ADVISORY COUNCIL ON THE ENVIRONMENT
ACE
環境問題諮詢委員會

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(ACE Paper 61/96)
for advice

Report of the EIA Subcommittee

The Subcommittee considered two agenda items at its meeting held on 11 November 1996. The Subcommittee was divided and could not reach a consensus on the Sha Lo Tung Revised Development Plan Supplementary EIA report. The Subcommittee also gave advice on a proposal for the disposal of additional excavated materials for the Route 3 Country Park Section.

Supplementary EIA for Sha Lo Tung Revised Development Plan (*ACE-EIA Paper 19/96*)

2. This agenda item was first presented to the Subcommittee for decision at its meeting held on 14 October 1996. The Subcommittee decided that it was more prudent to further consider the case at the meeting on 11 November 1996 because some information to be provided by government on the viability of resuming the land in the Sha Lo Tung valley as well as replies to questions raised by some members might be pertinent to the decision. The Subcommittee continued with the discussion of this matter at its meeting on 11 November 1996.

3. The Subcommittee focused its discussions on possible phasing of the project, impacts on ecology, the EM&A programme, and land issues.

4. A phasing plan for the development was submitted by the project proponent in response to a comment made at the last meeting on whether phased implementation of the project could further reduce environmental impacts. Some members welcomed the phasing plan but were worried that there might not be adequate controls to ensure that the full range of mitigation measures would be implemented as agreed if approval to a phased implementation of the development plan was given.

5. Some members also expressed dissatisfaction that replies from the Administration on questions they had raised previously as well as the viability of the option of land resumption were not provided to members for the meeting.

6. As regards long term management of the conservation areas within the proposed development, some members were dissatisfied that there was no long term commitment to management of the area beyond the 7 years of management guaranteed by the developer. They did not agree with the point made in a reply letter tabled at the meeting that the long term management plan should be discussed separate from the EIA report.

7. Some other members considered that, on balance, it would be better for the conservation of the area to have controlled development as represented by the development proposal rather than the potential scenario of ad hoc, individual developments by the indigenous villagers. They would be willing to recommend endorsement of the project on the condition that there would be a robust EM&A programme as well as other measures to ensure that the mitigation measures would be implemented.

8. In the end, the Subcommittee was unable to arrive at a consensus on whether the EIA report should be endorsed. Four members were against endorsement on several grounds. The first objection was that there were no viable long term management plan for the conservation areas. Second, the residual impacts were unacceptable on the basis of the precautionary principle (i.e. possible extinction, both local and global, of dragonfly species). Third, since Sha Lo Tung was reported as the second most important conservation area in Hong Kong, any substantial development would set a bad precedent for nature conservation in the Territory. Fourth, lease conditions were considered a bad tool to ensure that the mitigation measures would be implemented. Therefore, they expressed doubt as to whether the mitigation measures would be fully implemented. The lack of adequate information from the Administration regarding land matters also precluded consideration of the preferred conservation option given in the EIA.

9. Three other members were, on balance, willing to endorse the EIA report on the condition as stated in para. 7 above. One member suggested that a sufficiently large performance bond could be put up by the project proponent as guarantee against the implementation of all the mitigation measures.

10. The Subcommittee agreed to report to the full Council that no consensus could be reached and to refer the case to the full Council for decision.

Route 3 Country Park Section - Disposal of Additional Excavated Materials
(ACE-EIA Paper 24/96)

11. Route 3 Country Park Section is a critical road link between West Kowloon and the New Territories. Work on the Tai Lam Tunnel (Southern section) and Ting Kau Interchange section of the project involves the excavation of 3 tunnels and a large open cut through existing terrain.

12. According to the original design, the volume of surplus material requiring disposal off site was 5.1 million cu.m. All this quantity was to be disposed of from the southern end of the project at Ting Kau where the earthworks cut and fill imbalance occured.

13. Following recommendations made in the environmental impact assessment, transport by road to remove the excavated material off site was not considered viable due to the undesirable impact on the already congested road system in the locality. A 1.5 km long fixed conveyor system was instead constructed to remove surplus excavated material from both the tunnels and the open cut to a jetty adjacent to Gemini Beach. From this jetty, the material is to be loaded onto barges for subsequent disposal in reclamation sites.

14. Following detailed geotechnical site investigations after award of the Contract to build Route 3 and start of work, it had been determined during the detailed design phase that the western slope of the large open cut would not be stable if cut at the original steep angle forecast by the designers. Extensive planar failure would occur along major joints dipping towards the axis of the open cut and at a less steep angle than the originally designed slope.

15. As a result, the Route 3 Consortium considered that the western slope of the open cut had to be redesigned to a less steep gradient to ensure its stability and avoid the risk of planar failure that could have caused collapse of the 60m high north-western slope.

16. This problem resulted in a redesign and relocation of the fixed conveyor system, which led to a delay of 4 months in commissioning the conveyor system. A backlog of 0.4 million cu. m. of material was created as a result. The less steep western slope also meant an increase of 0.8 million cu.m. of material to be excavated and disposed of.

17. Because of the constraints on the completion date of Route 3 as provided in the franchise agreement, the Route 3 Consortium considered various options of disposing the additional material which would not affect the overall programming and completion date of Route 3. They had come to the conclusion that the only viable option, given the time constraint, was to dispose the excavated material in one of two valleys near the western slope. This

disposal was however a major deviation from the design based on which the previous EIA was carried out and endorsed by ACE.

18. The Route 3 Consortium conducted preliminary environmental impact assessments on the valley fill option and concluded that the resulting environmental impacts could be mitigated. They intended to carry out a more detailed evaluation of the environmental impacts. While in the short time available the SMG had not been reconvened to consider the Consortium's proposal, EPD on the advice of Planning Department & AFD was unable to support the proposal. At the advice of EPD, the Consortium sought the advice of the Subcommittee before the study commenced on whether the valley fill options would likely be endorsed in principle so that valuable time would not be lost if the study was conducted and the Subcommittee was unable to endorse the option later on.

19. The Subcommittee was doubtful on whether the measures to restore the filled valley would work because it had not been tried out at a large scale in Hong Kong before. The Subcommittee also felt that a hybrid option involving various methods of disposing the additional excavated material (including the valley fill option) might be more acceptable environmentally. Some members felt that gaining 4 months in the construction programme was not a valid reason to in-fill a natural valley. One member felt that the Consortium had not fully exhausted all possibilities to anchor the slope which would eliminate the need to dispose any additional excavated material. The project proponent was advised to proceed with their detailed assessment of all available options including hybrid options before reverting to the Subcommittee.

Advice Sought

20. Members are requested to:

(a) note that the EIA Subcommittee could not reach a consensus on whether the Sha Lo Tung Revised Development Plan Supplementary EIA should be endorsed and the case is referred to the full Council for decision (para. 10 refers);

(b) note the advice given to the Route 3 Consortium on the acceptability of the valley fill proposal to dispose of excavated material (para. 19 refers).

Planning, Environment & Lands Branch (Environment Division)
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