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4 August 2020

The Hong Kong Jockey Club

**Environmental Impact Assessment (EIA) Ordinance, Cap.499
Application for Permission to Apply Directly for Environmental Permit**

**Project Title: Penfold Park Enhancement Project
(Application No. DIR-275/2020)**

I refer to your above application received on 29 June 2020 for permission to apply directly for environmental permit under Section 5(1)(b) of the EIA Ordinance.

Pursuant to Section 5(10) of the EIA Ordinance, I now permit you to apply directly for environmental permit subject to the attached conditions.

Under Section 15 of the EIA Ordinance, the decision on the application will be placed on the EIA Ordinance Register. It will also be placed on the EIA Ordinance website (<http://www.epd.gov.hk/eia/>).

Please note that if you are aggrieved by any of the conditions imposed in this permission, you may appeal under Section 17 of the EIA Ordinance within 30 days of receipt of this permission.

Should you have any queries on the above application, please contact my colleague Ms. Eva LAU at 2835 1843.

Yours sincerely,

(Terence S. W. TSANG)

Assistant Director (Environmental Assessment)
for Director of Environmental Protection

Encl.

Environmental Impact Assessment (EIA) Ordinance, Cap. 499
Application for Permission to Apply Directly for Environmental Permit

Project Title: Penfold Park Enhancement Project
(Application No. DIR-275/2020)

Conditions Imposed under Section 5(12) of the EIA Ordinance
for Permission to Apply Directly for Environmental Permit

1. All mitigation measures and construction phase monitoring described in the Project Profile (No. PP-605/2020) submitted with the Application (No. DIR-275/2020) by the Applicant on 29 June 2020 shall be fully implemented.
2. An independent environmental checker (IEC) shall be employed before commencement of construction to audit the implementation of all measures recommended in the Project Profile (No. PP-605/2020) and to certify in writing in the monthly monitoring reports for full implementation of the measures during and upon completion of the construction works. The IEC shall not be in any way an associated body of the Contractor for the Project.
3. An ecologist shall be employed to regularly monitor the implementation of ecological mitigation measures, in particular those to protect the Penfold Park Egretty (the Egretty) and species of conservation importance, during construction. The ecologist should also provide recommendations on ecological matters, including but not limited to, determination of the period of ardeid breeding seasons and advice on the daily cessation time for construction works to avoid disturbance to breeding and roosting ardeids. The qualification and experience of the ecologist shall be agreed by AFCD.
4. In order to ensure no active bat roost will be directly affected by the construction of the Project, the Applicant shall, no later than 1 month before the commencement of construction, deposit with the Director 4 hard copies and 1 electronic copy of a Detailed Bat Roost Survey Report prepared by the ecologist. The Report shall show the abundance of bat species including Short-nosed Fruit Bat (*Cynopterus sphinx*) and indicate the locations of active bat roost within the works area.
5. The Applicant shall, no later than 1 month before the commencement of construction of the Project, deposit with the Director 4 hard copies and 1 electronic copy of an Implementation Plan for Ecological Mitigation Measures, which shall be certified by the ecologist, to elaborate in details the arrangement and procedures for implementation of precautionary measures to minimise the impacts to the Egretty and species of conservation importance roosting/dwelling in Penfold Park, such as ardeids, Short-nosed Fruit Bat (*Cynopterus sphinx*) and Reeve's Terrapin (*Chinemys reevesii*), during construction of the Project. The Implementation Plan shall include, but not limited to, the phasing and scheduling of construction works, setting of Egretty buffer zone, design and location of physical and noise barriers, regular monitoring plan, and contingency plan for abnormal event(s).

6. The Applicant shall, no later than 1 month before the completion of construction of the Project, deposit with the Director 4 hard copies and 1 electronic copy of a Comprehensive Park Management Plan, which shall be certified by the ecologist, to set out a regular management protocol for the Penfold Park during operation of the Project. The Management Plan shall include, but not limited to, the frequency, time, extent and procedure of tree pruning works and pond maintenance, and recommend precautionary measures to minimise impacts to the Egret. All recommended measures as set out in the Management Plan shall be fully implemented.

- END -

**Environmental Protection Department
August 2020**