



**Permanent Secretary for the Environment / Director of
Environmental Protection
Ms Anissa Wong Sean-ye, JP**

Curriculum Vitae

Ms Wong joined the Government in July, 1979, as an Executive Officer. She was appointed to the Administrative Service in September, 1979, and rose to her present rank of Administrative Officer Staff Grade A1 in April, 2010.

Ms Wong has served in various bureaux and departments, including the former New Territories Administration, the former Housing Branch, the former Education Branch, the Lands Department, the former City and New Territories Administration, the former Survey Office, the former Urban Services Department, the former Chief Secretary's Office, the Information Services Department, the former Security Branch and the former Industry Department. She was Deputy Director-General of Industry from March, 1996, to April, 1997, Deputy Secretary for the Civil Service from April, 1997, to February, 2003, and Director of Leisure and Cultural Services from February, 2003, to September, 2006. She has been Permanent Secretary for the Environment, Transport and Works (Environment) (later renamed Permanent Secretary for the Environment) and Director of Environmental Protection since September 13, 2006.



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South China Morning Post

Approval assured

Critics say the environmental protection department is not independent when vetting ecological impact assessments submitted by developers

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Updated on Jul 19, 2011

Green activists like to joke that environmental impact assessments are "invincible". They are compiled, tabled, commented upon - but never rejected.

The joke is not far off. Just seven EIAs have been turned down, compared with 162 approved, since the reports were mandated in 1998, according to the latest figures available on the Environmental Protection Department's website.

Why?

Critics say that the biggest reason for this imbalance is that the EPD is not independent enough. It's a branch of the government - the same government that, in many cases, is seeking an environmental ruling, or is the beneficiary of a positive decision. Since 1998, the government has been the biggest subscriber to the environmental impact assessment process. It filed 123 reports to the EPD for approval, compared with 73 submissions from the private sector, according to the *Post's* analysis.

The biggest single client has been the Civil Engineering and Development Department - the government department responsible for new town development, reclamation projects and land formation - which requested 51 reports. Next came the Highways Department with 26 reports and the Drainage Services Department with 22

reports. The EPD itself submitted eight reports; all were approved.

Paul Lam Kwan-sing, a professor specialising in marine life, chairs the Advisory Council on the Environment, which must clear a project before the department approves it. He disagrees that the EIA process is just a rubber stamp. He said that only a few assessment reports were rejected because consultants had sought advice from various government departments as they compiled their reports.

However, he agreed that the system could be improved by forming a pool of international experts who would review the reports and advise council members on the shortcomings of the consultancy studies.

"I believe council members are very committed. But it is difficult for them to comment on technical issues without certain expertise," Lam said.

An EPD spokesman said the EIA process was objective and transparent, requiring that issues raised by the public and the council were addressed before a decision could be made. But Mike Kilburn, of the think tank Civic Exchange, says there's a problem, and it goes back six years, to when the top posts at the watchdog were taken over by policy bureau administrators.

"Up until 2005, the director was an environmental scientist, a career scientist who understood the ordinance and the science, but this is no longer the case," Kilburn said. "The director no longer has his professional judgment as an environmental scientist to rely on."

Kilburn said the merger blurred the roles of the director and led to conflicts of interest.

"The key role of the director is as a regulator. And when the role of a regulator is combined with the role of somebody whose job is to deliver policy outcome, he has a blurred distinction, which could possibly lead to a conflict of interest, particularly on government projects," he said.

The problem doesn't end there.

The consultants who write the EIA studies are hired by the people pushing for projects to be approved.

"The current EIA arrangement is for the project proponent to hire the consultant for the study, and this calls the consultant's independency into question," said Edwin Lau Che-feng, director of Friends of the Earth. Most of those consultants hail from a small group of large consulting firms, the *Post* found. The 196 studies compiled in the past 13 years were produced by approximately 30 firms.

Just three of them - ERM Hong Kong, Maunsell Consultants Asia, and Ove Arup - accounted for about 35 per cent of the reports. The same three also accounted for a third of the studies commissioned by the government.

Most of the studies were large-scale projects like power infrastructure, site formation, and rail and road development.

There is no estimate as to how much these firms were paid, because the cost of a study usually depends on the scale of a particular development. The cost estimate is usually buried in the engineering feasibility budget.

While there is no evidence to suggest the consultants would distort their studies to suit their employers, some critics said these big players, with their long experience, can easily get around the EIA requirements with their technical expertise.

"They know well the technical tricks by adopting different modelling methods for their purposes," said Roy Tam Hoi-pong, president of Green Sense.

Unlike doctors, lawyers or accountants, there are no professional bodies governing the consultants' qualifications, standards, ethics and discipline. The closest equivalent is the Hong Kong Institute of Environmental Impact Assessment. But it is not a statutory body such as the Medical Council and has only loose control over its members.

Andy Brown, executive director of Kadoorie Farm and Botanic Garden, said there was great room to improve the

quality, accountability and professionalism of environmental consultants and transparency of the EIA.

"The EIA report should list all consultants involved, their credentials, exact role, time input, with time and date of surveys provided," Brown told lawmakers in a recent meeting on the need for an EIA review. At present, reports present the name of the company but not the individuals involved, nor survey details.

Brown says too many studies appear to have been done on the cheap.

"The quality of some of the ecological surveys and assessment can be rather variable," he said. "This is due to market competition forcing consultants to carry out ecological surveys at the lowest possible cost and in the shortest possible time. There is also the possibility of hiring people without the expertise and experience needed."

He proposed that the EPD maintain a registry listing professional consultants' training, expertise and experience.

An independent committee should be set up to provide scientific advice to the Advisory Council on the Environment in scrutinising EIA reports.

The last environmental impact assessment report rejected had nothing to do with Hong Kong. It was the Tonggu Channel dredging project, proposed by the Shenzhen port authority to enable the Shekou container cargo terminal to expand in May 2005. The project was pronounced dead by Keith Kwok Ka-keung, an administrative officer and then the department's chief.

The rejection, based on the assessment report's failure to adequately assess the environmental impact and risks to the Chinese white dolphin, came just two months after Dr Rob Law, an environmental scientist, chose to leave the top post after 24 years with the watchdog.

Law was remembered for rejecting the impact assessment of the Lok Ma Chau rail spur line project,

which was originally designed to traverse the bird haven at Long Valley, in 2000. The project was proposed by the Kowloon-Canton Railway Corporation, a public-funded body, and managed by a former top official, Yeung Kai-yin.

The current director of environmental protection, Anissa Wong Sean-ye, has not rejected a single one of the more than 70 assessment studies she has handled.

A former administrative officer, she took over from Keith Kwok Ka-keung in 2006.

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