

本署檔號
OUR REF: () in EP 2/N8/Q/132
來函檔號
YOUR REF:
電話
TEL. NO.: 2835 1105
圖文傳真
FAX NO: 2591 0558
電子郵件
E-MAIL:
網址
HOMEPAGE: <http://www.epd.gov.hk>

Environmental Protection Department
Branch Office
27th Floor, Southorn 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
修頓中心廿七樓

7 June 2018

Civil Engineering and Development Department

Environmental Impact Assessment (EIA) Ordinance, Cap.499
Application for Environmental Permit
Project Title: Natural Terrain Hazard Mitigation Works at
Study Area 11NE-B/SA3, Razor Hill, Clear Water Bay Road
(Application No. AEP-559/2018)

I refer to your above application received on 15 May 2018 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-559/2018) 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 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 Permit, you may appeal under Section 17 of the EIA Ordinance within 30 days of receipt of this Permit.

Should you have any queries on the above application, please contact my colleague Ms. Clara Yu at 2835 1140.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Louis P. L. Chan', written over a circular stamp or mark.

(Louis P. L. Chan)
Principal Environmental Protection Officer
(Regional Assessment)
for Director of Environmental Protection

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 **Civil Engineering and Development Department** (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土木工程拓展署(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。本環境許可證的發出，乃以下表所列的文件、批准或許可作為根據：-

Application No. 申請書編號	AEP-559/2018
Document in the Register 登記冊上文件	(1) Project Profile - Natural Terrain Hazard Mitigation Works at Study Area 11NE-B/SA3, Razor Hill, Clear Water Bay Road (Register No.: PP- 565/2018) 工程項目簡介 - 位於西貢清水灣道鷓鴣山研究範圍編號11NE-B/SA3 的天然山坡山泥傾瀉風險緩減工程 (登記冊編號: PP-565/2018) (2) The Director's letter of permission to apply directly for Environmental Permit dated 6 April 2018 (Ref.: (16) in EP2/N8/Q/132) 署長於2018年4月6日發出批准直接申請環境許可證的信件 (檔案編號：(16) in EP2/N8/Q/132) (3) Application for an Environmental Permit submitted by the Permit Holder on 15 May 2018 (Application No. AEP- 559/2018) 許可證持有人於2018年5月15日提交的环境許可證申請文件 (申請書編號 AEP- 559/2018)

7 June 2018
2018年6月7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(s) 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部所提及的指定工程項目的說明:

<p>Title of Designated Project(s) 指定工程項目的名稱</p>	<p>Natural Terrain Hazard Mitigation Works at Study Area 11NE-B/SA3, Razor Hill, Clear Water Bay Road [This designated project is hereinafter referred to as "the Project"]</p> <p>位於西貢清水灣道鷓鴣山研究範圍編號 11NE-B/SA3 的天然山坡山泥傾瀉風險緩減工程 [這指定工程項目下稱“工程項目”]</p>
<p>Nature of Designated Project(s) 指定工程項目的性質</p>	<p>Mitigate potential landslide hazards arising from the natural terrain by implementing natural terrain hazard mitigation measures within a conservation area above Clear Water Bay Road</p> <p>於清水灣道上的自然保育區內實行天然山坡災害緩減措施以減低天然山坡構成的潛在災害</p>
<p>Location of Designated Project(s) 指定工程項目的地點</p>	<p>The Project is located at Razord Hill along Clear Water Bay Road, Sai Kung. The location of this Project is shown in Figure 1 attached to this Permit.</p> <p>工程項目位於西貢清水灣道鷓鴣山。工程項目的位置載於本許可證夾附的圖一。</p>
<p>Scale and Scope of Designated Project(s) 指定工程項目的規模和範圍</p>	<p>The total works area is approximately 24,700m² and the project comprises:-</p> <ul style="list-style-type: none"> (a) installation of about 845 nos. soil nails with 1 - 2m spacing and 0.15m in diameters at the western portion of the works area; (b) provision of 4-6m high flexible barriers and maintenance staircases; (c) installation of about 168 nos. anchors for flexible barriers; and (d) landscaping works. <p>The scope of works is shown in Figure 2 of this Permit. The full details are given in the Project Profile (Register No.: PP-565/2018).</p> <p>本工程項目涉及的面積約 24,700 平方米，擬建工程包括：</p> <ul style="list-style-type: none"> (a) 於工地範圍的西部安裝設約 845 支泥釘，每支泥釘約有 1 至 2 米間距及直徑 0.15 米； (b) 鋪設約高 4 至 6 米的柔性泥石防禦網及斜坡維修樓梯； (c) 安裝約 168 支柔性防禦網錨定杆；及 (d) 景觀美化工程。 <p>工程項目的範圍載於本許可證圖二，而有關工程的詳細資料已在工程項目簡介內列明 (登記冊編號：PP-565/2018)。</p>



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 Air Pollution Control Ordinance (Cap. 311), Waste Disposal Ordinance (Cap. 354), Water Pollution Control Ordinance (Cap. 358) and Noise Control Ordinance (Cap. 400). 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《空氣污染管制條例》(第 311 章)、《廢物處置條例》(第 354 章)、《水污染管制條例》(第 358 章)及《噪音管制條例》(第 400 章)。本許可證本身不會就根據任何法例提起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 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 in 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一份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 convenient locations 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工地的一處方便地點，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各處相同地點展示。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，建造本工程項目。



- 1.7 The Permit Holder shall ensure that the Project is designed and constructed in accordance with the information and recommendations described in the Project Profile (Register No. PP-565/2018), the application document for environmental permit (Application No. AEP-559/2018), other relevant documents in the Register, the information and mitigation measures described in this Permit, 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, and mitigation measures to be recommended under on-going surveillance and monitoring activities during all stages of the Project. 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 in this Permit or otherwise agreed by the Director.
- 許可證持有人須確保工程項目按照下述資料設計及建造：工程項目簡介（登記冊編號：PP-565/2018）所說明的資料及建議；環境許可證的申請文件（申請書編號 AEP- 559/2018）；登記冊內的其他相關文件；本許可證所說明的資料或緩解措施；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；以及在工程項目各階段進行的持續監察及監測工作所建議的緩解措施。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另獲署長同意。
- 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及存放的文件，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及重新提交。
- 1.9 All submissions approved by the Director, all submissions deposited without comments by the Director, or 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).
- 所有提交署長並獲批准的文件、所有提交署長存放而沒有收到署長意見的文件、或根據本許可證提交並已依照署長的意見作出修訂的所有文件，將詮釋為本許可證C 部說明的許可證條件的一部分。對提交文件所作的任何修訂，均須獲得署長的書面批准，或符合有關許可證條件所述規定。凡與所提交的文件有不符合的情況，均可能構成違反《環境影響評估條例》（第 499 章）。
- 1.10 The Permit Holder shall release all finalized submissions as required under this Permit, to the public by depositing copies in the Environmental Impact Assessment Ordinance 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，或署長指定的任何方法，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 Environmental Impact Assessment Ordinance 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 no later than 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施工最少兩個星期前以書面通知署長施工日期。施工日期如有任何更改，許可證持有人必須立即以書面通知署長。
- 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及預備的工程，或署長同意的其他工程。

2. Specific Conditions 特定條件

- 2.1 The Permit Holder shall not carry out any work outside the boundary of works areas as indicated in Figure 2 of this Permit or otherwise agreed by the Director.
除非署長另行同意，否則許可證持有人不得在本許可證圖2所示的工地範圍以外進行任何工程。
- 2.2 The Permit Holder shall implement all measures described in the Project Profile (No. PP-565/2018) submitted with the application on 28 February 2018.
許可證持有人須實施在2018年2月28日隨申請書提交的工程項目簡介（登記冊編號：PP-565/2018）內載述的所有措施。
- 2.3 The Permit Holder shall submit to the Director for approval, at least 6 weeks before commencement of construction, 3 sets of a Detailed Baseline Survey Report showing the updated number, locations and conditions of all plant species of conservation importance and existing trees within the works areas.
許可證持有人須在建造工程展開前最少6個星期，向署長提交詳細基線調查報告的3份複本，以供審批。該報告須顯示工地範圍內所有具保育價值的植物及現有樹木的最新數量、位置及生長情況。
- 2.4 The Permit Holder shall submit to the Director for approval, at least 6 weeks before commencement of construction, three sets of a Detailed Landscape Mitigation Plan showing the details of protective measures for existing plants, trees and root systems during construction. The Detailed Landscape Mitigation Plan shall also indicate with the aid of figures, re-vegetation by native shrubs, and locations of re-vegetation of the existing disturbed ground including other suitable areas within the works area. The Permit Holder shall implement all measures recommended in the approved Detailed Landscape Mitigation Plan during construction.
許可證持有人須在建造工程展開前最少6個星期，向署長提交詳細景觀緩解計劃書的3份複本，以供審批。該計劃書須詳列施工時對現有植物、樹木及樹木根部所採取的保護措施，並以圖像展示由土生灌木重新種植的植被，及在現有受干擾土地重新種植植被的位置，包括工程範圍內其他合適範圍。施工期間，許可證持有人須實施核准詳細景觀緩解計劃書建議的所有措施。
- 2.5 The Permit Holder shall submit to the Director for deposit, three hard copies and one electronic copy of the monthly monitoring reports showing the updated conditions of the plant species of conservation importance within the works areas and site audit information for implementation of the measures recommended in the Project Profile within two weeks after the relevant monitoring data are collected.
許可證持有人須在收集有關監測數據後的兩星期內，向署長存放每月監測報告的3份硬複本及1



份電子版本。該每月監測報告須顯示工地範圍內具保育價值植物的最新狀況，及實施工程項目簡介內建議措施的實地審核資料。

- 2.6 An independent environmental checker (IEC) shall be employed by the Permit Holder before commencement of construction of the Project. The IEC shall not be in any way an associated body of the Contractor for the Project. The IEC shall audit the implementation of all measures recommended in the Project Profile (Register No. PP-565/2018), 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 final monitoring report should include a summary with photos to illustrate the condition of all the plant species of conservation importance before commencement and upon completion of the construction works.

在工程項目的建造工程展開前，許可證持有人須聘用一名獨立環境查核人。獨立環境查核人不得與工程項目的承辦商或環境小組有任何聯繫。獨立查核人須在建造工程施工期間及完成後審核工程項目簡介(登記冊編號：PP-565/2018)內建議的所有措施的實施情況，及在每月監測報告中以書面確認已實施有關措施。最終的監測報告須包括以照片顯示在建造工程展開前及完成後所有具保育價值植物狀況的摘要。

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 conditions of this Permit, the Director or his authorized 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 authorized 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可勒令停止相關工程，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許可證的條件。許可證持有人須把經修改的許可證替換在工程項目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 designated project(s) may, before he assumes responsibility of the designated project(s), 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、更改或取消本許可證。遭暫時吊銷、更改或取消的許可證必須從工程項目工地除下，不再展示。

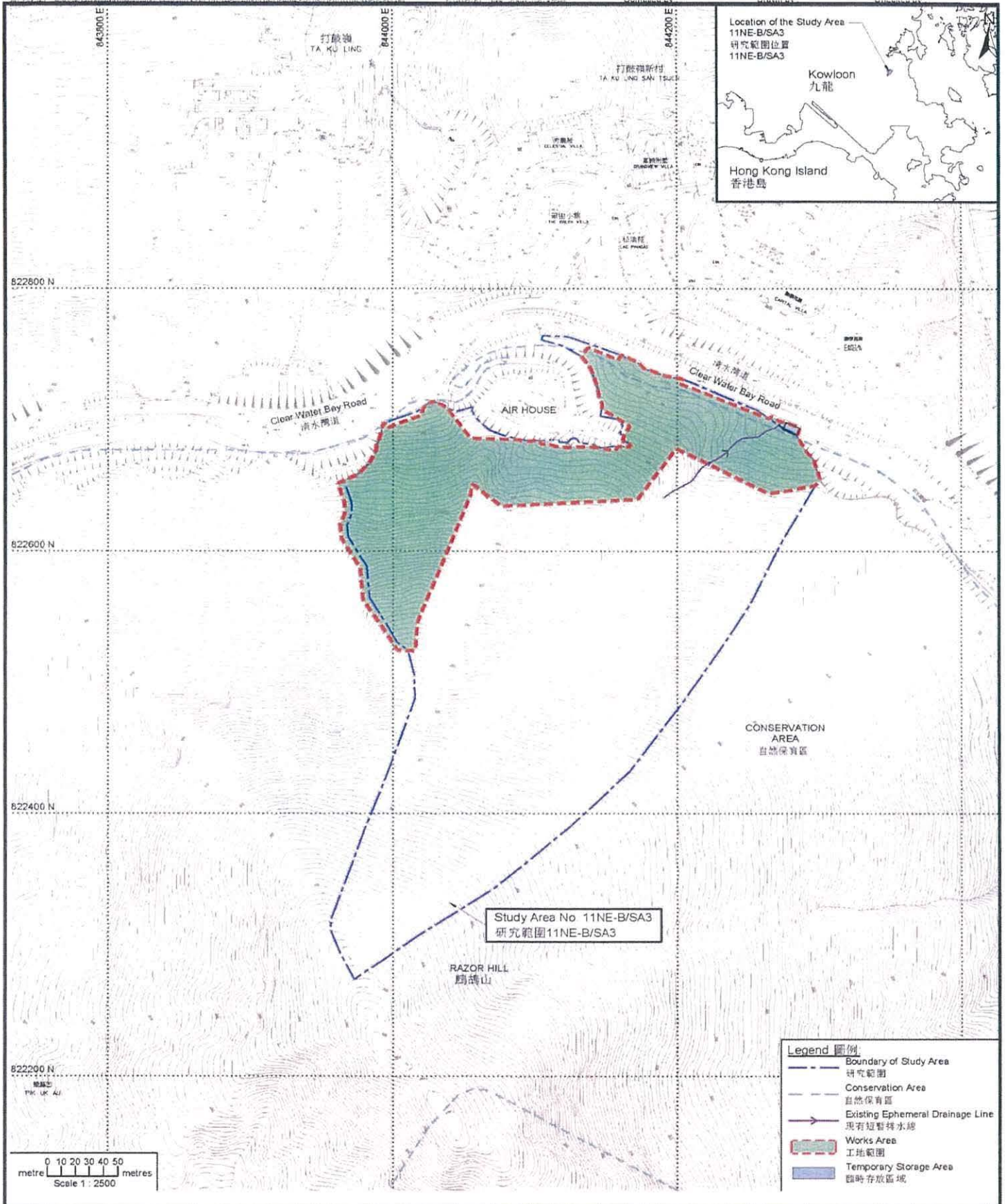


6. If this Permit is cancelled or surrendered during construction of the Project, another environmental permit must be obtained under the EIAO before the Project could be continued. It is an offence under Section 26(1) of the EIAO to construct a designated project listed in Part 1 of Schedule 2 of the EIAO without a valid environmental permit.
如果本許可證在工程項目建造期間被取消或交回，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 I 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，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。

Environmental Permit No. EP-559/2018

環境許可證編號 EP-559/2018





Project Title: Natural Terrain Hazard Mitigation Works at Study Area 11NE-B/SA3, Razor Hill, Clear Water Bay Road

工程項目名稱：位於西貢清水灣道鷓鴣山研究範圍編號 11NE-B/SA3 的天然山坡山泥傾瀉風險緩減工程

Project Location Plan

工程項目位置圖

(Plan originated from Figure 1 of the Project Profile reference: PP-565/2018)
(圖則源自工程項目簡介編號 PP-565/2018 內的圖 1)

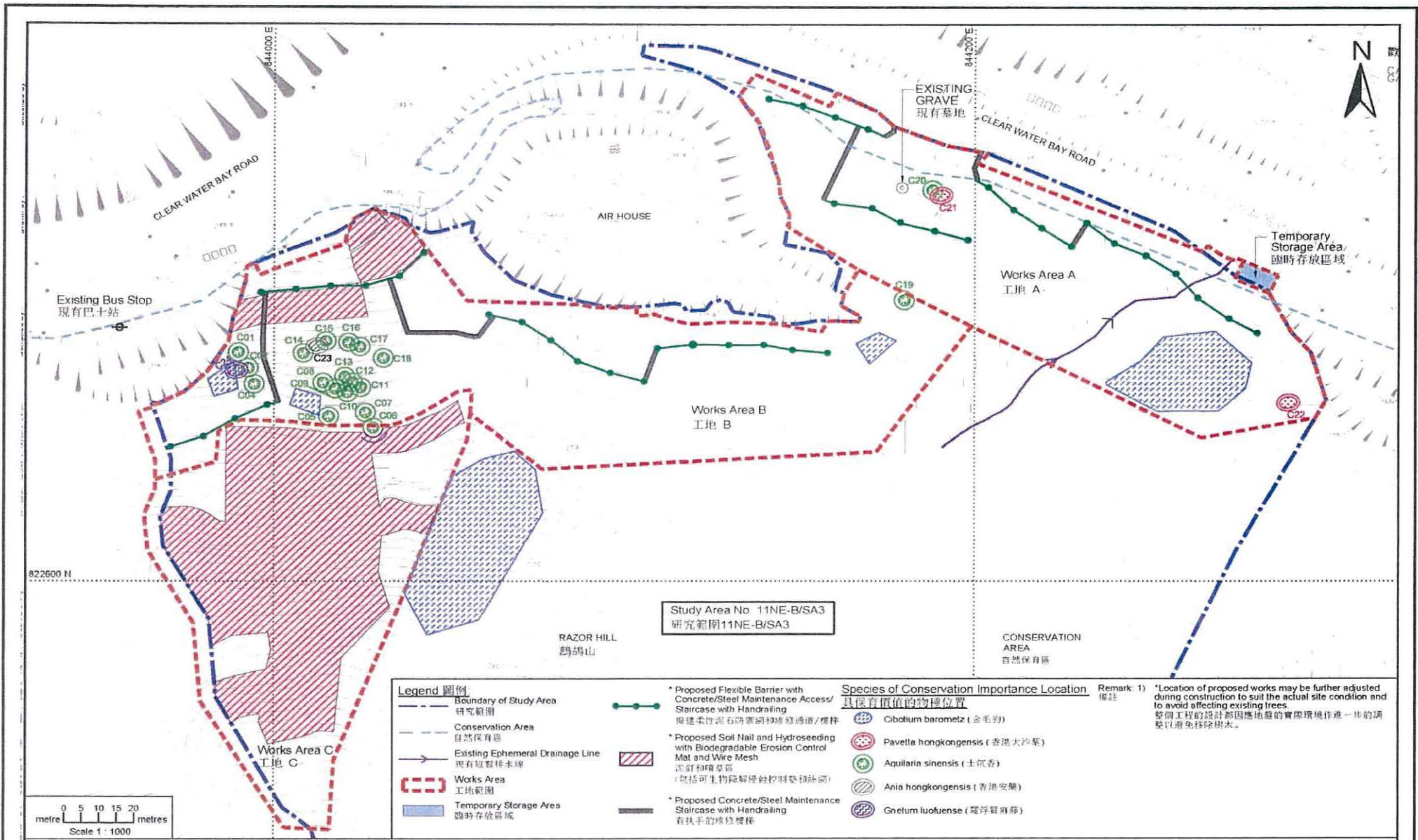
Environmental Protection Department
環境保護署



Environmental Permit No. EP-559/2018
環境許可證編號: EP-559/2018



Figure 1
圖 1



Project Title: Natural Terrain Hazard Mitigation Works at Study Area 11NE-B/SA3, Razor Hill, Clear Water Bay Road

工程項目名稱：位於西貢清水灣道鶴鴉山研究範圍編號11NE-B/SA3的天然山坡山泥傾瀉風險緩減工程

Proposed Natural Terrain Hazard Mitigation Works

建議天然山坡山泥傾瀉風險緩減工程

(Plan originated from Figure 3 of the Project Profile reference: PP-565/2018)

(圖則源自工程項目簡介編號PP-565/2018內的圖3)

