HONG KONG INSTITUTE OF ENVIRONMENTAL IMPACT ASSESSMENT
香港環境影響評估學會

Newsletter

Updating Hong Kong on Environmental Impact Assessment

Issue June 2014

Editorial

The Cautionary Tale of Goldilocks and the Certainty of Seahorses

Recent EIA decisions and Judicial Reviews have brought the whole issue of predicting certainty in EIA to the front of practitioners' and review authorities' minds in Hong Kong. Yet as early as a 2002 paper to the Legislative Council (LegCo), the ever prescient, Professor Lam Kin Che, stated that much of the controversy around Hong Kong EIAs "boiled down to three issues: timeliness, certainty and quality".

The contested 'Lung Mei EIA' is a particular case in point, in which, post-EIA approval, green groups and the community identified the Spotted Seahorse, Hippocampus kuda, that was not identified in the EIA's marine ecological surveys.

What this indicates is the present level of 'peer review' and scrutiny by the public and green groups of EIAs. Obviously the timing and scale of required survey needs to be fit-for-purpose and case-appropriate, however, as scientists and technical specialists HKIEIA members know that the law of diminishing returns applies equally to the collection of scientific survey data, particularly in highly variable natural systems. Therefore, it is crucially important to allocate the correct level of effort to each case; the "Goldilocks syndrome" not too much, nor too little, just the right amount. Herein Government faces the unenviable task of double-guessing budgets for LegCo funding requests in a never-ending spiral for more and more impact assessment and proofing. Then EIA consultants face market pressures in costing and pricing their response to EIA Study Briefs, and then need to deliver their services both professionally and commercially.

Such effort, time and budget decisions are politically impossible to communicate in EIAs and public consultation exercises. Obviously with infinite resources and concomitant survey effort, nothing will ever be 'missed', but within the constraints of a planning or development EIA there needs to be a balance between needs, efforts, and confidence of outcome from both the consultant and the EIA review authorities.

All of this is happening in a local climate of much discussion about the relevance of the 16-year old EIA Ordinance and whether it needs to be reviewed and possibly expanded to include social, economic and other impact assessment elements. Interestingly this Hong Kong direction seems wildly out of step with a prevailing trend elsewhere for international downscaling, scoping, and streamlining of impact assessments. In advanced jurisdictions including the USA, Australia, the Netherlands and Canada, this has been coined the 'cutting of green tape' to speed up impact assessments and project approvals.

Conversely, we are witnessing Hong Kong's 'green up scaling' with greater civic democratisation of awareness and the wish from both the community and green groups to increasingly contribute via public consultation to the formal EIA Ordinance process. Further, with the increasing tendency for Hong Kong's EIA approval authorities' decisions to be publicly challenged, via the Judicial Review process, it will mean that a day will come soon when HKIEIA members' professional judgment regarding the prediction of certainty will come under ever greater scrutiny. This is unlikely to result in smaller Hong Kong EIAs, and will likely lead to conservatism in survey scale choices with a tendency to 'throw in the kitchen sink' and never scope out anything. And then the community and eNGOs will surely criticise the resulting 'monster EIAs' that the public have no hope of reviewing within the statutory public consultation period. A vicious cycle indeed.

Buckle up for the ride, practioners and review authorities; I can predict with 100% certainty, that it will be a turbulent ride.

Timothy J. PEIRSON-SMITH

Published by HKIEIA

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Chairman's Remarks

Dear Members,

"The Executive Committee is committed to serving the best interest of our members" captures the essence of what was indicated at the beginning of my appointment as the Chairman of the HKIEIA in 2012. In the 2012 newsletter, I have mentioned that our Executive Committee and I will *"…broaden the reach of EIA practices in Hong Kong through training and sharing with the local and overseas experts."* Over the past 2 years, I am proud to say that our committee members and I were able to deliver on this pledge through extensive technical sharing / views exchange on the EIA practices with the various professional bodies, including the Association of Engineering Professionals in Society, CWIEM HK, HKIE (Env Div), Hong Kong Construction Association, NGOs and the tertiary institutions in Hong Kong.

On the international front, our goals were successfully achieved through many fruitful collaborations, sharing in the technical seminars and annual conferences with representatives from the Ministry of Environmental Protection (MEP) of PRC, Appraisal Center for Environment & Engineering (MEP), Institute of Environmental Management and Assessment, United Kingdom, Japan Society for Impact Assessment, Korea Society of Environmental Impact Assessment, International Association of Impact Assessment plus many tertiary institutes from China, Taiwan and more...

December 2012 – Joint Christmas Dinner (HKIEIA, HKIOA, CIWEM HK)

May 2013 – Sharing between Representatives from HKIEIA and Ministry of Infrastructure and the Environment, Netherlands at the IAIA Annual Conference at Calgary

November 2013 – HKIEIA's delegates with representatives from China, Japan, Korea at the welcoming dinner of the 3rd China-Japan-Korea Tripartite EIA & SEA Conference in Chiba, Japan

While pleased with HKIEIA's achievements so far, we will never be satisfied. Our commitment to uplift the status of the HKIEIA will continue and I am also delighted to announce that the HKIEIA and the Institute of Environmental Management and Assessment, United Kingdom had entered into a ***Memorandum of Understanding (MOU)*** to further cultivate the practice of EIA in Hong Kong and the United Kingdom with the aim to bring out the best elements of these EIA systems and turn that into good EIA practices for adoption. This will be done through the on-line platform coupled with a study tour, which we are currently working on. Details of this MOU as well as the collaboration details will be announced at the AGM in June 2014.

Our ability to be connected with international EIA practitioners can only be made possible with this clear vision, but more importantly it is you, your participation and contributions as true EIA

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practitioners, which will together make a brighter future for the EIA industry in Hong Kong.

Henry LEUNG

From the Secretary

For most of the football fans, the long-awaited 2014 FIFA World Cup Brazil is coming on 12 June 2014. It is probably a good day for a great kick-off at our AGM 2014, which will also be held on the same night!

This year our AGM's Guest of Honor will be meeting with us in a very special and low-carbon way. Instead of flying all the way from the United Kingdom to Hong Kong, the representative of the Institute of Environmental Management & Assessment (IEMA) will video conference with our members in the AGM following the recent signing of the Memorandum of Understanding (MOU) with HKIEIA. IEMA is a renowned environmental institute with over 15,000 environmental and sustainability professionals from around the world. You may wish to refer to their official website for details: www.iema.net. During the video conference, we can exchange ideas in relation to the environmental issues in the UK and HK, and the possible collaboration activities between IEMA and HKIEIA.

We look forward to seeing you in the AGM and staying with us for the dinner after AGM.

Claudine LEE

HKIEIA Events/Activities

- ***Events / Activities Review***

Regional EIA Symposium 2014 (9 – 11 Jan 2014)

A Regional EIA Symposium was successfully held in Chinese University of Hong Kong from 8-11 January 2014. More than 150 participants joined the event from all over the world to learn from each other, and share best practice to protect the ever-changing environment. More than 40 papers were presented at the Symposium. Three training courses on integrating health issues into EIAs, organized reasoning and EIA and an overview of social impact assessment were well attended as pre-symposium or post-symposium event on 8 and 11 January 2014.

We were honored to have Ms Loh Kung Wai, Christine, Under Secretary for the Environment to officiate the opening ceremony and Ms Anissa Wong, Permanent Secretary for the Environment as our guest of Honour for the Symposium Dinner. Internationally renowned Keynote Speakers, Ms Su Yi representing Mr Zhu Xingxiang, Mr H M Wong, Dr Nick Taylor, Dr Martin Birley, Mr Josh Fothergill and Prof Sachihiko Harashina shared their experience on the respective symposium themes of EIA Process, Social Impact Assessment (SIA), Health Impact Assessment (HIA), Climate Change and Strategic Environmental Assessment (SEA) to inspire EIA practitioners to improve the effectiveness of EIA in Asia. Prof. Lam shared on the subject of whether EIA should be an examination or a learning process in the Closing Plenary to encourage all of us to keep evolving for continuous improvement.

I would like to take this opportunity to thank our co-organiser, the Institute of Environment, Energy and Sustainability of the Chinese University of Hong Kong and more than 20 supporting organisers, including Ministry of Environmental Protection, China, Environment Bureau, HKSAR, China EIA Association and Appraisal Center for Environment & Engineering, MEP, China of Japan Society for Impact Assessment, Korea Society of Environmental Impact Assessment and many other academic and professional institutions in the region for their support and the generous sponsorships that we received from our Sponsors to make this event possible. Last but not least, I would like to thank all organising committee members and the symposium helpers for their unfailing support and hard work to make this event a success.

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Freeman CHEUNG

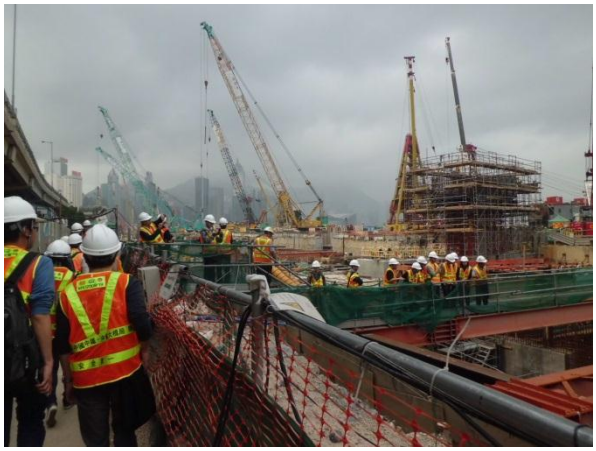
HKIEIA Technical Visit : Central - Wan Chai Bypass - Tunnel (North Point Section) and Island Eastern Corridor Link (1 March 2014)

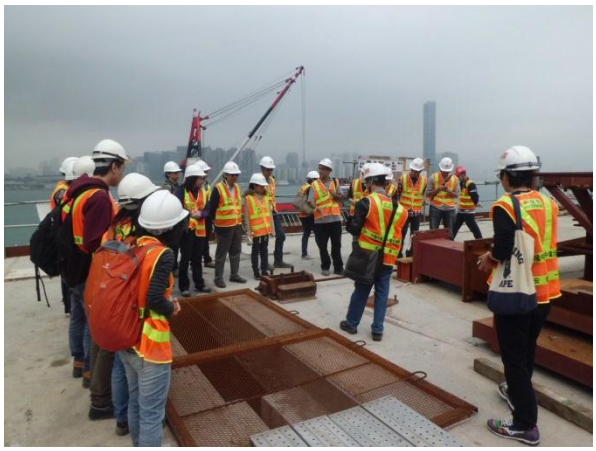
The Central – Wan Chai Bypass and Island Eastern Corridor Link (CWB) is a strategic road along the north shore of Hong Kong Island to relieve traffic congestion along the existing trunk road connecting Central and North Point. CWB's construction and operation, managed by the Highways Department (HyD) of HKSAR, is a Designated Project under the Environmental Impact Assessment Ordinance (EIAO). Comprehensive EIA studies were conducted and completed in 2009 in accordance with the EIAO and the Study Brief issued by the HKSAR Government. Following the approval of the EIA Reports, an Environmental Permit (EP) which imposed conditions to govern the construction and operation of the CWB was issued to HyD in 2009.

The CWB is a mega-scale infrastructure project in close proximity to the local business and residential community. Its construction involves dredging, reclamation and road construction, posing water, air and noise nuisance to the neighborhoods.

HKIEIA's visit enabled members to have an understanding of the implementation of a comprehensive EM&A programme with environmental control measures in accordance with the EIA requirements for construction of the project.

After a comprehensive briefing on the project, a walk to the tunnel section and segmental bridge was carried out.





M H ISA

Launch of Revamped Website (7 March 2014)

Members should have noticed by now the new look and feel of our recently relaunched HKIEIA website (http://www.hkieia.org.hk). While we hope you will find it easier to navigate, there are genuine reasons behind the revamp exercise. In past decades, the community at large has been focusing on promoting a green environment. Through education, policy measures and technologies, we are aiming for pollution reduction and reduced energy use. Now, with the growing awareness of the green living paradigm, we believe it should now be time to aim for a bluer sky and bluer water. Such issues are no doubt getting more and more of attention. However, despite much effort spent, the sad news is these days we are having fewer blue sky and lower visibility ... The new website's blue colour theme is, thus, chosen to call for more collaborative efforts in this front.

Regarding new elements in the website, apart from the new colour theme and layout, there are indeed a number of new additions. They include:

- A Biodiversity section to provide the latest developments of this new territory-wide initiative, in which the Institute has been involved heavily;
- A Photo Gallery section to share the joyful moments of HKIEIA activities, events or technical visits;
- A Members' Corner to allow member to keep track of their own profile/membership details, communicating with other members plus access to member-exclusive content;
- An Useful Report section to provide member-exclusive reports. Thus, this is accessible to registered members only;
- A Discussion forum to share members' feedback or advice to the Executive Committee. Thus, this is accessible to registered members only; and,
- Many more things to come.

As a last word on the website, please feel free to surf and we will endeavor to keep it up-to-date and to share more content that will benefit both members and the Institute. For any comments or feedback you might have, please feel free to comment at http://hkieia.org.hk/Discussion-Forum.

Raymond WONG

Seminar on Review of the EIA Practices of Major Construction Works in Hong Kong (15 March 2014)

The Association of Engineering Professionals in Society (AES) had organised a "Seminar on Review of the Environmental Impact Assessment (EIA) Practices of Major Construction Works in Hong Kong" on 15 March 2014. After the opening speech by the Chairman of AES, Dr. Ir. Raymond Ho, the AES study teams included Ir. PK Lee (Honorary Secretary General) and Ir Victor LO King-yin (Senior Vice-Chairmen) speaking about study methodologies and an overview on the current EIA practices for those major construction works in Hong Kong and a comparison with the EIA practices of various overseas countries. As highlighted in a previous summary email to members, the major findings of the study and recommendations for the way forward could now be found in the HKIEIA's website.

Henry LEUNG with the Council Members of AES

Henry LEUNG

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HKIE Env Div Annual Seminar - Hong Kong Energy Challenges & Solutions (9 April 2014)

We have the honour to be invited by HKIE as a supporting organisation for their annual conference "Hong Kong Energy Challenges & Solutions". This year, representatives from many large corporates were invited to share their experiences in three areas, namely energy challenges, policies and technologies and solutions.

Kicked off by the keynote speech from Mr WONG Kam Sing, JP, Secretary for the Environment and Ir Dr Hon LO Wai-kwok, BBS, MH, JP Legislative Councillor (Engineering Functional Constituency) which addressed the energy challenges locally and globally, the seminar successfully provided a platform for engineers, government officials, technical experts and academics to share their valuable experience and practices. The Seminar also discussed the importance of energy challenges and the associated technologies and solutions to build a sustainable energy future.

Sophia LAU

IAIA 2014 Annual Conference at Viña del Mar, Chile, 8-11 April 2014

Despite a mighty 8.2 magnitude earthquake which shook northern Chile, 11 delegates from Hong Kong flew more than 18,000 km to attend the 34th Annual Conference of IAIA held at Viña del Mar one hour's drive from Santiago.. They all returned to Hong Kong safe and sound after an exciting and stimulating journey. The theme of the IAIA Conference this year was "Impact Assessment for Social and Economic Development". Despite the fact that the conference was held in a casino complex, the attention of the Hong Kong delegates was undivided. HKIEIA members caught the attention of many by giving stimulating presentations on a wide range of topics, including the SEA system of Hong Kong (Raymond Lai), the SEA process (CN Ng & Chris Wong); judicial review of EIAs (Terence Tsang; Chris Wong & CN Ng); EIA follow up (Shirley Lee); wetland mitigation (Jackie Yip); 3-D EIA (Charles Wong & Terence Tsang); Environmental enforcement campaigns (Xu Yuan); Stakeholder Liaison Groups and public engagement (Tim Peirson-Smith) and EIA as a learning process (KC Lam).

This particular conference was a special and joyous occasion for the Hong Kong delegates. We applauded Ms. Shirley Lee as she assumed the position of Board Member of IAIA. We shared the joy with Prof. Lex Brown, former Hong Kong EPD officer and long-time friend, who was awarded the prestigious Rose-Hulman Award in recognition of his significant contributions to impact assessment worldwide.

Chile is blessed with beautiful beaches, lofty mountains and rich cultural heritage. After the conference, members enjoyed the sun and sand on the beach and visited the colorful UNESCO-listed historical town of Valparaiso. Some members even flew the long, but rewarding, distance to Easter Island trying to unravel of the mystery of the Maoi stone statues. A few others bought their own (drone) plane and flew over the beach and the city.
Delegates who joined this international conference are eager to share their experiences with fellow members in a debriefing session to be organised soon.

Some delegates at the Conference Banquet

Prof. Lex Brown receiving the Rose-Hulman Award

What a relaxing way to think about challenging environmental problems

Flying high and Over the Sky

Professor K C LAM

AWTC Training Programme (28 April & 8 May 2014)

Two soft skills courses namely, Module I – Presenting at Your Best (Part A) and Module I – Presenting at Your Best (Part B – Practical Session) were run on 28 April and 8 May 2014, respectively. The feedback on both the courses was very positive. The teaching method adopted by the organiser was two way - interactive with presentations given by the attendees at the end followed by the organiser narrating the missing elements required for a better presentation.

M H ISA

HKCA / HKIOA Symposium Details / Sponsorship (8 May 2014)

Kudos to HKCA and HKIOA for the successful "Quiet construction: State-of-the-art management & practices symposium cum exhibition" on 8 May 2014. This one-day event delivered an outstanding scope of knowledge for around 250 acoustic practitioners from different parts of the world. Inspiring presentations from distinguished speakers covered a wide range of topics from noise control legislation in European countries to quiet construction methods in Japan and Hong Kong. Regular coffee breaks provided a great opportunity for interaction and international networking.

Out of the many excellent presentations, "Move Hat" presented by Mr. Minoru Chiba of Nishimatsu Construction Company Ltd. (Japan) attracted most attention. It is a new method used in the dismantling of high-rise buildings in urban areas. Without installing outer protective scaffolding, an elevator-type covering frame known as a Move Hat is set up to cover the building only at the floor to be dismantled. The building is progressively dismantled from the upper floors downward as noise and dust are prevented from escaping and polluting the environment.

During coffee breaks, various new inventions and noise control methods were also showcased.

Events of this kind are healthy for the growth of local acoustics industry. They should be held regularly for the benefit of Hong Kong and the world.

Wilson HO

Upcoming Events

Annual General Meeting 2014 (12 June 2013)

Our Annual General Meeting 2014 will be held at 6:30 p.m. on 12 June 2014 at 38/F World Trade Centre Club in Causeway Bay. There will be a casual Chinese dinner after the AGM for socialising and catching up with fellows and friends. Please mark this down on your calendar.

Felice WONG

Consultation Corner

Biodiversity Strategy & Action Plan (BSAP) - Progress Report (May 2014)

As briefly mentioned in the previous issues of the newsletter, HKIEIA is actively participating in the development of the first BSAP for Hong Kong. Dr. Ng Cho Nam and our Chairman, Henry Leung are jointly running the Terrestrial Biodiversity Impact Assessment Focus Group (IAFG), which is examining the existing and potential impacts to the biodiversity of Hong Kong and how to address them.

In mid-March, the IAFG launched an online questionnaire to collect views about the major impacts to local biodiversity and the ways to improve the existing practices in assessing and addressing these impacts. So far we have received almost 100 completed questionnaires. Feedback was received from the authority, consultants, contractors, project proponents, green groups and amateur naturalists.

Terrestrial Biodiversity Impact Assessment Focus Group meeting in formulating the questionnaire

After we have collected all feedback, the focus group will carry out an evaluation and make appropriate recommendations for reporting to the BSAP Steering Committee and working groups later in 2014. The draft BSAP will then be put forward for public consultation and implementation in 2015.

The above aims to provide members with a snapshot of HKIEIA's involvement in the BSAP exercise. To learn more about what has been discussed in the meetings, and to catch up with the latest public activities, visit: http://www.afcd.gov.hk/english/conservation/con_bsap/con_bsap.html

Karen LUI

HKIEIA Membership

The Institute currently had a total of 325 Members, including 4 Honorary Members, 23 Fellows, 221 Corporate Members and 70 Associate and 7 Student Members.

Members are reminded to submit to me their annual membership renewals together with the completed CPD records.

Clara U

HKIEIA Finances

The HKIEIA finances stay healthy and some profit has been made from the Regional EIA Symposium in January 2014. The balance in our bank accounts has exceeded HK$1M as of 21 May 2014. Thanks to those who have paid their membership subscription in a timely manner.

For those who have not yet paid the membership subscription, please send your cheque to the following address for my attention.

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c/o Mr. Freeman Cheung (Honorary Treasurer)

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