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ACE Paper 8/2015
For advice on 8 June 2015

**Report on the 129th
Environmental Impact Assessment Subcommittee Meeting**

PURPOSE

The Environmental Impact Assessment (EIA) Subcommittee (EIASC) considered the EIA report on “Comprehensive Development and Wetland Protection near Yau Mei San Tsuen” (the Project) under Section 6(2) of the Environmental Impact Assessment Ordinance (EIAO) at the meeting on 18 May 2015. The Project constitutes a designated project under Item P.1, Part I, Schedule 2 of the EIAO, i.e. “*A residential or recreational development, other than New Territories exempted houses within Deep Bay Buffer Zone 1 or 2*”. The EIA report was submitted by Asia King Development Ltd. (the Applicant).

2. Members are requested to consider the views of EIASC at paragraph 10 below and advise on the way forward for handling the EIA report.

BACKGROUND AND NEED FOR THE PROJECT

3. The Project is to provide a residential development and a “Wetland Restoration Area (WRA)” at a site of about 8.1 hectares (ha) in size near Yau Mei San Tsuen. The Project site falls within Deep Bay Buffer Zone 2, the planning intention of which being “*primarily to give added protection for the conservation of Mai Po Nature Reserve and Inner Deep Bay and to enhance the visual appearance and landscape features within the Buffer Zone 2 area*”. The site surroundings are largely urbanized with existing residential developments including Fairview Park in the west and Palm Springs / Royal Palms in the north. Yau Pok Road runs along the southern boundary of the site.

4. Under the Project, the residential development (4.3ha, 53% of total site area) will mainly provide 70 houses (3-storey) and a club house to be developed from the agricultural land in the southern part of the site. The WRA part (3.8ha, 47% of total site area) will be in the northern and eastern parts of the site which currently are degraded fish ponds, marsh, seasonally wet grassland and reedbed.

5. The key environmental benefits with the Project in place will include –

- (i) Increase in area of wetland within the site from 3.0ha to 3.8ha through the proposed WRA;
- (ii) Enhancement of the ecological function of the site through proper design and active management of the proposed WRA, which will be located next to other wetland habitats outside the Project site, thus contributing to the maintenance and enhancement of wildlife value and microhabitat diversity of the Deep Bay wetland system; and
- (iii) Enhancement of landscape quality through provision of the WRA, planting of new trees throughout the development and buffer planting around the residential development.

6. Please refer to the ACE-EIA paper 1/2015 on the EIA report at **Annex A** for details of the Project.

VIEWS OF THE DIRECTOR OF ENVIRONMENTAL PROTECTION

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

VIEWS OF THE SUBCOMMITTEE

8. Public inspection period of the EIA report was from 25 March to 23 April 2015. The 10 public comments received by the Environmental Protection Department (EPD) during the inspection period and the gist of the comments were issued to Subcommittee Members for reference on 6 May 2015, with copies to non-Subcommittee Members.

9. A summary of issues discussed by EIASC at the meeting on 18 May 2015 on the Project is prepared at **Annex B**.

RECOMMENDATION OF THE SUBCOMMITTEE

10. Having regard to the findings of the EIA report and the information provided by the Applicant, EIASC agrees to recommend to the full Council to endorse the EIA report with the following conditions and recommendations –

Conditions of endorsement

Wetland Restoration Area (WRA)

- (a) The Applicant should be fully responsible for the design, construction, and long term management and monitoring of the WRA.
- (b) The Applicant should review the development layout and widen the ecological corridor with a view to maintaining adequate ecological connection between Ngau Tam Mei Drainage Channel and the Deep Bay wetland system.
- (c) The Applicant should, without compromising the ecological function of the WRA, preserve the existing fruit bearing trees within the WRA site as far as practicable.
- (d) The Applicant should, in consultation with the Agriculture, Fisheries and Conservation Department (AFCD), update the Wetland Restoration Plan setting out the details of (a) to (c) above, and (f), (i) and (l) below for submission to the Environmental Protection Department (EPD) for approval before commencement of construction works.

Boundary Barriers, Fencing and Planting

- (e) The Applicant should make use of trees principally of native species for screen and buffer planting for the operation phase of the project.
- (f) The Applicant should design the boundary barriers and fencing with the aim to avoid hindrance to wildlife movement between the WRA and the Deep Bay wetland system, for both the construction and operation phase of the project.
- (g) The Applicant should make best use of moveable noise barriers close to the noise sources of construction activities with a view to minimizing the extent and hence the visual impacts of boundary noise barriers during construction of the project.

- (h) The Applicant should prepare a Landscape and Visual implementation plan setting out the details of (e) to (g) to EPD for approval before commencement of construction works.

Environmental Monitoring and Audit (EM&A) Programme

- (i) The Applicant should carry out baseline ecological monitoring for target species and other wetland-dependent fauna within the Project Area and Assessment Area as defined in the EIA report, during the 12 months prior to commencement of construction works. The Applicant should carry out ecological monitoring in accordance with the Wetland Restoration Plan throughout the construction and operation phase of the project. The monitoring results should be reported in the Baseline Monitoring Report and the regular EM&A reports for submission to EPD and will be made available to ACE and its members for information.
- (j) The Applicant should prepare and implement an Emergency Response Plan (ERP) to control water pollution due to site runoff during inclement weather. The plan shall include but not be limited to measures of the Best Management Practices as identified in the EIA report and an event and action plan with action and limit levels for water quality monitoring. The ERP shall be submitted in an updated EM&A manual to EPD for approval prior to commencement of construction works.

Recommendations

- (k) The Applicant should consider recycling the treated effluent from the sewage treatment plant for non-potable uses on a long term basis, as well as the possibility of extending the interim sewage treatment facility employing Membrane Bioreactor and Reverse Osmosis technologies into a permanent arrangement on top of the discharge into the public sewage system.
- (l) The Applicant should consider the feasibility of incorporating wet cultivated fields and/or expanding the area of ponds in the WRA design and the best management practices for enhancing the ecological function of the WRA during operation such as draining down the ponds at suitable time intervals. Invasive alien species should be regularly identified and removed from the WRA.
- (m) The Applicant should consider incorporating renewable energy installations and waste reduction measures for the project.

- 11. EIASC also agreed that the Applicant and its consultant team would not

be required to attend the full Council meeting on 8 June 2015 to explain the project and to answer any questions which Council Members might have on the EIA report.

EIA Subcommittee Secretariat
June 2015