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ACE-EIA Paper 5/2012
For advice on 25 June 2012

Environmental Impact Assessment Ordinance (Cap. 499)
Environmental Impact Assessment Report

Pilot Project for Public-Private Partnership Conservation Scheme
at Sha Lo Tung Valley, Tai Po

PURPOSE

This paper presents the key findings and recommendations of the Environmental Impact Assessment (EIA) report on “Pilot Project for Public-Private Partnership Conservation Scheme at Sha Lo Tung Valley, Tai Po” (hereafter known as “the Project”) submitted under section 6(2) of the Environmental Impact Assessment Ordinance (EIAO) (Application No. EIA-203/2012). The Sha Lo Tung Development Company Ltd. (SLTDC) (the applicant) and their consultants will present the report at the meeting of EIA Subcommittee if necessary.

ADVICE SOUGHT

2. Members’ views are sought on the findings and recommendations of the EIA report.

BACKGROUND AND NEED FOR PROJECT

3. The New Nature Conservation Policy (NNCP) promulgated by the Government since 2004 aims at regulating, protecting and managing natural resources that are important for the conservation of biological diversity of Hong Kong in a sustainable

manner, taking into account social and economic considerations, for the benefit and enjoyment of the present and future generations of the community. Under the NNCP, 12 priority sites have been identified for enhanced conservation under a scoring system drawn up by an Expert Group with membership comprising key academics and major green/interest groups with expertise in ecology.

4. Under the NNCP, the Government has proposed to implement a Pilot Scheme for Public-Private Partnership (PPP), with a view to striking a balance between sustainable development and nature conservation. Under the scheme, development of an agreed scale will be allowed at the ecologically less sensitive portion of a priority site, provided that the project proponent undertakes to conserve and manage the rest of the site that is ecologically more sensitive on a long-term basis. The Sha Lo Tung project is an application received by the Government under the Pilot Scheme.

5. The Sha Lo Tung project was first discussed by the Nature Conservation Subcommittee of the Advisory Council on the Environment (NCSC) on 9 April 2008 and then by the Advisory Council on the Environment (ACE) on 14 April 2008. ACE noted the merits of the proposal and agreed that the Government should support the Sha Lo Tung project from the nature conservation angle. The NCSC further discussed the proposed conservation management plan of the project on 14 August 2008 and agreed that the proposed measures could enhance the ecological value of Sha Lo Tung Valley.

6. The original scope of the works proposed by the project proponent in 2008 did not make the project a designated project under the EIAO. Nonetheless, the project proponent submitted an environmental assessment (EA) report, which was endorsed by the ACE with conditions in October 2008, taking into account recommendations by the NCSC. Subsequent to that, the project proponent has made certain revisions to the proposal and the changes constituted the project to become a designated project under the EIAO.

7. The project proponent submitted an EIA report under the EIAO in December 2010 and the EIA report was subsequently exhibited for public inspection and was discussed at the meeting of ACE EIA Subcommittee on 18 April 2011. The Subcommittee decided to recommend to the Council endorsement of the EIA report with conditions. Subsequently, the project proponent withdrew the EIA report from the EIAO statutory process on 16 May 2011, before the Council meeting. Hence, the Council has not drawn any conclusion on the EIA report.

DESCRIPTION OF THE PROJECT

8. The Project scope presented in the present EIA report is largely similar to that presented in the last EIA report, including three components, i.e. (a) Ecological Reserve, (b) Development Site and (c) Sha Lo Tung Road improvement. A brief description is set out below and their locations are shown in **Figure 1** :-

- (a) *Ecological Reserve*: The applicant proposes to dedicate all of the land it owns in Sha Lo Tung Valley (about 27ha, representing 96% of the private land in the valley) for setting up an Ecological Reserve of approximately 52.5ha and to implement a comprehensive conservation management plan for the Ecological Reserve. Under the plan, the important habitats will be protected and enhanced. Moreover, the applicant has proposed to implement measures to prevent hill fire, remove exotic vegetation, enhance the quality of secondary woodland, conserve target species and habitats, restore abandoned agricultural lands, manage a Nature Interpretation Centre at the Development Site, and to promote conservation education. To finance the long-term operation of the Ecological Reserve, the applicant has undertaken to inject a one-off capital of an amount to be agreed by the Government and sufficient to generate recurrent incomes to support the pledged conservation programme into a Government statutory fund.
- (b) *Development Site*: The applicant proposes to develop a Nature Interpretation Centre, and a Multi-cultural Education Retreat cum Columbarium Complex (with a building footprint of approximately 1.27ha which is 0.03ha less than the previous design) on a piece of government land of 4.1ha (which is 1.4ha less than the previous design) in the adjacent “Green Belt”. The land arrangement will be agreed with the Government separately.
- (c) *Sha Lo Tung Road improvement*: The proposed project includes upgrading of the existing Sha Lo Tung Road (approximately 2.3km) which is the only access road to the Sha Lo Tung Valley. The applicant has undertaken to finance the road improvement works and also the subsequent management and maintenance of the road.

9. The Project involves earthworks (building a temporary footbridge of about 2.2m long and 1.5m wide across the stream) inside the Sha Lo Tung Site of Special Scientific Interest (SSSI). It is a designated project under item Q.1 of Part 1, Schedule 2 of the EIAO: *All projects including new access roads, railways, sewers, sewage treatment facilities, earthworks, dredging works and other building works partly or wholly in an*

existing or gazetted proposed country park or special area, a conservation area, an existing or gazetted proposed marine park or marine reserve, a site of cultural heritage, and a site of special scientific interest, except for the items described in (a) to (j).

CONSIDERATION OF ALTERNATIVE OPTIONS

10. The EIA Report has considered three alternative layout options for the Development Site. Environmental benefits and dis-benefits of these three options have been evaluated. The EIA Report presented detailed assessment results for the preferred option as shown in **Figure 2** which has the following features :-

- (a) no encroachment onto the nearby country park, conservation area and SSSI;
- (b) provision of a 20m non-building buffer between the development site and the Sha Lo Tung SSSI;
- (c) majority of the building works are located at the southern part of the development site and away from the secondary woodland and Sha Lo Tung SSSI;
- (d) least development scale among the three options (no restaurant in the development to reduce human disturbance); and
- (e) relatively less visible from most of the existing sensitive receivers.

VIEWS OF THE DIRECTOR AND RELEVANT AUTHORITIES

11. The Director of Environmental Protection (DEP), in conjunction with the relevant authorities, considers that the EIA report meets the requirements of the EIA Study Brief and the Technical Memorandum on EIA Process (TM). Comments from the public and the ACE will be taken into account by DEP in deciding whether or not to approve the EIA report under the EIAO.

SPECIFIC ENVIRONMENTAL ASPECTS TO HIGHLIGHT

Water Quality and Ecological Impacts

12. The ecologically important habitats of the Sha Lo Tung Valley are woodland, stream and marsh, the latter are important breeding and feeding grounds for dragonflies and freshwater fishes. As the development site is immediately adjacent to the Sha Lo

Tung Valley, the construction activities and silty runoff especially during rainy season might have the potential to bring about water quality and ecological impacts. The EIA Report has recommended the following major mitigation measures :-

- (a) new stormwater drainage and sewerage systems will be installed along the Sha Lo Tung Road prior to construction works so that silty runoff and sewage generated from construction activities will be collected and diverted away from the Sha Lo Tung Valley;
- (b) temporary drains with sand traps will be constructed at the Development Site boundary for collection of silty runoff;
- (c) no major earthworks will be carried out in wet season from April to October to minimize generation of silty runoff;
- (d) construction works will be carried out in stages starting from the southern part of the site to minimize cumulative impact arising from concurrent works within the site; and
- (e) 2m high gap-free hoardings will be installed along the northern part of the site to prevent possible spillage of silty runoff to the Sha Lo Tung Valley.

13. With proper implementation of the above mitigation measures, the EIA Report concludes that no adverse residual water quality and ecological impacts are anticipated.

14. The development site and road improvement works will not result in loss of ecologically important habitats (including country parks, SSSIs, conservation areas and streams). About 0.225ha of secondary woodland (0.025 ha at the development site and 0.20ha due to the road improvement works) will be lost but 2ha of on-site compensatory planting will be provided.

15. The Nature Interpretation Centre, Multi-cultural Education Retreat and Columbarium Complex will be equipped with toilet facilities. Sewage collected will be discharged via a new sewer to the public sewerage system. An on-site storage tank will be installed to cater for potential failure of the sewage pumping system to avoid sewage discharging into nearby watercourse. Drainage mitigation measures will also be placed to ensure that water flow into the Sha Lo Tung natural stream systems downstream of the development site will not be adversely affected.

16. Shuttle bus service will be provided to visitors during Ching Ming Festival and Chung Yeung Festival. Trained personnel will be deployed for crowd control to minimize human disturbance and potential impact on nearby ecologically important areas.

Pollution Risks and Impact on Water Gathering Ground

17. The Project (including the Development Site and the northern part of the road improvement works along the existing Sha Lo Tung Road) is located within the Water Gathering Ground (WGG). To prevent pollution and siltation, the EIA Report recommended a package of measures :-

- (a) no earth, building materials, fuel, oil or toxic materials and any other materials which may cause contamination to the WGG are allowed to be stockpiled or stored on site;
- (b) no storage and discharge of flammable or toxic solvents, petroleum oil or tar and other toxic substances will be allowed within the WGG;
- (c) all surplus spoil shall be removed from WGG as soon as possible and in the event that the spoil have to be stockpiled on site, the stockpiling will take place at a designated area located at the southern part of the development site which is over 300m away from the Sha Lo Tung SSSI and streams and the area will also be provided with concrete paving, concrete bunds and interceptor drains along its perimeter to prevent the loss of materials to the surrounding area;
- (d) all excavated or filled surfaces which have the risk of erosion shall be protected from erosion at all time;
- (e) facilities for washing the wheels of vehicles before leaving the site shall be provided;
- (f) any construction plant which causes pollution to the WGG due to leakage of oil or fuel shall be removed off site immediately;
- (g) any soil contamination with fuel leaked from plant shall be removed off site and the voids arising from removal of contaminated soil shall be replaced by suitable material;
- (h) use of pesticides, herbicides or fertilizers will not be allowed within the WGG without prior approval from the Director of Water Supplies; and
- (i) watertight and leak-proof sewers will be used in WGG.

Other Environmental Impacts

18. Other impacts including construction dust and noise, sewerage, waste management, cultural heritage as well as landscape and visual impact have also been addressed in the EIA Report. With the implementation of recommended mitigation measures, the Project will comply with the relevant requirements under the TM.

ENVIRONMENTAL MONITORING AND AUDIT

19. The EIA report includes an Environmental Monitoring and Audit (EM&A) Manual which recommends an EM&A programme during both the construction and operation phases of the Project. Key recommended EM&A requirements include (i) noise and water quality monitoring during construction; (ii) water quality monitoring during post-construction and operation; and (iii) monitoring of the species diversity and abundance of riparian vegetation, adult odonate and fish communities along the Sha Lo Tung stream during both the construction and operation phases.

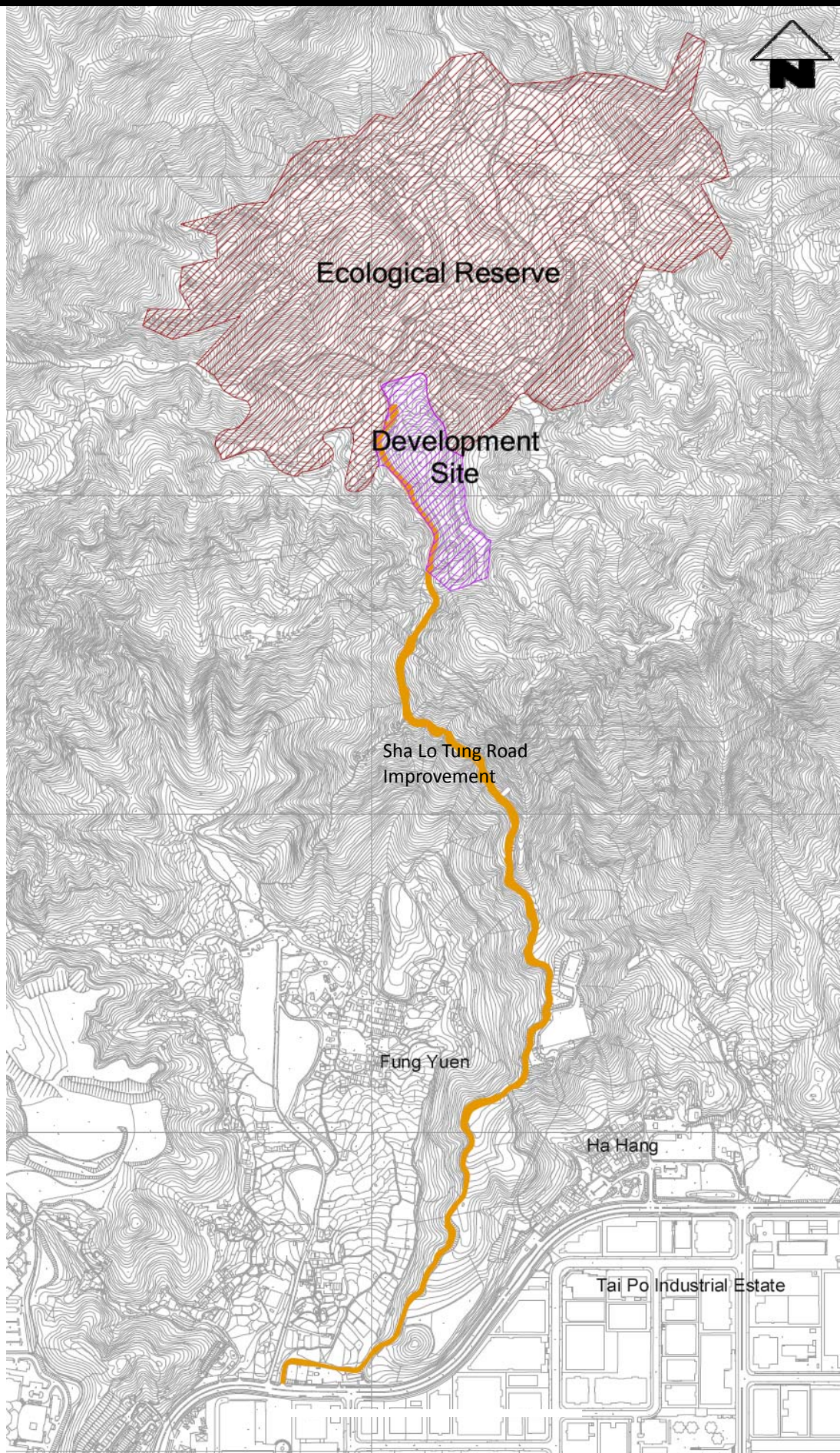
PUBLIC CONSULTATION

20. The applicant has made the EIA report, EM&A Manual and Executive Summary available for the public to comment under the EIAO from 21 May 2012 to 19 June 2012. Members will be informed of any public comments received by the Environmental Protection Department.

June 2012

Environmental Assessment Division

Environmental Protection Department



Project Title

Pilot Project for Public-Private Partnership Conservation Scheme,
Sha Lo Tung Valley, Tai Po

Application No.: EIA-203/2012

Figure 1

The Project includes three components:

(a) Ecological Reserve, (b) Development Site and (c) Sha Lo Tung Road Improvement

[This figure was prepared based on Figure 3.1 of the EIA Report]



