

Appendix 9.1 Environmental Impact Assessment Ordinance Technical Memorandum – Annexes 10 and 19

ANNEX 10 : CRITERIA FOR EVALUATING VISUAL AND LANDSCAPE IMPACT, AND IMPACT ON SITES OF CULTURAL HERITAGE

1. Criteria for Assessment of Visual and Landscape Impact

- 1.1 The evaluation of landscape and visual impact may be classified into five levels of significance based on type and extent of the effects concluded in the EIA study:
- a. The impact is beneficial if the project will complement the landscape and visual character of its setting, will follow the relevant planning objectives and will improve overall and visual quality;
 - b. The impact is acceptable if the assessment indicates that there will be no significant effects on the landscape, no significant visual effects caused by the appearance of the project, or no interference with key views;
 - c. The impact is acceptable with mitigation measures if there will be some adverse effects, but these can be eliminated, reduced or offset to a large extent by specific measures;
 - d. The impact is unacceptable if the adverse effects are considered too excessive and are unable to mitigate practically;
 - e. The impact is undetermined if significant adverse effects are likely, but the extent to which they may occur or may be mitigated cannot be determined from the study. Further detailed study will be required for the specific effects in question.

2. Criteria for Assessment of Impact on Sites of Cultural Heritage

- 2.1 The criteria for evaluating impact on sites of cultural heritage include:
- a. The general presumption in favour of the protection and conservation of all sites of cultural heritage because they provide an essential, finite and irreplaceable link between the past and the future and are points of reference and identity for culture and tradition.
 - b. Adverse impacts on sites of cultural heritage shall be kept to the absolute minimum.

ANNEX 19: GUIDELINES FOR ASSESSMENT OF IMPACT ON SITES OF CULTURAL HERITAGE AND OTHER IMPACTS

1. General

- 1.1 The annex describes the commonly adopted approaches and methodologies for assessment of impact on sites of cultural heritage and other environmental issues. The methodologies may vary from case to case, depending on the nature of the issues and the latest development in methods and techniques.

2. Impact on Sites of Cultural Heritage

- 2.1 There is no quantitative standard in deciding the relative importance of these sites, but in general, sites of unique archaeological, **historical or architectural value will be considered as highly significant.**

Baseline Study

- 2.2 A baseline study shall be conducted
- a. to compile a comprehensive inventory of places, buildings, sites and structures of architectural, archaeological and historical value within the proposed project area; and
 - b. to identify possible threats of, and their physical extent, destruction in whole or in part of sites of cultural heritage arising from the proposed project.

Methodology

- 2.3 The best information shall be assembled for the assessment of the identified sites of cultural heritage. The entry point shall be the Antiquities and Monuments Office, public libraries and archives and tertiary institutions.
- 2.4 The assessment shall provide detailed geographical, historical, archaeological, ethnographical and other cultural data. Published papers, records, archival and historical documents as well as oral legends shall also be consulted.
- 2.5 In cases where the above sources of information prove to be inadequate or where the proposed project area has not been adequately studied before, field surveys and site investigations shall be conducted to assemble the necessary data.

Impact Assessment

- 2.6 Preservation in totality will be a beneficial impact and will enhance the cultural and socio-economical environment if suitable measures to integrate the sites of cultural heritage into the proposed project are carried out.
- 2.7 If, due to site constraints and other factors, only preservation in part is possible, this must be fully justified with alternative proposals or layout designs which confirm the impracticability of total preservation.

- 2.8 Total destruction must be taken as the very last resort in all cases and shall only be recommended with a meticulous and careful analysis balancing the interest of preserving the archaeological, historical, architectural and other cultural values as against that of the community as a whole.
- 2.9 Assessment of impacts on sites of cultural heritage shall also take full account of, and follow where appropriate, the Guidelines for Landscape and Visual Impact Assessment at Annex 18.

Mitigation Measures

- 2.10 Mitigation measures shall not be recommended or taken as *de facto* means to avoid conservation and preservation of sites of cultural heritage. They must be proved beyond all possibilities to be the only practical course of action.
- 2.11 Designs, layouts, external treatments, colour and texture of materials, but not limiting to such, shall be worked out for the integration of the sites of cultural heritage to be preserved in whole or in part into the proposed project.
- 2.12 For total destruction, a comprehensive and practical rescue plan must be worked out. This is also applicable to sites of cultural heritage where only partial preservation is proposed.
- 2.13 Annex 18 also applies.
- 2.14 A practical programme and funding proposal for the implementation of the recommended mitigation measures shall be included as part of the assessment. These shall form an integral part of the overall development programme and financing of the proposed project. Competent professionals must be engaged to design and carry out the mitigation measures.