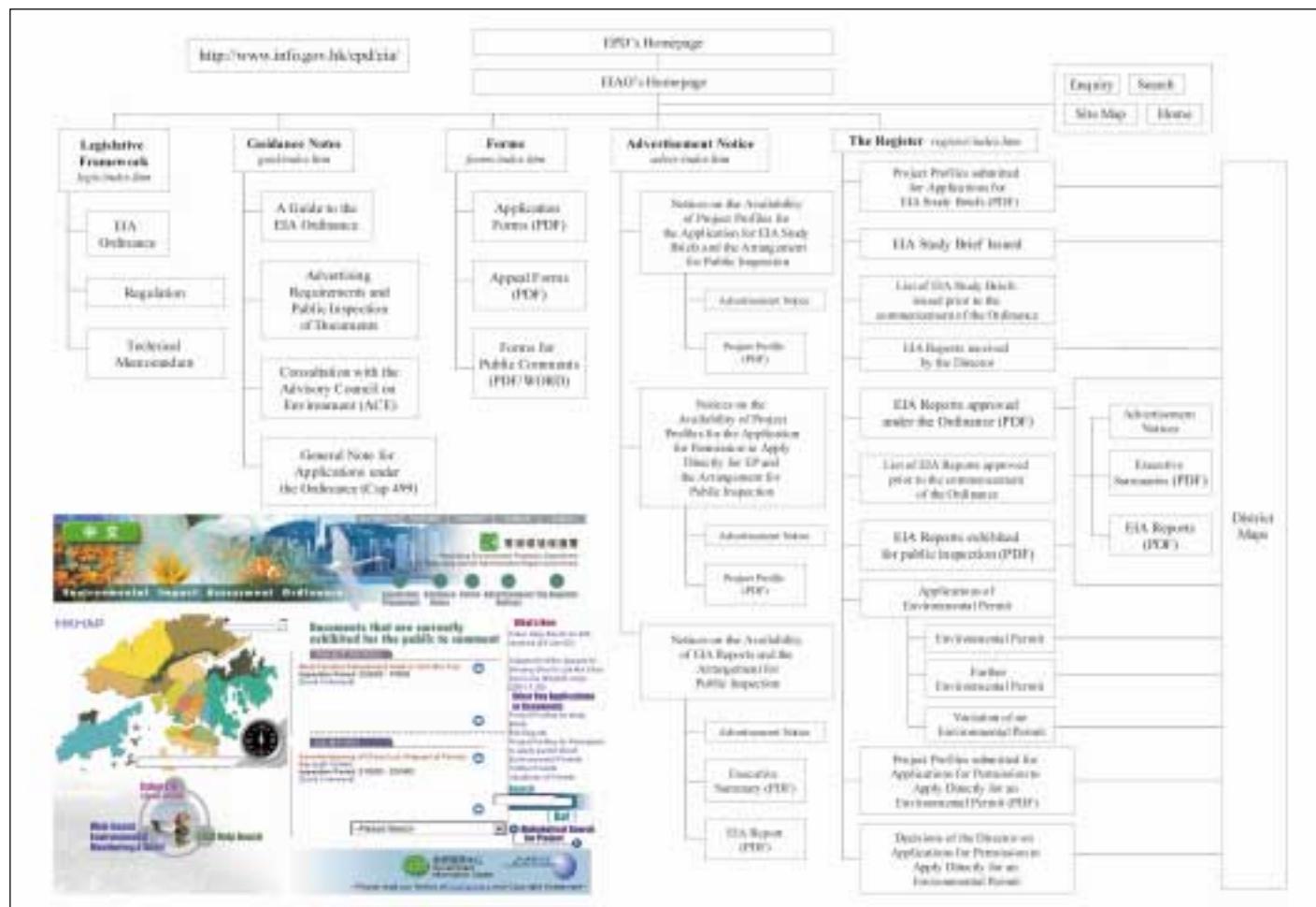


Figure 4B: Sitemap of Environmental Impact Assessment Ordinance Website

Uploading Documents onto the EIAO Web Site

Types of Documents	No. of Documents Placed on the Web Site
Project Profile	157
Environmental Permit (all types of permits)	203
EIA Study Brief	86
EIA Report	53
Executive Summary of EIA Report	53

Figure 4C: Documents Placed on the EIAO Web Site

Extending information access for the local community....

As public input is important for providing project proponents with information needed to understand the needs and values of the impacted population and may also assist in identifying problems and issues that project proponents might otherwise overlook, two additional measures were added during this first two years of operation of the Ordinance to enhance interaction with local stakeholders

- a) the direct notification of the availability of project profiles and EIA reports to the secretariats of the relevant district; councils and
- b) the availability of bilingual project profiles from 1 January 2000.

By listening to and respecting public opinions, applicants can boost their own credibility, improve mutual relations and acceptance of the project.

Consultation with the Advisory Council on the Environment (ACE)

The Advisory Council on the Environment (ACE) is the Government's principal advisory body on matters related to pollution control and sustainability of the environment. It is consulted on a wide range of issues relating to new legislative proposals, major policy initiatives and the implementation of existing pollution controls and conservation measures. The current Advisory Council on the Environment consists of twenty-three members. Please refer to Appendix IV for a full membership listing.

Under the Ordinance, the consultation role of the ACE has been made more active in relation to two key documents compiled during the EIA process, namely project profiles and EIA reports, for which the Director must take into account any comments made by the ACE in any of his subsequent decisions in relation to an application.

The Director is also required to notify the ACE on any environmental permit issued for an EIA report that has been presented to the Council under section 6(7) of the Ordinance.

Operational Arrangement with the ACE

In order to facilitate the fulfillment of statutory duties by the ACE and the Director, in addition to forwarding documents to the Secretariat of the ACE - EIA Subcommittee project profiles and EIA reports and informing their individual members of availability for public inspection, the Director must also prepare a monthly update



Advisory Council on the Environment

on all applications received under the Ordinance in addition to a quarterly list of study briefs issued for members to select projects for presentation during Subcommittee meetings when their EIA reports have been reviewed by the Director.

Presentation of EIA Reports

The ACE - EIA Subcommittee meets on a monthly basis, and considers no more than three EIA reports during each meeting. The Subcommittee studies EIA reports submitted to it and then reports on its deliberations and findings and makes recommendations. The recommendations of the Subcommittee are presented to the ACE for consideration and eventually passed on to the Director of Environmental Protection for his consideration in assessing EIA reports.

From the enactment of the Ordinance in April 1998 to end of December 2001, 39 EIA reports were forwarded to the Subcommittee for their comment and advice.

Please see Appendix V - VII for Papers Discussed by the ACE-EIA Subcommittee in 1998, 1999, 2000 and 2001.

Please see Appendix IX for Comments on EIA Reports from the Advisory Council on the Environment.

The Subcommittee increased from nine to ten members who are also members of the ACE full council from January 2001.



ACE Environment Impact Assessment Subcommittee

**Advisory Council on the Environment (ACE)
EIA Subcommittee
Membership List (1 April 1998 - 31 December 2001)**

Professor Lam Kin-che	
Mr Otto Poon Lok-to	
Professor Peter Ronald Hills	(until 31 December 2000)
Professor Anthony Hedley, BBS, JP	(from 1 January 2001)
Mr Lin Chaan-ming	
Mr. Peter YC Lee	(from 1 January 2001)
Dr Ho Kin-chung	(appointed on the nomination of Green Power)
Dr Ng Cho-nam	(appointed on the nomination of the Conservancy Association)
Mr Plato Yip #	(appointed on the nomination of Friends of the Earth)
Miss Yau Shuk-kau, Alex	(appointed on the nomination of World Wide Fund for Nature Hong Kong)
Mr Barrie Cook	(appointed on the nomination of the Hong Kong General Chamber of Commerce)

Standing subcommittee members also include the Principal Assistant Secretary for the Environment and Food.

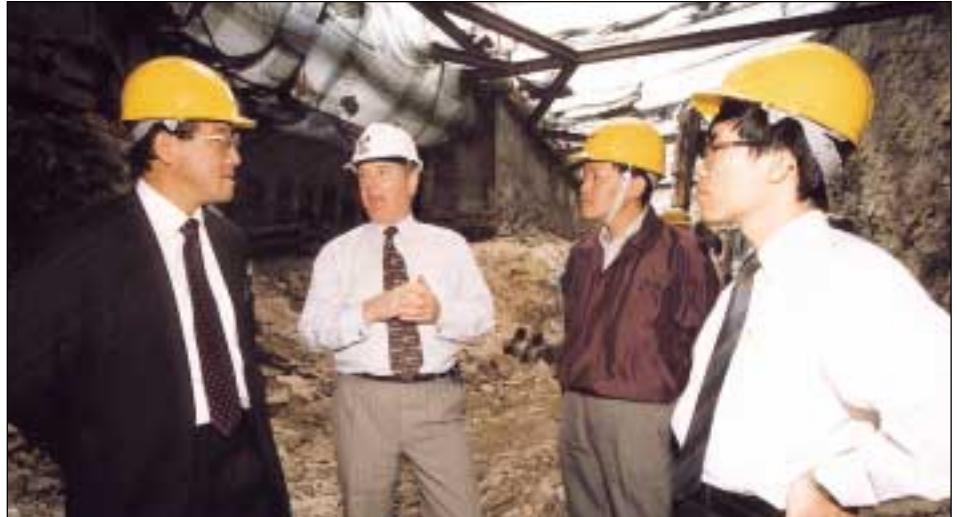
Mrs. Ng Fong Siu-me replaced Mr. Plato Yip from 1 September 2001.

Figure 4D: Membership List of EIA Subcommittee, Advisory Council on the Environment.

Site Visits

The ACE has organised a number of site visits to obtain a better understanding of the matters being discussed or the operation of environmental facilities concerned with specific projects. In relation to the EIA Ordinance, the ACE-EIA Subcommittee has made site visits to the following locations:

- a) China Light & Power Co. Ltd. Castle Peak and Black Point Power Stations on 19 May 1998;
- b) The New Hong Kong International Airport on 4 June 1998;
- c) Sha Chau Temporary Aviation Fuel Receiving Facilities on 23 September 1998;
- d) Mai Po and Tsim Bei Tsui on 30 January 1999;
- e) Water Treatment Plant in Shatin on 17 April 1999;
- f) Tung Chung Road on 20 June 1999;
- g) KCRC West Rail work sites on 19 October;
- h) Chek Lap Kok Airport (joint visit with the Waste Reduction Committee) on 3 December 1999.
- i) West Rail Public Transport Interchange on 20 February 2000
- j) Sites along the proposed KCRC Sheung Shui to Lok Ma Chau Spur Line on 6 & 8 July 2000
- k) Waste Incineration Plant on Cologne Island on Macau on 3 April 2001
- l) Ngau Hom Shek for Shezhen Western Corridor and Deep Bay Link projects on 3 November 2001
- m) River Channeling works in River Beas and River Indus in December 2001





Sharing the Spirit of Environmental Protection... Involving the Community...

Apart from the consultation on a project basis as directed under the Ordinance, a number of public forums were held to gather views and opinions from a wide variety of sources. Participation in these public forums and seminars involved a representative range of concerned parties and stakeholder groups.

Through the public forums a number of important issues were raised. First was the awareness of a growing community need for access to EIA information. The need for good practice guidelines to guide EIA studies and recommended mitigation measures was also called for, as was the need for further strengthening enforcement and prosecution actions.

Other suggestions included raising public awareness and encouraging public involvement to increase a sense of partnership between the department and the community. An enhancement of the EIA Ordinance website was recommended to better meet the public's demand for EIA Ordinance information. The production of guidance notes on various operational and technical issues was also encouraged to facilitate good practices for the users and practitioners of the EIA Ordinance process.

The establishment of an EIA Ordinance Help Desk and a web-based project template were also raised. In the medium to long term, a strategic environmental assessment was recommended to have its place in the legal framework to regulate strategic developments and related sustainability issues.

The series of meetings, briefings and forums were conducted by or participated in by a range of applicants, project proponents, EIA consultants, relevant government authorities specified under the Technical Memorandum, the ACE and its EIA Subcommittee as well as internal colleagues. Direct feedback was gained from participants during a number of different events within this period, which were incorporated into the "Review of the Operation of EIA Ordinance" completed by the department in August 1999.