

**Project Title: Proposed Comprehensive Development at Fung Lok Wai  
at Lot 1457 R.P. in D.D. 123**

**Reference of the Approved EIA Report in the Register: AEIAR- 148/2009  
Conditions of Approval under Section 8(3) of the EIA Ordinance (the Ordinance)**

The EIA Report as exhibited under section 7(1) of the Ordinance is approved by the Director of Environmental Protection (Director) with the conditions here below.

1. The Applicant shall be fully responsible for the construction, creation, enhancement, maintenance and proper management of the Wetland Nature Reserve (WNR) proposed in the EIA report.
2. Before the application for Environmental Permit, the Applicant shall consult the Advisory Council on Environment (ACE) and the Agriculture, Fisheries and Conservation Department (AFCD) on updating the Habitat Creation and Management Plan (HCMP) for the WNR and submit the final HCMP to EPD for approval.
3. The WNR shall not be used for any other purposes except for those specified in the approved HCMP.
4. Prior to the construction of the WNR, the Applicant shall 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 approved 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.
5. The Applicant shall put in place a five-yearly review programme for the implementation of the approved HCMP, and the review reports should be submitted to the ACE, EPD and AFCD for endorsement.

6. The Applicant shall submit reports of the EM&A 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 submissions would be subject to review.
  
7. The Applicant shall implement the measures set out in the further information submitted to the Director in pursuant to section 8 of the EIA Ordinance on 7 October 2009 and 2 November 2009 with respect to the environmental-friendly management of the residential portion of the development to ensure chemicals and pesticides to be used in the residential portion of the development would not have any unacceptable environmental impact on the WNR.
  
8. Whilst conservation is the prime objective of the WNR, limited public access should be allowed on a restricted basis so as not create disturbance to birds. Well-managed guided tours and educational programmes should be allowed for research and conservation education purposes. The residents of the residential portion of the development shall not have privilege over the general public to gain access to the WNR.

End

Environmental Protection Department

November 2009