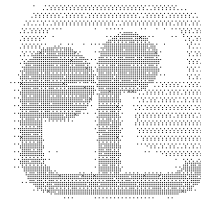


本署編號
OUR REF: (20) in EP 2/N9/C/161
來函編號
YOUR REF:
電話
TEL. NO.: 2835 1105
圖文傳真
FAX NO.: 2591 0558
電子郵件
E-MAIL:
網址
HOME PAGE: <http://www.epd.gov.hk>

Environmental Protection Department
Branch Office
28th Floor, Southern Centre,
130 Hennessy Road,
Wan Chai, Hong Kong.



環境保護署分處
香港灣仔
軒尼詩道
一百三十號
修頓中心首八樓

19 October 2016

CLP Power Hong Kong Limited

Environmental Impact Assessment (EIA) Ordinance, Cap.499
Application for Environmental Permit
Project Title: Cable Duct Crossing at Po Chue Tam, Tai O
(Application No. AEP-521/2016)

I refer to your above application received on 27 September 2016 for an environmental permit under Section 10(1) of the EIA Ordinance.

Pursuant to Section 10(5) of the EIA Ordinance, I now issue the attached Environmental Permit (No. EP-521/2016) for your use.

Under Section 15 of the EIA Ordinance, the Environmental Permit will be placed on the EIA Ordinance Register. It will also be uploaded onto 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 Permit, you may appeal under Section 17 of the EIA Ordinance within 30 days of receipt of this Permit.

Should you have any query, please contact my colleague Mr. Simon HO at 2835 1153.

Yours faithfully,

(Louis P.L. CHAN)

Principal Environmental Protection Officer
(Regional Assessment)
for Director of Environmental Protection

Encl. – Environmental Permit No. EP-521/2016
c.c. w/encl. S(RS)5

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
SECTION 10
環境影響評估條例
(第 499 章)
第 10 條

ENVIRONMENTAL PERMIT TO CONSTRUCT A DESIGNATED PROJECT
建造指定工程項目的環境許可證

PART A (MAIN PERMIT)
A 部 (許可證主要部分)

Pursuant to Section 10 of the Environmental Impact Assessment Ordinance (EIAO), the Director of Environmental Protection (the Director) grants this environmental permit to the **CLP Power Hong Kong Limited** (hereinafter referred to as the "Permit Holder") to construct the designated project described in Part B subject to the conditions specified in Part C. The issue of this environmental permit is based on the documents, approvals or permissions described below:

根據《環境影響評估條例》(環評條例) 第 10 條的規定，環境保護署署長(署長)將本環境許可證批予**中華電力有限公司**(下稱“許可證持有人”)以建造 B 部所說明的指定工程項目，但須遵守 C 部所列明的條件。本環境許可證是依據下列文件、批准或許可而簽發：

Application No. 申請書編號	AEP-521/2016
Document in the Register: 登記冊上的文件：	(1) Project Profile – “Cable Duct Crossing at Po Chue Tam, Tai O” (Register No. PP-539/2016) 工程項目簡介 – “大澳寶珠潭電纜管道工程” (登記冊編號: PP-539/2016) (2) The Director’s letter of permission to apply directly for environmental permit dated 21 July 2016 (Reference: (16) in EP2/N9/C/161) 署長於 2016 年 7 月 21 日發出批准直接申請環境許可證的信件 (檔案編號: (16) in EP2/N9/C/161) (3) Application for environmental permit submitted by the Permit Holder on 27 September 2016 (Application No. AEP-521/2016) 許可證持有人於 2016 年 9 月 27 日提交的环境許可證申請 (申請書編號: AEP-521/2016)

19 October 2016
2016 年 10 月 19 日

Date
日期



(Louis P. L. CHAN)
Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(首席環境保護主任 陳欽林 代行)



PART B (DESCRIPTION OF DESIGNATED PROJECT)

B 部 (指定工程項目的說明)

Hereunder is the description of the designated project mentioned in Part A of this environmental permit (hereinafter referred to as the “Permit”):

下列為本環境許可證(下稱“許可證”)A 部所提述的指定工程項目的說明:

Title of Designated Project 指定工程項目的名稱	Cable Duct Crossing at Po Chue Tam, Tai O [This designated project is hereinafter referred to as “the Project”] 大澳寶珠潭電纜管道工程 [本指定工程項目下稱“工程項目”]
Nature of Designated Project 指定工程項目的性質	A dredging operation which is less than 500 meters from the nearest boundary of an existing Conservation Area (CA) 距離一個現有的自然保育區的最近界線少於 500 米所進行的挖泥作業
Location of Designated Project 指定工程項目的地點	Po Chue Tam, Tai O, Lantau Island. The location of the Project is shown in <u>Figure 1</u> of this Permit. 大嶼山大澳寶珠潭。工程項目的位置載於本許可證夾附的圖 1。
Scale and Scope of Designated Project 指定工程項目的規模和範圍	The Project involves laying of about 90m long 11kV cable circuits at Po Chue Tam, Tai O by open trench method across Tai O Creek. About 70m of the cable will be laid in the creek. 此工程項目涉及採用明坑挖掘方法在大澳寶珠潭敷設大約 90 米長 11 千伏電纜線路橫過大澳涌。約 70 米電纜管道將會在涌內敷設。



PART C (PERMIT CONDITIONS)

C部 (許可證條件)

1. General Conditions 一般條件

- 1.1 The Permit Holder and any person working on the Project shall comply with all conditions set out in this Permit. Any non-compliance by any person may constitute a contravention of the Environmental Impact Assessment Ordinance (EIAO) (Cap. 499) and may become the subject of appropriate action being taken under the EIAO.
許可證持有人及任何從事工程項目的人士必須完全符合本許可證載列的全部條件。任何人士如有不符合本許可證的情況，可能違反《環境影響評估條例》(第499章)的規定，而當局可根據條例採取適當行動。
- 1.2 The Permit Holder shall ensure full compliance with all legislation from time to time in force including, without limitation to, the Noise Control Ordinance (Cap. 400), Air Pollution Control Ordinance (Cap. 311), Water Pollution Control Ordinance (Cap. 358), Waste Disposal Ordinance (Cap. 354) and Dumping at Sea Ordinance (Cap. 466). This Permit does not of itself constitute any ground of defence against any proceedings instituted under any legislation or imply any approval under any legislation.
許可證持有人須經常確保完全符合現行法例的規定，包括但不限於《噪音管制條例》(第400章)；《空氣污染管制條例》(第311章)；《水污染管制條例》(第358章)；《廢物處置條例》(第354章)；以及《海上傾倒物料條例》(第466章)。本許可證本身不會就根據任何法例提出的法律程序構成任何抗辯理由，或根據任何法例默示任何批准。
- 1.3 The Permit Holder shall make copies of this Permit together with all documents referred to in this Permit and the documents referred to in Part A of the Permit readily available at all times for inspection by the Director or his authorised officers at all sites/offices covered by this Permit. Any reference to the Permit shall include all documents referred to in the Permit and also the relevant documents in the Register.
許可證持有人須印製本許可證的複本，連同本許可證所述的所有文件及本許可證A部所述文件，以供署長或獲授權人員任何時間內在本許可證所涵蓋的所有工地/辦事處查閱。凡提述本許可證，須包括本許可證所述的所有文件及登記冊內的相關文件。
- 1.4 The Permit Holder shall give a copy of this Permit to the person(s) in charge of the site(s) and ensure that such person(s) fully understands all conditions and all requirements incorporated by the Permit. The site(s) refers to site(s) of construction of the Project and shall mean the same hereafter.
許可證持有人須把本許可證的複本交予有關工地的負責人，並確保這些人士完全明白本許可證的所有條件與規定。工地是指建造工程項目的工地，下文所提及的工地亦屬同一意思。
- 1.5 The Permit Holder shall display conspicuously a copy of this Permit on the Project site(s) at all site entrances/exits or at a convenient location for public's information at all times. The Permit Holder shall ensure that the most updated information about the Permit, including any amended Permit, is displayed at such locations. If the Permit Holder surrenders a part or the whole of the Permit, the notice he sends to the Director



shall also be displayed at the same locations as the original Permit. The suspended, varied or cancelled Permit shall be removed from display at the Project site(s).

許可證持有人須在工程項目的工地的所有進出口或一處方便地點，顯眼地展示本許可證的複本，以供公眾在任何時間內閱覽。許可證持有人須確保在這些地點展示關於本許可證（包括任何經修訂的許可證）的最新資料。許可證持有人如交回許可證的部分或全部，必須把其送交署長的通知書，在備有原有許可證的相同地點展示。遭暫時吊銷、更改或取消的許可證必須從工程項目的工地除下，不再展示。

- 1.6 The Permit Holder shall construct the Project in accordance with the project description in **Part B** of this Permit.

許可證持有人須依據本許可證 **B** 部的工程項目說明，建造工程項目。

- 1.7 The Permit Holder shall ensure that the Project is constructed in accordance with the information and all recommendations described in the Project Profile (Register No. PP-539/2016); the application document (Application No. AEP-521/2016); the information or mitigation measures described in this Permit; and mitigation measures to be recommended in submissions that shall be deposited with or approved by the Director as a result of permit conditions contained in this Permit. Where recommendations referred to in the documents of the Register are not expressly referred to in this Permit, such recommendations are nevertheless to be implemented unless expressly excluded or amended in this Permit.

許可證持有人須確保工程項目的建造，按照下述資料及措施辦理：工程項目簡介（登記冊編號：PP-539/2016）所說明的資料及建議；環境許可證申請文件（申請書編號：AEP-521/2016）；本許可證所說明的資料及緩解措施；以及根據本許可證內載的條件須向署長存放或獲署長批准的提交文件所建議的緩解措施。登記冊文件所述建議如沒有在本許可證明確表示，則仍須實施這些建議，除非獲本許可證明確豁除或修訂。

- 1.8 All submissions, as required under this Permit, shall be rectified and resubmitted in accordance with the comments, if any, made by the Director within one month of the receipt of the Director's comments or otherwise as specified by the Director.

所有按本許可證規定提交的文件，須在接獲署長的意見（如有者）後 1 個月內（除非署長另行指定），根據署長的意見加以修正並再向署長提交。

- 1.9 All submissions approved by the Director, all submissions deposited without comments by the Director, and all submissions rectified in accordance with comments by the Director under this Permit shall be construed as part of the permit conditions described in **Part C** of this Permit. Any variation of the submissions shall be approved by the Director in writing or as prescribed in the relevant permit conditions. Any non-compliance with the submissions may constitute a contravention of the Environmental Impact Assessment Ordinance (Cap. 499).

署長批准的所有提交文件、署長沒有給予意見的所有存放文件及根據本許可證規定由署長給予意見修正的所有提交文件，均須詮釋為本許可證 **C** 部說明的許可證條件的一部分。提交文件如有任何修訂，均須獲署長的書面批准，或符合有關許可證條件訂明的規定。如有不符合提交文件的情況，則可能違反《環境影響評估條例》（第 499 章）的規定。

- 1.10 The Permit Holder shall release all finalized submissions as required under this Permit, to the public by depositing copies in the EIAO Register Office, or in any other places, or any internet websites as specified by the Director, or by any other means as



specified by the Director for public inspection. For this purpose, the Permit Holder shall provide sufficient copies of the submissions.

許可證持有人須把所有按本許可證規定提交的文件定稿公開給公眾人士知道，方法是把有關文件複本存放於環境影響評估條例登記冊辦事處，或署長指定的任何其他地方，或署長指定的任何互聯網網站，或採取署長指定的任何其他方法，以供公眾查閱。因此，許可證持有人須提供足夠數量的複本。

- 1.11 All submissions to the Director required under this Permit shall be delivered either in person or by registered mail to the EIAO Register Office (currently at 27/F, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong). Electronic copies of all finalized submissions required under this Permit shall be prepared in Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies.

本許可證規定向署長提交的所有文件，須親身送交或以掛號方式郵寄至環境影響評估條例登記冊辦事處（現址為：香港灣仔軒尼詩道 130 號修頓中心 27 樓）。所有按本許可證規定提交的文件定稿的電子版本，均須以超文本標示語言 (HTML)（第 4.0 或較後版本）和便攜式文件格式 (PDF)（第 1.3 或較後版本）製作，除非另獲署長同意，並須與硬複本同時提交。

- 1.12 The Permit Holder shall notify the Director in writing the commencement date of construction of the Project at least two weeks prior to the commencement of construction of the Project. The Permit Holder shall notify the Director in writing immediately if there is any change of the commencement date of the construction.

許可證持有人須在工程項目的建造工程展開前至少 2 個星期，以書面方式把工程項目建造工程的施工日期通知署長。施工日期如有任何更改，許可證持有人必須立即以書面方式通知署長。

- 1.13 For the purpose of this Permit, “commencement of construction” does not include works related to site clearance and preparation, or other works as agreed by the Director.

為執行本許可證，「建造工程的展開」不包括有關工地清理和預備的工程，或署長同意的其他工程。

2. Specific Conditions 特定條件

- 2.1 The cable shall be laid along the alignment as delineated in Figure 1 of this Permit. The Permit Holder shall obtain prior approval from the Director for any proposed changes in Project details, including the cable alignment and the cable laying methods as described in the Project Profile (Register No.: PP-539/2016)

電纜管道須按本許可證圖 1 所述的路線敷設。工程項目內容如有作任何修改，包括工程項目簡介（登記冊編號：PP-539/2016）所述的管道路線和敷設方法，許可證持有人須事先取得署長的批准。

- 2.2 The excavation works in Tai O Creek shall only be carried out during low tide period when the works location is not under submerged condition.

在大澳涌內的挖掘工作只可在潮退時當施工地點沒有被淹浸的情況下進行。



- 2.3 The Permit Holder shall employ an independent checker to audit the implementation of the environmental protection measures recommended in the Project Profile (Register No. PP-539/2016), and to report to the Director in writing through an audit report submitted to the Director within 1 month upon completion of the construction works confirming full implementation of the measures and compliance of the conditions of this Permit.

許可證持有人須聘請一名獨立查核人，以審核工程項目簡介（登記冊編號：PP-539/2016）中所建議的環境保護措施的執行，以及在建造工程完成後一個月內以書面形式向署長提交一份審核報告書，以確定有關措施已完全實施及符合本許可證的條件。

Notes:

註：

1. This Permit consists of three parts, namely, Part A (Main Permit), Part B (Description of Designated Project) and Part C (Permit Conditions). Any person relying on this permit should obtain independent legal advice on the legal implications under the EIAO, and the following notes are for general information only.
本許可證共有 3 部，即A部（許可證主要部分）；B部（指定工程項目的說明）及C部（許可證條件）。任何援引本許可證的人士須就環評條例的法律含意徵詢獨立法律意見，下述註解只供一般參考用。
2. If there is a breach of any condition of this Permit, the Director or his authorised officer may, with the consent of the Secretary for the Environment, order the cessation of associated work until the remedial action is taken in respect of the resultant environmental damage, and in that case the Permit Holder shall not carry out any associated works without the permission of the Director or his authorised officer.
如違反本許可證的任何條件，署長或獲授權人員徵得環境局局長的同意後勒令停止相關工程，直至許可證持有人為所造成的環境損害採取補救行動為止。在此情況下，許可證持有人未經署長或獲授權人員同意，不得進行任何相關工程。
3. The Permit Holder may apply under Section 13 of the EIAO to the Director for a variation of the conditions of this Permit. The Permit Holder shall replace the original permit displayed on the Project site by the amended permit.
許可證持有人可根據環評條例第 13 條的規定向署長申請更改本環境許可證的條件。許可證持有人須將經修改的許可證替換在建造工地內展示的原有許可證。
4. A person who assumes the responsibility for the whole or a part of the Project may, before he assumes responsibility of the Project, apply under Section 12 of the EIAO to the Director for a further environmental permit.
承擔工程項目整項或部分工程的責任的人，在承擔責任之前，可根據環評條例第 12 條的規定向署長申請新的環境許可證。
5. Under Section 14 of the EIAO, the Director may with the consent of the Secretary for the Environment, suspend, vary or cancel this Permit. The suspended, varied or cancelled Permit shall be removed from display at the Project site.
根據環評條例第 14 條的規定，署長可在環境局局長的同意下暫時吊銷、更



改或取消環境許可證。遭暫時吊銷、更改或取消的環境許可證必須從工程項目工地除下，不再展示。

6. If this Permit is cancelled or surrendered during construction of the Project, another environmental permit must be obtained under the EIAO before the Project could be continued. It is an offence under Section 26(1) of the EIAO to construct a designated project listed in Part I of Schedule 2 of the EIAO without a valid environmental permit.
如果本許可證在工程項目建造期間取消或交回，則在繼續進行工程項目之前，必須先根據環評條例規定取得另一份環境許可證。根據環評條例第 26(1) 條的規定，任何人在沒有有效環境許可證的情況下建造環評條例附表 2 第 1 及 2 部所列明的指定工程項目，即屬犯罪。
7. Any person who constructs the Project contrary to the conditions in the Permit, and is convicted of an offence under the EIAO, is liable:
如任何人在違反本許可證的條件下建造工程項目，根據環評條例，即屬犯罪—
- (i) on a first conviction on indictment to a fine of \$2 million and to imprisonment for 6 months;
一經循公訴程序首次定罪，可處罰款 200 萬元及監禁 6 個月；
 - (ii) on a second or subsequent conviction on indictment to a fine of \$5 million and to imprisonment for 2 years;
一經循公訴程序第二次或其後每次定罪，可處罰款 500 萬元及監禁 2 年；
 - (iii) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
一經循簡易程序首次定罪，可處第 6 級罰款及監禁 6 個月；
 - (iv) on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for 1 year; and
一經循簡易程序第二次或其後每次定罪，可處罰款 100 萬元及監禁 1 年；及
 - (v) in any case where the offence is of a continuing nature, the court or magistrate may impose a fine of \$10,000 for each day on which he is satisfied the offence continued.
在任何情況下如該罪行屬持續性質，則法院或裁判官可就其信納該罪行持續的每天另處罰款 10,000 元。
8. The Permit Holder may appeal against any condition of this Permit under Section 17 of the EIAO within 30 days of receipt of this Permit.
許可證持有人可在接獲本許可證後 30 天內，根據環評條例第 17 條就本許可證的任何條件提出上訴。
9. The Notes are for general reference only and that the Permit Holder should refer to the EIAO for details and seek independent legal advice.
上述註解只供一般參考用，欲知有關詳情，許可證持有人須參閱環評條例及徵詢獨立法律意見。



