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Environmental Protection Department

Branch Office

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環境保護署分處

香港灣仔
軒尼詩道
一百三十號
修頓中心廿八樓

10 December 2018

Civil Engineering and Development Department

Environmental Impact Assessment (EIA) Ordinance, Cap. 499
Application for Environmental Permit

Project Title : Lei Yue Mun Waterfront Enhancement Project
(Application No. AEP-564/2018)

I refer to your above application received on 13 November 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-564/2018) 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 Miss. Queenie NG at 2835 1129.

Yours sincerely,

(Sunny C.W. CHEUNG)

Principal Environmental Protection Officer
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 AND OPERATE
A DESIGNATED PROJECT
建造及營辦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 and operate 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)以建造及營辦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：-


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| Application No. 申請書編號 | AEP-564/2018 |
| Document in the Register 登記冊上文件 | (1) Lei Yue Mun Waterfront Enhancement Project (Register No.: AEIAR-219/2018) - Environmental Impact Assessment Report (Final) [Hereinafter referred to as the "EIA Report"] - Environmental Monitoring and Audit Manual (Final) [Hereinafter referred to as the "EM&A Manual"] - Environmental Impact Assessment - Executive Summary (Final) [Hereinafter referred to as the "EIA Executive Summary"] 鯉魚門海旁改善計劃 (登記冊編號 : AEIAR-219/2018) - 環境影響評估報告 (最終版) [下稱 "環評報告"] - 環境監察審核手冊 (最終版) [下稱 "環監手冊"] - 環境影響評估-行政摘要 (最終版) [下稱 "環評摘要"] (2) The Director's letter of approval of the EIA Report dated 26 October 2018 (Reference: (79) in EP2/K15/C/11 Pt.3) 署長於 2018 年 10 月 26 日發出批准環評報告的信件 (檔案編號 : (79) in EP2/K15/C/11 Pt.3) |



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| | (3) Application for an environmental permit submitted by the Permit Holder on 13 November 2018 (Application No.: AEP-564/2018) 許可證持有人於 2018 年 11 月 13 日提交的環境許可證申請 (申請書編號: AEP-564/2018) |
|--|--|

10 December 2018
2018年12月10日

Date
日期



(Sunny C. W. CHEUNG)
Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(首席環境保護主任張展華代行)

PART B (DESCRIPTIONS OF DESIGNATED PROJECT(S))
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 :-

下列為本環境許可證A部所提及的指定工程項目的說明：

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| Title of Designated Project(s) 指定工程項目的名稱 | Lei Yue Mun Waterfront Enhancement Project [This designated project is hereinafter referred to as "the Project"] 鯉魚門海旁改善計劃 [這指定工程項目下稱 "工程項目"] |
| Nature of Designated Project(s) 指定工程項目的性質 | A dredging operation which is less than 500 m from the nearest boundary of an existing or planned coastal protection area. 距離一個現有的或計劃中的海濱保護區的最近界線少於500米的挖泥作業。 |
| Location of Designated Project(s) 指定工程項目的地點 | The Project is located at the waterfront in front of the Lei Yue Mun Village and at east of the Lei Yue Mun lighthouse. The location of this Project is shown in Figure 1 attached to this Permit. 工程項目位於鯉魚門村前的海旁及鯉魚門燈塔東面。工程項目的地點載於本許可證的圖 1。 |
| Scale and Scope of Designated Project(s) 指定工程項目的規模和範圍 | The scope of the Project mainly includes : 工程項目的範圍主要包括: (i) Construction of a promenade with a public landing facility which is capable of accommodating vessels up to 30 m long with draughts of about 3m; 興建附有可容納30米長及吃水深度為約3米的船舶的公眾登岸設施的海濱長廊; (ii) Construction of a breakwater; 興建防波堤; (iii) Capital dredging of seabed (with estimated dredging volume of approximately 11,000 m ³) and maintenance dredging of |

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| | <p>seabed (with estimated dredging volume of 3,000 m³) to provide sufficient water depth for navigation of vessels; 進行建設浚挖海床工程(挖泥量預計為11,000立方米)及維護浚挖海床工程(挖泥量預計為3,000立方米)，以為船舶航行提供足夠的水深；</p> <p>(iv) Strengthen the structural capacity of five existing lookout points and an existing viewing platform; 增強五個現有觀景點及一個現有觀景台的結構承載力；</p> <p>(v) Construction of a carp-shaped platform and a pavilion with children's play area; 興建鯉魚形觀景台，及附有兒童遊樂場的涼亭；</p> <p>(vi) Beautification works for the promenade, five existing lookout points and an existing viewing platform; and 美化海濱長廊、五個現有觀景點及一個現有觀景台；及</p> <p>(vii) Streetscape improvement works. 美化街貌工程。</p> |
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PART C (PERMIT CONDITIONS)

1. General Conditions

- 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.
- 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), Dumping at Sea Ordinance (Cap. 466) 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.
- 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.
- 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 and operation of the Project and shall mean the same hereafter.
- 1.5 The Permit Holder shall display conspicuously a copy of this Permit on the construction site(s) at all vehicular 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 construction site(s).
- 1.6 The Permit Holder shall construct and operate the Project in accordance with the project description in Part B of this Permit



- 1.7 The Permit Holder shall ensure that the Project is designed, constructed and operated in accordance with the information and relevant recommendations described in the approved EIA Report (Register No.: AEIAR-219/2018), the application documents for Environmental Permit (Application No.: AEP-564/2018), 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.
- 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.
- 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 EIAO. All submissions or any variation of the submissions shall be certified by the Environmental Team (ET) Leader and verified by the Independent Environmental Checker (IEC) referred to in Conditions 2.2 and 2.5 below, before submitting to the Director under this Permit.
- 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.
- 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.
- 1.12 The Permit Holder shall notify the Director in writing the commencement date of construction of the Project no later than three months 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.
- 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.
- 1.14 The Permit Holder shall notify the Director in writing the commencement date of operation of the Project no later than one month prior to the commencement of operation of the Project. The Permit Holder shall notify the Director in writing immediately if there is any change of the commencement date of operation.



2. **Specific Conditions**

Submissions and Measures before Construction of the Project

Employment of ET

- 2.1 A single ET, unless otherwise approved by the Director, shall be established by the Permit Holder no later than three months before the commencement of construction of the Project. The ET shall be directly supervised by the Engineer's Representative (ER) of the Permit Holder and shall not be in any way an associated body of the Contractor or the Independent Environmental Checker (IEC) for the Project. The ET shall be headed by an ET Leader. The ET Leader shall be a person who has at least 7 years of experience in environmental monitoring and auditing (EM&A) or environmental management.
- 2.2 The ET and the ET Leader shall be responsible for:
- (i) implementing the EM&A programme in accordance with the EM&A requirements as contained in the EM&A Manual of the Project;
 - (ii) certifying the environmental acceptability of permanent and temporary works, relevant design plans and submissions required in the EM&A Manual and under this Permit;
 - (iii) carrying out site inspections to audit the Contractor's site practice and work methodologies with respect to environmental mitigation measures contained in the EM&A Manual of the Project and to take pro-active actions to pre-empt environmental problems;
 - (iv) notifying the IEC within one working day of the occurrence of each and every instance or circumstance or change of circumstances, which may affect the compliance with the recommendations of the approved EIA Report (Register No. AEIAR-219/2018) and this Permit; and
 - (v) keeping a contemporaneous log-book of any such instance or circumstance or change of circumstances. The log-book shall be kept readily available for inspection by all persons assisting in supervision of the implementation of the recommendations of the approved EIA Report (Register No. AEIAR-219/2018) and this Permit or by the Director or his authorized officers.
- 2.3 Failure to maintain records in the log-book or failure to discharge the duties of the ET Leader as defined in the EM&A Manual of the Project or in this Permit would entitle the Director to require the Permit Holder by notice in writing to replace the ET Leader. Failure by the Permit Holder to make replacement, or further failure to keep contemporaneous records in the log-book despite the employment of a new ET Leader may render the Permit liable to suspension, cancellation or variation.

Employment of IEC

- 2.4 A single IEC with a supporting team, unless otherwise approved by the Director, shall be employed by the Permit Holder no later than three months before commencement of construction of the Project. The IEC and his team shall not be in any way an associated body of the ER, the Contractor or the ET for the Project. The IEC shall be approved by the Director before appointment by the Permit Holder. The IEC shall be a person who has at least 7 years of experience in EM&A or environmental management.
- 2.5 The IEC shall report directly to the Director and shall be responsible for duties defined in the EM&A Manual and this Permit, including but not limited to the following:
- (i) to audit the overall EM&A performance, including the implementation of all



environmental mitigation measures and monitoring activities on site;

- (ii) to verify the environmental acceptability of permanent and temporary works, relevant design plans and submissions required in the EM&A Manual and under this Permit;
 - (iii) to verify the log-book(s) mentioned in Condition 2.2(v) of this Permit;
 - (iv) to notify the Director by fax or email, within one working day of receipt of notification from the ET Leader, or identification by the IEC and his team, of each and every change of circumstances, emergency events relating to violation of environmental legislation (such as illegal dumping and landfilling) or non-compliance (including suspects of non-compliance) with the recommendations (such as construction methods, mitigation measures, and environmental standards) of the approved EIA Report (Register No. AEIAR-219/2018), the EM&A Manual and this Permit, which might affect the monitoring or control of adverse environmental impacts from the Project. Notification by the Permit Holder is the same as notification by the IEC for the purpose of this Condition;
 - (v) to liaise closely with the Director;
 - (vi) to accompany the Director in carrying out site inspections and to offer objective and professional advice on environmental issues when requested; and
 - (vii) to allocate adequate resources, including any necessary specialist support, for discharging the duties required in this Permit and the EM&A Manual.
- 2.6 If the Director considers the IEC fails to discharge the duties of the IEC as defined in the EM&A Manual or in this Permit, the Director may require the Permit Holder by notice in writing to replace the IEC. Failure to replace the IEC as directed or further failure to so notify the Director under Condition 2.5 (iv) of this Permit despite employment of a new IEC may render the Permit liable to suspension, cancellation or variation.

Employment of Coral Specialist

- 2.7 The Permit Holder shall, no later than three months before the commencement of construction of the Project, appoint a Coral Specialist to form part of the ET to carry out coral-related works including but not limited to conducting the coral baseline survey and preparing submission of the Coral Baseline Survey Report as required under Condition 2.14 of this Permit; preparing the submission of the Coral Translocation Plan (CTP) and implementing the coral translocation and post-translocation monitoring as required under 2.16 of this Permit; and conducting the coral survey and preparing the submission of the Coral Review Report as required under Condition 2.20 of this Permit. The Coral Specialist shall be a person who has at least 5 years relevant experience in coral survey and coral translocation. The qualification and experience of the Coral Specialist shall be certified by the ET Leader and verified by the IEC.

Submission of Management Organization(s)

- 2.8 The Permit Holder shall, no later than three month before the commencement of construction of the Project, inform the Director in writing with the following information, which shall include at least an organization chart, names of responsible persons and their contact details:
- (i) the management organization, the main construction companies and /or any form of joint ventures associated with the construction of the Project;
 - (ii) the management organization of the ET; and
 - (iii) the management organization of the IEC and his supporting team.



Community Liaison Hotline

- 2.9 A hotline shall be set up prior to the commencement of construction and shall be operated during the construction of the Project to handle complaints, comments, suggestions or requests for information from the public. The Permit Holder shall notify the Director the date of setting up the hotline and the contact details of the hotline at least two weeks before the commencement of construction of the Project. The contact details of the hotline shall be made available to the public via the dedicated website to be set up by the Permit Holder as described in Condition 4.2 of this Permit.

Submission of Conceptual Landscape Layout Plan(s)

- 2.10 The Permit Holder shall notify the Director in writing the commencement date of detailed design of the landscape and architectural works of the Project no later than three months prior to the commencement of detailed design of the landscape and architectural works of the Project. The Permit Holder shall notify the Director in writing immediately if there is any change of the commencement date of the detailed design of landscape and architectural works of the Project.
- 2.11 The Permit Holder shall, no later than three months before the commencement of detailed design of the landscape and architectural works of the Project or otherwise approved by the Director, submit four hard copies and one electronic copy of Conceptual Landscape Layout Plan(s) (CLLP) to the Director for approval. The CLLP shall include visual impressions showing the layout and configuration of the proposed structures within the Project site, including promenade structure, viewing platforms, pier and breakwater with a view to demonstrating the visual and landscape benefits of the Project and how the proposed structures could blend in with the existing surrounding and natural landscape as required in relevant conditions of approval of the EIA Report (Register No. AEIAR-219/2018).
- 2.12 The CLLP shall be prepared by a registered landscape architect and certified by the ET Leader and verified by the IEC, unless otherwise approved by the Director. The Permit Holder shall submit the CLLP under Condition 2.11 of this Permit to Director of Planning for comment prior to submission to the Director for approval.

Submission of Noise Management Plan(s)

- 2.13 The Permit Holder shall, no later than one month before the commencement of construction of the Project or otherwise approved by the Director, submit three hard copies and one electronic copy of Noise Management Plan(s) (NMP) to the Director for approval. The NMP shall include the schedule of the piling and rock excavation works as well as details of the associated mitigation measures and monitoring programme, demonstrating the minimization of the construction noise arising from the piling and rock excavation works as required in relevant conditions of approval of the EIA Report (Register No. AEIAR-219/2018). Before submission to the Director, the NMP shall be certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations on noise mitigation measures contained in the approved EIA report (Register No. AEIAR-219/2018). All noise mitigation measures recommended in the NMP shall be fully implemented. The Permit Holder shall make available additional copies of the NMP to the Director upon his request.

Submission of Coral Baseline Survey Report

- 2.14 Prior to commencement of capital dredging, the Permit Holder shall conduct a baseline coral survey on the existing coral colonies and associated organisms in the Project area and its vicinity. The Permit Holder shall, no later than three months before the commencement of construction of the Project or otherwise approved by the Director, submit three hard copies and one electronic copy of Coral Baseline Survey Report to the Director for approval. The Coral Baseline Survey Report shall include the results of the baseline survey. Before submission to the Director, the Coral Baseline Survey Report shall be certified by the ET Leader and verified by the IEC.
- 2.15 The Permit Holder shall submit the Coral Baseline Survey Report as certified by the ET Leader



and verified by the IEC under Condition 2.14 of this Permit, to Director of Agriculture, Fisheries and Conservation (DAFC) for comment prior to submission to the Director for approval.

Submission of Coral Translocation Plan(s)

- 2.16 The Permit Holder shall, no later than one month before the commencement of construction of the Project or otherwise approved by the Director, submit three hard copies and one electronic copy of Coral Translocation Plan(s) (CTP) to the Director for approval. The Permit holder shall prepare the CTP based on the results of the baseline survey conducted under Condition 2.14 of this Permit. The CTP shall include details of the coral translocation methodology, location and suitability of the coral recipient site(s), and the post-translocation monitoring programme as required in relevant conditions of approval of the EIA Report (Register No. AEIAR-219/2018). Before submission to the Director, the CTP shall be certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations contained in the approved EIA report (Register No. AEIAR-219/2018). The coral translocation and post-translocation monitoring programme recommended in the CTP shall be fully implemented.
- 2.17 The Permit Holder shall submit the CTP as certified by the ET Leader and verified by the IEC under Condition 2.16 of this Permit to DAFC for comment prior to submission to the Director for approval.

Submission and Measures during Construction and Operation of the Project

Measures to Minimize Water Quality Impacts

- 2.18 The Permit Holder shall implement the following mitigation measures to minimize the water quality impacts during capital and maintenance dredging, sand filling and seawall modification activities:
- (i) only one close grab dredger shall be used at all time throughout the dredging activities;
 - (ii) the hourly maximum dredging rate and sand filling rate shall not exceed 100m³/hr and 62.5m³/hr respectively. The operation time of dredging and filling works shall be from 0700 to 1900 hrs only; and
 - (iii) silt curtains to confine suspended solids within the dredging area shall be deployed and maintained at all time throughout the dredging, sand filling and seawall modification activities.

Submission of Coral Review Report

- 2.19 The Permit Holder shall notify the Director in writing the commencement date of each maintenance dredging no later than three months prior to the commencement of each maintenance dredging. The Permit Holder shall notify the Director in writing immediately if there is any change of the commencement date of each maintenance dredging.
- 2.20 Prior to commencement of each maintenance dredging, the Permit Holder shall conduct a coral survey to review and update the conditions of corals in the dredging area and its vicinity. The Permit Holder shall, no later than three months before the commencement of each maintenance dredging or otherwise approved by the Director, submit three hard copies and one electronic copy of a Coral Review Report to the Director for approval. The Coral Review Report shall include the results of the coral survey, a review of the impact on corals due to maintenance dredging and the recommendations on mitigation measures. The mitigation measures recommended in the Coral Review Report shall be fully implemented. Before submission to the Director, the Coral Review Report shall be certified by the ET Leader and verified by the IEC



3. Environmental Monitoring and Audit Requirements

- 3.1 The EM&A programme shall be implemented in accordance with the procedures and requirements as set out in the EM&A Manual (Register No. AEIAR-219/2018) of the Project. Any major changes to the programme shall be justified by the ET Leader and verified by the IEC as conforming to the relevant requirements as set out in the EM&A Manual, and shall seek the prior approval from the Director before implementation.
- 3.2 Samples, measurements and necessary remedial actions shall be taken in accordance with the requirements of the EM&A Manual by:
- (a) conducting baseline environmental monitoring;
 - (b) conducting impact monitoring;
 - (c) carrying out remedial actions described in Event/Action Plans of the EM&A Manual (Register No. AEIAR-219/2018) in accordance with the time frames set out in Event/Action Plans, or as agreed by the Director, in case where specified criteria in the EM&A Manual are exceeded; and
 - (d) logging and keeping records of details of all parameters within 3 working days of collection of data or completion of remedial action(s), for the purpose of preparing and submitting the monthly EM&A Reports and to make available for inspection on site.
- 3.3 Three hard copies and one electronic copy of the Baseline Monitoring Report shall be submitted to the Director at least two weeks before commencement of construction of the Project. The submissions shall be certified by the ET Leader and verified by the IEC as complied with the requirements as set out in the EM&A Manual before submission to the Director. Additional copies of the submission shall be made available to the Director upon his request.
- 3.4 One hard copy and one electronic copy of the monthly EM&A Report shall be submitted to the Director within 10 working days after the end of each reporting month. The monthly EM&A Reports shall include a summary of all non-compliance with the recommendations in the approved EIA Report (Register No. AEIAR-219/2018) or this Permit. The submissions shall be certified by the ET Leader and verified by the IEC as complying with the requirements as set out in the EM&A Manual before submission to the Director. Additional copies of submission shall be provided upon request by the Director.
- 3.5 All environmental monitoring and audit data submitted under this Permit shall be true, valid and correct.

4. Electronic Reporting of EM&A Information

- 4.1 To facilitate public inspection of the Baseline Monitoring Report and monthly EM&A Reports via the EIAO Internet Website and at the EIAO Register Office, electronic copies of these Reports 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 hardcopies as described in Conditions 3.3 and 3.4 of this Permit. For the HTML version, a content page capable of providing hyperlink to each section and sub-section of these Reports shall be included in the beginning of the document. Hyperlinks to all figures, drawings and tables in these Reports shall be provided in the main text from where the respective references are made. All graphics in these Reports shall be in interlaced GIF format unless otherwise agreed by the Director. The content of the electronic copies of these Reports must be the same as the hardcopies.
- 4.2 The Permit Holder shall set up a dedicated website and notify the Director in writing the internet address where the environmental monitoring and project information is to be placed within one



month after the commencement of construction of the Project. All environmental monitoring results described in Condition 4.1 above and all submissions required by this Permit shall be made available to the public via this dedicated website to be set up by the Permit Holder in the shortest time practicable, and in no event later than 2 weeks after the relevant environmental monitoring data are collected or become available, unless otherwise agreed with the Director. The Permit Holder shall maintain the dedicated website for public access of the environmental monitoring data and reports throughout the entire construction period and until two months after the last EM&A report is uploaded, or otherwise agreed by the Director.

- 4.3 The internet website as described in Condition 4.2 above shall enable user-friendly public access to the monitoring and project information including the EIA Report, the environmental permit(s) and project profile of the Project. The internet website shall have features capable of:
- (a) providing access to all environmental monitoring data collected since the commencement of construction and all submissions under this Permit;
 - (b) searching by date;
 - (c) searching by types of monitoring data; and
 - (d) hyperlinks to relevant monitoring data after searching;

or otherwise as agreed by the Director.

Notes:

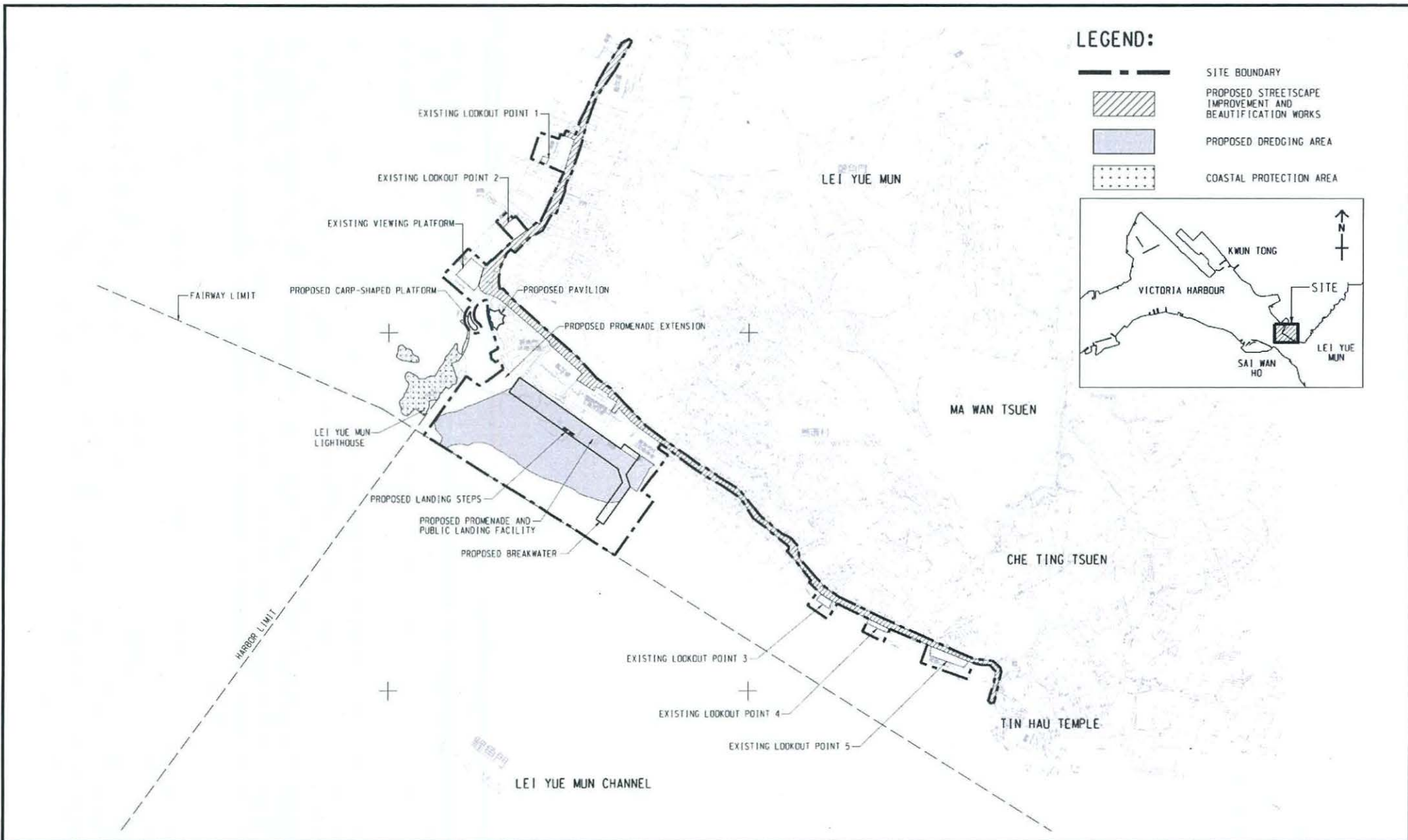
1. This Permit consists of three parts, namely, Part A (Main Permit), Part B (Description of Designated Project) and Part C (Permit Conditions). Any person relying on this Permit should obtain independent legal advice on the legal implications under the EIAO, and the following notes are for general information only.
2. If there is a breach of any condition of this Permit, the Director or his authorized officer may, with the consent of the Secretary for the Environment, order the cessation of associated works 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.
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.
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.
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.
6. If this Permit is cancelled or surrendered during construction or operation 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 or operate a designated project listed in Part I of Schedule 2 of the EIAO without a valid environmental permit.
7. Any person who constructs or operates the Project contrary to the conditions in the Permit, and is convicted of an offence under the EIAO, is liable:
 - (i) on a first conviction on indictment to a fine of \$2 million and to imprisonment for 6 months;



- (ii) on a second or subsequent conviction on indictment to a fine of \$5 million and to imprisonment for 2 years;
 - (iii) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
 - (iv) on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for 1 year; and
 - (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.
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.
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.

Environmental Permit No. EP-564/2018
環境許可證編號：EP-564/2018





Project Title : Lei Yue Mun Waterfront Enhancement Project

工程項目名稱：鯉魚門海旁改善計劃

Environmental Permit No. : EP-564/2018

環境許可證編號 : EP-564/2018



Figure 1: Location of the Project

圖 1: 工程項目位置

(This figure was prepared based on Figure 1.1 of EIA Report (Register No.: AEIAR-219/2018))
 (本圖是根據環評報告(登記冊編號 AEIAR-219/2018)圖 1.1 編制)