Confirmed Minutes of the 117th Meeting of
the Environmental Impact Assessment Subcommittee
held on 18 April 2011 at 2:00 pm

Present:

Mr TSANG Kam-lam, JP (Chairman)
Prof CHAU Kwai-cheong, JP (Deputy Chairman)
Ms Teresa AU
Prof FUNG Tung
Mr Edwin LAU, MH
Prof LI Xiang-dong
Miss Yolanda NG
Ms Betty HO
Dr Ray YEP
Ms Josephine CHEUNG (Secretary)

Absent with Apologies:

Dr Dorothy CHAN, BBS
Prof Joseph LEE
Ir Dr LO Wai-kwok, BBS, MH, JP
Mr Simon WONG, JP
Dr YAU Wing-kwong

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)
Mr Steve TSOI	Executive Officer (CBD), EPD
Miss Kim KWAN	Executive Manager (CBD), EPD

In Attendance for Agenda Item 3:

Mr Maurice YEUNG	Principal Environmental Protection Officer (Assessment and Noise), EPD
Mr King TO	Senior Environmental Protection Officer (Assessment and Noise)5, EPD

Ms Vivien LI	Senior Administrative Officer (Nature Conservation), EPD
Mr Cary HO	Senior Nature Conservation Officer/Central, AFCD
Mr Simon CHAN	Senior Conservation Officer/Biodiversity, AFCD
Mr Joseph FONG	Director, Sha Lo Tung Development Company Ltd.
Dr Eric TSANG	Chairman, Green Power
Dr MAN Chi-sum	Chief Executive Officer, Green Power
Mr Phill BLACK	Director, Pro Plan Asia Ltd.
Dr Robin KENNISH	Director, ERM
Mr Terence FONG	Principal Consultant, ERM
Mr Kenneth TO	Managing Director, Kenneth To & Associates Ltd.
Mr Davis LEE	Associate Director, Ove Arup & Partners HK Ltd.
Ms YAU Mee-ling	Senior Plant Ecologist, Ecosystems Ltd.
Mr Tom HENDERSON	Director, Geotechnical Consulting Group (Asia) Ltd.
Mr S L NG	Director, LLA Consultancy Ltd.

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Agenda Item 1 : Confirmation of the draft minutes of the 116th meeting held on 21 March 2011

The draft minutes were confirmed without amendment.

Agenda Item 2 : Matters arising from the minutes of the 116th meeting held on 21 March 2011

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

Agenda Items 3 : EIA report on "Pilot Project for Public-Private Partnership Conservation Scheme at Sha Lo Tung Valley, Tai Po"

Internal Discussion Session

3. The Chairman informed Members that agenda item 3 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 under agenda item 3 would be opened to the public. Internal Discussion Sessions of agenda item 3 and all other sessions of the meeting would remain closed.

4. The Chairman informed Members that the Environmental Impact Assessment (EIA) report on "Pilot Project for Public-Private Partnership Conservation Scheme at Sha Lo Tung Valley, Tai Po" was a designated project under "Schedule 2" of the EIA Ordinance. The public inspection period of the report was from 7 March 2011 to 5 April 2011. As an administrative arrangement, public comments received by the Environmental Protection Department (EPD) were circulated to Members for reference before the meeting. Separately, submissions addressed to the Council were circulated to Members before the Subcommittee meeting for Members' information. Written response from the project proponent to some Members' questions was also circulated to Members for information before the meeting.

5. The Chairman informed Members that a Member had declared interest before the meeting that the Green Power, in which he served as the Chief Executive Officer, was the Conservation Agent of the project. He would attend the meeting in the capacity of a member of the presentation team of the project proponent.

6. Two Members enquired about the background of the Public-Private Partnership (PPP) Pilot Scheme. Mr C W Tse advised that the Government conducted a comprehensive review of the nature conservation policy and introduced the New Nature Conservation Policy (NNCP) in November 2004 in order to identify practicable ways to better achieve the nature conservation objectives, and in particular, to enhance conservation of ecologically important sites which were in private ownership. Under the PPP Pilot Scheme, development of an agreed scale would be allowed at the ecologically less sensitive portion of any of the 12 priority sites identified, provided that the project proponent undertook to conserve and manage the rest of the site that was ecologically more sensitive on a long-term basis. In respect of long-term financial resources, the project proponent had undertaken in the report to inject a lump sum into a Government Statutory Fund

which would generate recurrently sufficient financial resources for the costs of the long-term management of the ecologically more sensitive portion of the site, including engagement of green groups. Nonetheless, the overall management responsibility would still lie with the project proponent. From the perspective of the EIA mechanism, the focus was to assess the environmental acceptability of the project. Subsequent to the EIA process, the project proponent had to take forward the project under other statutory processes, such as amendments of outline zoning plan and land grant.

7. In response to the enquiries of two Members, Mr C C Lay further advised that extensive consultation had been conducted before launching the NNCP in 2004. The proposed project in Sha Lo Tung (SLT) was one of the applications received under the PPP Pilot Scheme. The long-term sustainability of the project in achieving the objective of regulating, protecting and managing natural resources that were important for the conservation of biodiversity was a key concern of the Administration. Some key principles on the financial arrangements and management framework had been included in the EIA report. The detailed arrangements had yet to be worked out. One of the key considerations was the estimated recurrent costs for the implementation of the Conservation Management Plan of the proposed Ecological Reserve (ER).

8. Members agreed that the discussion should mainly focus on the project design, traffic impact assessment, air quality impacts, noise impacts, ecological impacts, water quality impacts, development pressure in SLT Valley, financial arrangement for conservation management, conservation agent, heritage conservation as well as environmental monitoring and auditing.

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

***Presentation Session* (Open Session)**

9. Mr Phill Black briefed Members on the background of the project and Mr Terence Fong briefed Members on the findings of the EIA study.

***Question-and-Answer Session* (Open Session)**

Design of the project

Action

10. Two Members enquired about the possibility of locating the Multi-cultural Educational Retreat (MCER) cum Columbarium Complex at the foot of the hill to minimize the scale of road works and tree cutting. Mr Phill Black explained that the objective of upgrading SLT Road was to bring the existing SLT Road up to the minimum road safety standard for public access to the ER. Regardless of the location of the Complex, SLT Road would need to be upgraded for public access to the ER. The road improvement works could not be scaled down as the current proposal could only meet the minimum standard in complying with road safety standards for a single-track access road with emergency access. Moreover, the chance of landslides along the substandard SLT Road would be significantly reduced with the upgrading works.

11. A Member enquired about the possibility of locating the car park at the southern part of the development site to avoid road works at the northern part. Mr Phill Black explained that the purpose of putting the car park and Nature Interpretation Centre (NIC) near the ER was to achieve synergy whereby the public could park to readily access the ER conveniently. Most importantly, there was technical difficulty in identifying a large flat area at southern part of the development site for the parking area and turnaround. There was also the matter of providing a turning area for emergency vehicles at the top of the road. The existing SLT Road ended further north and the length had been reduced after the upgrading works. Mr Tom Henderson added that given the requirements associated with the upgrading of SLT Road, the proposed location was the best option for a car park and turnaround which was a low lying area in relation to the nearby catchment areas and would avoid runoff from the upgraded road entering the hinterland and natural stream system.

12. A Member enquired about road access to areas outside the development site. Mr Phill Black confirmed that all visitors had to park their cars in the car park within the development site and there would not be any vehicular access into the ER. Moreover, there would not be any encroachment of the development onto the country park.

13. With regard to the question of the Chairman about the dining hall in the development site, Mr Terence Fong confirmed that the dining hall would be used by internal staff only and there would not be any restaurant for visitors in the development site.

14. A Member enquired about the quarters in the development site. Mr Joe Fong explained that the quarters would accommodate the Master of the MCER, pupils and resident staff in the site and would not be used for resort purposes. Mr Phill Black added that the quarters were two-storeyed independent structures hidden behind the knoll following the natural typography to reduce visual impacts. In response to a Member's enquiry about the guided tours, Dr Man Chi-sum confirmed that only day visits to the NIC and ER would be organized. No visitors or staff of the Conservation Agent would stay in the quarters.

15. A Member enquired about the height of the structures in the development site. Mr Phill Black explained that the floor-to-floor height of the NIC, Columbarium and MCER was approximately 4.5 m, 3.4 m and 7 to 8 m respectively. The maximum building height of the NIC, Columbarium and MCER was 203 mPD, 209.9 mPD and 203 mPD respectively. The buildings were contoured largely around the terrain profile and the height was kept below the knoll ridge of 209 mPD to reduce visual impacts.

Traffic impact assessment

16. A Member enquired about the validity of making reference to an old columbarium (Tsing Chung Sin Yuen) for projecting vehicle trips to a newly developed Columbarium. Mr Phill Black explained that the data collected from Tsing Chung Sin Yuen which was located near Tsing Chung Koon was used as a reference for normal days only. Mr S L Ng added that under the Traffic Impact Assessment, two scenarios had been considered, i.e. traffic flow on normal days and that on festival days. As for festival days, extensive surveys were conducted to capture the total number of visitors to three columbaria, namely Yuen Yuen Institute, Tsing Chung Sin Yuen and Junk Bay Chinese Permanent Cemetery. The survey data was used to estimate the number of festival days that special traffic arrangement would be required. The findings showed that taking into account the carrying capacity of 7,400 visitors per day for the upgraded SLT Road, special traffic arrangement would be required for 14 days (i.e. Ching Ming Festival, two weekends before and two weekends after the Ching Ming Festival as well as Chung Yeung Festival, one weekend before and one weekend after the Chung Yeung Festival). Mr Black pointed out that the carrying capacity would only make use of about 66% of the full capacity of SLT Road.

17. A Member enquired about the basis for calculating 7,400 visitors per day on festival days. Mr S L Ng explained that survey results revealed that each niche would have around three visitors on average during the Ching Ming Festival period. With the selling of 20,000 niches under Class A (i.e. buyers might visit the Columbarium at any time), the estimated number of visitors during festival days was about 60,000. While the peak visitor number on the Ching Ming day was about 11,000, only 7,400 visitors per day could visit the Columbarium with prior booking arrangement and the rest of the visitors could enjoy their visits on the weekends immediately before or after Ching Ming day. Separately, the survey revealed that special traffic arrangements would be required on 9 festival days during Ching Ming and 5 festival days during Chung Yeung. Administrative arrangement would be made to contain the maximum number of visitors to 7,400 per day. The remaining Class B visitors who could not be catered for during the festival periods could visit on non-festival days during the year.

18. A Member enquired about measures to manage about 7,400 visitors per day during festival days. Mr Phill Black explained that the maximum number of visitors allowed at any one time within the Columbarium was 2,500 persons over a two-hour period. Mr S L Ng added that based on the prediction that each visitor would stay in the Columbarium for one to two hours, only up to 2,000 visitors would be staying in the Columbarium at any one time. Mr Terence Fong supplemented that access to the Columbarium would be limited to shuttle bus service through a prior booking system. Walk-in visitors would not be allowed and parking problem was not anticipated. The restrictions would be set out clearly on the sale agreements of the niches.

19. A Member enquired about measures to control the traffic during festival days. Mr S L Ng explained that they had meetings with the Transport Department and Hong Kong Police Force and committed that sufficient management staff would be deployed and stand-by vehicles would be stationed to ensure smooth traffic flow and handle emergency incidents. An extensive traffic survey would be conducted during each festive period for the purpose of obtaining a more accurate forecast in the next festive period.

20. A Member enquired about the cumulative impacts arising from the traffic flow to Fung Yuen nearby. Mr Phill Black explained that the traffic impact assessment conducted for 2016 had taken into account the traffic flow to Fung Yuen.

21. A Member enquired about the transportation arrangement during non-festival days. Mr Phill Black explained that visitors could drive their own cars to the Columbarium but advance booking of the private car parks would be required. Alternatively, limited number of shuttle bus service (6 vehicle trips per hour) would be provided from designated pick-up points.

22. A Member enquired about the control of visitors who might hike to the ER during festival days. Mr Terence Fong explained that the prior-booking arrangement of shuttle bus could serve to control the number of visitors going to the Columbarium. If visitors wanted to go to the ER, they were required to walk up there from the entrance of SLT Road as shuttle bus service to the ER would not be provided. Mr Phill Black added that the NIC would be closed during festival days. About 30 conservation ambassadors would be deployed to advise visitors on the rules in the ER.

23. A Member was concerned about the safety of having about 66 vehicle trips per hour on a single track access road during festival days. Mr S L Ng explained that a single-track access road, according to Transport Planning and Design Manual, could accommodate two-way flows of 100 vehicles per hour. The proposed arrangement on festival days would only make use of 66% of the full capacity of SLT Road. As for hikers, the road improvement works would provide a verge of 1.5 m wide which would be fenced off with safety fence. Mr Phill Black added that about 50 staff would be deployed along the road to ensure public safety and monitor the overall traffic arrangements.

Air quality impacts

24. Two Members were concerned over the impacts of vehicular emissions on hikers in view of the high frequency of shuttle bus during festival days. Mr Terence Fong explained that the air quality assessment was conducted in accordance with the requirements under the Technical Memorandum on EIA Process (TM). The hikers were not air sensitive receivers under the TM. Impacts on them would be minimal in view of the transient and infrequent nature. To reduce air emission impacts, good practices such as switching off idling engines would be adopted. The estimated 66 vehicle trips per hour would only apply to 14 festival days per year. To meet the transportation demand from visitors to the Columbarium during the festive periods, sufficient number of shuttle bus trips had to be provided.

25. A Member suggested using electric vehicles for shuttle bus service to minimize air quality impacts. Another Member supported the suggestion. Mr Joe Fong explained that there would be two 24-seat electric vehicles providing shuttle service on non-festival days. During festival days, buses had to be hired from coach suppliers in view of the high demand and it would be difficult to control the type of vehicles. They would try to use electric vehicles as far as practicable.

26. A Member enquired about measures to prevent burning of effigies and paper offerings. Mr Phill Black explained that prohibition of burning of effigies, paper offerings, candles and incense would be set out clearly in the sales and purchase agreement for buying the niches. Staff would be stationed to enforce the rules and in-house management measures such as signage would be put in place to remind visitors.

Noise impacts

27. A Member enquired about the noise impacts from frequent traffic along SLT Road on hikers during festival days. Dr Robin Kennish explained that noise impact assessment on existing noise sensitive receivers, including village houses at Tin Sam, Fung Yuen, Mak Uk, Fung Yuen Lo Tsuen and Ha Hang Government Staff Quarters, was conducted. The predicted noise levels complied with the standards. In accordance with the TM, hikers were not noise sensitive receivers.

Ecological impacts

28. A Member enquired about measures to prevent potential hill fire caused by grave sweepers in the ER. Mr Joe Fong explained that agreement had been reached with descendents of the graves and about 80% of the graves had been relocated to designated burial grounds outside the Valley. There were only four graves remaining within the ER. The situation would be much improved upon completion of the project. Overgrown weeds around the graves would be removed. Mr Terence Fong added that there would be staff patrolling the site and a fire suppression team would be set up to minimize the occurrence of hill fire.

29. The Member enquired further on details of the fire suppression programme. Ms Yau Mee-ling explained that an aggressive fire suppression programme would be implemented. Apart from the requirement of no burning of

effigies, paper offerings and candles in the development site, the programme included creation of firebreaks around the ER by planting fire resistant vegetation, intensive patrolling by trained personnel and volunteers during festival days, provision of water for sweepers to the four grave sites as well as close liaison with relevant government departments and non-governmental organizations for law enforcement and public education. Dr Man Chi-sum undertook to work with Agriculture, Fisheries and Conservation Department (AFCD) and Fire Services Department in drawing up a more detailed fire prevention and suppression plan.

30. A Member enquired about the loss of vegetation along SLT Road. Mr Terence Fong explained that the impacts of the road upgrading works on vegetation were evaluated based on habitat loss. Along SLT Road, there would be a permanent loss of approximately 0.2 ha of secondary woodland, 0.65 ha of grassland scrubland mosaic and 0.43 ha of plantation. As a mitigation measure, a 2 ha of on-site compensatory planting would be provided. Plant species of conservation interest would be transplanted to appropriate receptor sites.

31. The Chairman enquired about the number of trees affected. Mr Terence Fong explained that 301 (out of 673 trees surveyed) were required to be felled for SLT Road Improvement, 368 would be retained and 4 Incense Trees would be transplanted. A total of 20 Incense Trees were identified and 16 would be retained. The compensation ratio of the trees within the development site and along the SLT Road would be 5:1 and 3:1 respectively.

32. A Member asked the possibility of planting trees along SLT Road for providing better shade for hikers. Mr Terence Fong explained that as the main focus of the improvement works was to minimize the width of the road for minimal disturbance, there would be little room for additional planting. To enhance greenery along the road, vegetation would be planted on the slope terrain. Along the verge for hikers, there was in parts existing secondary woodland which was retained to provide shade. Mr Phill Black added that the feasibility for more tree planting would be seriously considered having regard to the road alignment.

Water quality impacts

33. The Chairman enquired about the drainage system to minimize potential runoff and sewage overflow to ecologically sensitive areas. Mr Terence Fong explained that a package of measures was proposed to be implemented during

construction in the design of the drainage system. Earthworks would be restricted to dry seasons. A temporary peripheral drainage system surrounding the works areas would be built to direct surface run-off from the construction site. Continuous site hoarding and chain-link fence would be erected along the temporary drainage system enclosing the entire project site. Upon completion of SLT Road upgrading works, all construction run-off would be collected by the temporary drainage system with sufficient number of sand traps and discharge into the newly constructed stormwater drainage system along the improved SLT Road to the existing Tai Po drainage system. There would also be a hinterland drainage system to stop hinterland runoff.

34. A Member enquired about the return period in the design of the drainage system. Mr Davis Lee explained that the design of the temporary drainage system was based on 1 in 20 years return period which exceeded the normal requirement of 1 in 10 years return period. Mr Tom Henderson further explained that the design of the permanent drainage system was based on a range of scenarios with a spectrum of return periods from 1 in 2 years to 1 in 200 years as there were different characteristics of natural run-off for the existing and development conditions under different return periods. The aim was to minimise the change in total run-off volume and to ensure the peak run-off intensity entering the natural streams due to the presence of the development and the upgraded SLT Road was not increased whilst maintaining existing water quality.

35. In reply to the Chairman's enquiry about the standby pump, Mr Davis Lee explained that construction run-off collected would be discharged to temporary storage tanks in which a submersible pump would operate to continuously pump the surface run-off to the proposed sand trap. A spare submersible pump with additional 10% standby pumping capacity would be put in place in the storage tank for contingency purpose for pumping the water from the site to the pipes along SLT Road.

36. A Member enquired about the run-off generated by vehicles along SLT Road. Mr Tom Henderson explained that all vehicle run-off would be intercepted and pumped back to the existing storm water system.

37. A Member enquired about the design capacity of the wastewater treatment facilities. Mr Terence Fong explained that wastewater would be discharged through twin sewerage rising mains directly connected to Tai Po

Sewage Treatment Works. In case of malfunctioning of the pumping system, the proposed storage tank with a minimum capacity of 180 m^3 would provide a buffer of three days withholding time to cater for abrupt increase in generated sewage during festival days.

Development pressure in SLT Valley

38. The Chairman asked the possibility of having indigenous villagers claiming their rights to apply for building new small houses in ER. Mr Phill Black explained that 96% of private land in SLT Valley was owned by the project proponent. Mutual agreements had been reached between the project proponent and villagers to divert 160 house demand outside SLT Valley. Within the "Village" zone (V zone), there were only four building lots of about 400 square feet each not owned by the project proponent. Application to the Town Planning Board would be required for any alteration, demolition or redevelopment of buildings existed before 1997 within the V zone. As such, the chance of building redevelopments within SLT Valley would be very slim.

Financial arrangement for conservation management

39. The Chairman enquired about the upfront capital to be injected by the project proponent for conservation of the ER. Mr Phill Black explained that upon obtaining approvals of all concession development and agreement on the premium payable, a "start-up capital" of $50 million would be provided by the proponent to cover the set up cost for ER, NIC and infrastructure improvements. A "long-term capital" of about $120 million would be injected to the Government Statutory Fund for long-term conservation management and operational costs. The amount of funding proposed was based on an estimation of the operational cost of the ER and the normal rate of return. The fund should generate sufficient annual income for drawdown to cover recurrent expenditure on conservation operations of the ER.

40. A Member asked whether the NIC and MCER were revenue-generating. Mr Phill Black explained that the NIC was part of the ER and thus was not revenue-generating. The MCER was a non-profit making integrated facility of the Columbarium Complex which would not be developed into a resort-type facility. Mr Joe Fong added that it would be a religious institution for providing in-residence, moral and spiritual training to dedicated pupils. The educational component of the MCER would complement the spiritual side by

encouraging the public to revisit Confucius principles on nature, relationships and ancestral worship. In response to a Member's question, Mr Joe Fong confirmed that no niches or nameplates for worshipping would be placed inside the MCER and hence the primary source of revenue was from the Columbarium.

Conservation agent

41. A Member enquired about the role and manpower resources of Green Power as a Conservation Agent for the project. Dr Eric Tsang explained that Green Power was a partner in providing advice on the conservation aspect of the project. In terms of manpower, Green Power had a team led by a Scientific Director to work on nature conservation. The need for additional manpower would depend on the staffing requirements under the Conservation Management Plan. Dr Man Chi-sum added that as the Conservation Agent, Green Power would implement the Conservation Management Plan in order to ensure the conservation of biodiversity and promote environmental education. Irregularities would be reported to relevant government authorities.

42. Two Members enquired about the funding arrangement for carrying out the Conservation Management Plan. Dr Man Chi-sum explained that as proposed in the EIA report, the Conservation Agent would apply for funding from the Government Statutory Fund to implement the Conservation Management Plan. Mr Phill Black added that the Government Statutory Fund would assess justifications on the amount of funds applied and monitor the capital flow under the budget.

Heritage conservation

43. A Member asked the possibility of adding heritage conservation elements into the project. Mr Phill Black explained that the project mainly focused on nature conservation as a Pilot Scheme under the PPP. The Member considered that preserving the Fung Shui wood could serve only part of the heritage conservation and suggested preserving the graded historical buildings of the Hakka culture in the site, such as in the form of museums or exhibition halls, with a view to achieving environmental and cultural preservation of the ethnic group in totality. This would serve educational purpose and set a good example to other projects. Mr Terence Fong undertook to consider the suggestion on the condition that the structure of the graded buildings would not be changed. For example, the guided tour of the ER could include the element of ethnic culture. Mr Joe Fong added that

similar ideas, in fact, had been proposed and discussed with the AFCD earlier.

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

Internal Discussion Session

Air quality impacts

44. A Member expressed reservation for not including hikers as air sensitive receivers in the air quality assessment, while recognizing that the air quality impact assessment was conducted in accordance with the TM. Two other Members shared the reservation.

Environmental monitoring and auditing

45. A Member enquired about additional monitoring mechanism in view of the special nature of the PPP project. Mr C C Lay advised that on top of the usual environmental monitoring and auditing system set out in the EIA report, there would be a control mechanism by the Government Statutory Fund and government departments. The Conservation Agent had to apply for funds from the Government Statutory Fund for a term of several years and submit regular reports to the Statutory Fund as well as EPD and AFCD. AFCD staff would also conduct regular visits to monitor the site. The Member suggested the Government Statutory Fund setting up a monitoring group to ensure the objectives of conserving and protecting the natural habitats of the site could be achieved.

46. After discussion, the meeting agreed to recommend to the full Council that the EIA report could be endorsed with the following proposed conditions –

(a) the project proponent should submit a detailed Conservation Management Plan (i.e. a Habitat Enhancement and Management Plan for the project), including detailed measures to prevent and suppress the occurrence of hill fire during operation, for the proposed ER to the EPD and AFCD for approval prior to the construction of the ER and the proposed development;

(b) the project proponent should submit a tree-felling and re-planting plan to the EPD and AFCD for agreement before commencement of the construction works;

(c) a secure and legally binding mechanism should be put in place to ensure that the financial commitment made by the project proponent to provide an adequate amount of funding for the long-term sustainable management of the ER, as set out in the EIA report, be materialized;

(d) the project proponent should take measures to ensure that the operation of the MCER cum Columbarium Complex would not have any unacceptable environmental impact on the ER, in particular that the MCER would not be turned to a resort-type facility or any other facilities with a business nature;

(e) the project proponent should control the number of visitors during the "Ching Ming and Chung Yeung festival days" by prior appointment limited to the buyers of the niches sold under Class A (i.e. buyers may visit the columbarium at any time) and that the number of such niches should not be more than 20,000. The remaining 40,000 niches should be sold under Class B (i.e. buyers will not be allowed to visit the columbarium during the "festival days"). The special traffic and visitor management arrangements should be set out in the sales and purchase agreement prominently between the project proponent and niche buyers to avoid dispute in future. The traffic management measures and the definition of "festival days" should be reviewed regularly and agreed by the relevant authorities, including the Transport Department and Hong Kong Police Force;

(f) the project proponent should ensure that burning of effigies, paper offerings and candles should be prohibited in the development site. Burning of incense will be allowed only within the MCER on special supervised occasions with only one incense lit within the MCER at all times; and

(g) the project proponent should submit reports of the Environmental

Monitoring and Auditing results on ecological and water quality monitoring during the construction phase to the ACE 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 ER to the ACE on an annual basis, subject to a review on the need for further submission of reports three years after establishment of the ER.

47. The meeting also made the following recommendations on the EIA report –

(a) to review the scale and length of the SLT Road improvement works, including the replacing of a section of SLT Road widening by provisioning of an internal road from the southern side of the site, with a view to reducing the associated environmental impacts;

(b) to use electric vehicles and/or low emission vehicles for the project as far as possible for transportation along SLT Road;

(c) the Government Statutory Fund, from which the Conservation Agent is proposed to apply funding to implement the Conservation Management Plan, to set up a monitoring group to ensure the objectives of conserving and protecting the natural habitats of the site could be achieved; and

(d) to preserve the graded historical buildings of the Hakka culture in the site, such as in the form of museums or exhibition halls, with a view to achieving environmental and cultural preservation of the ethnic group in totality.

48. The meeting agreed that there was no need to invite the project proponent to attend the full Council meeting.

Agenda Item 4: Monthly updates of applications under the Environmental Impact Assessment Ordinance

49. Members noted the updates.

Action

Agenda Item 5: Any other business

Tentative items for discussion at the next meeting

50. The Chairman informed Members that the agenda was being compiled. Members would be informed in due course.

Agenda Item 6: Date of next meeting

51. The Chairman informed Members that the next meeting was scheduled for 23 May 2011.

(Post-meeting note: The meeting scheduled for 23 May 2011 was cancelled.)

EIA Subcommittee Secretariat
May 2011