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環境保護署分處
香港灣仔
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修頓中心廿八樓

26 June 2019

Civil Engineering and Development Department

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

Project Title: Site Investigation Works for Pier Improvement at Lai Chi Wo
(Application No. AEP-569/2019)

I refer to your above application received on 4 June 2019 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-569/2019) 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 Mr. Steve LI at 2835 1142.

Yours sincerely,

(TO King-Ho)

Principal Environmental Protection Officer
for Director of Environmental Protection

Encl. – EP No. EP-569/2019

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”)以建造本許可證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 - 569/2019
Document in the Register 登記冊上文件	(1) Project Profile - Site Investigation Works for Pier Improvement at Lai Chi Wo (Register No.: PP-581/2019) 工程項目簡介 - 荔枝窩碼頭改善工程 - 實地勘測工作 (登記冊編號: PP-581/2019) (2) The Director's letter of permission to apply directly for Environmental Permit dated 22 May 2019 (Ref.: (15) in EP2/N7/Q/99) 署長於2019年5月22日發出准許直接申請環境許可證的信件 (檔案編號: (15) in EP2/N7/Q/99) (3) Application for an Environmental Permit submitted on 4 June 2019 (Application No. AEP-569/2019) 於2019年6月4日提交的环境許可證申請 (申請書編號 AEP-569/2019)

26 June 2019
2019年6月26日

Date
日期



(TO King-Ho)

Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(首席環境保護主任 杜景浩 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>Site Investigation Works for Pier Improvement at Lai Chi Wo [Hereinafter referred to as “the Project”] 荔枝窩碼頭改善工程 - 實地勘測工作 [本指定工程項目下稱“工程項目”]</p>
<p>Nature of Designated Project(s) 指定工程項目的性質</p>	<p>All projects including new access roads, railways, sewers, sewage treatment facilities, earthworks, dredging works and other building works partly or wholly in ... an existing marine park ... (Item Q.1, Part 1 of Schedule 2 of EIAO) 包括下述項目在內的全部工程項目：新通路、鐵路、下水道、污水處理設施、土木工事、挖泥工程及其他建築工程，而該等項目部分或全部位於...現有的海岸公園... (「環評條例」附表2第1部Q.1項)</p>
<p>Location of Designated Project(s) 指定工程項目的地點</p>	<p>The Project is located at Yan Chau Tong Marine Park in the vicinity of Lai Chi Wo Pier. The location of the Project is shown in <u>Figure 1</u> attached to this Permit. 勘測工作位於印洲塘海岸公園範圍內並靠近荔枝窩碼頭。工程項目的位置載於本許可證夾附的圖1。</p>
<p>Scale and Scope of Designated Project(s) 指定工程項目的規模和範圍</p>	<p>Site investigation works will be carried out on a small jack-up barge of size about 10m x 20m. The works mainly include sample collection by vertical boreholes and vibrocores. The full details are given in the Project Profile (Register No.: PP-581/2019). 於一艘約 10 米 x 20 米的小型頂升平底船上進行實地勘測工作，主要工程包括以垂直鑽孔及振動取芯方法採集樣本。有關工程的詳細資料已在項目簡介內列明 (登記冊編號：PP-581/2019)。</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 legislations 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/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 in the Permit. The site(s) refers to site(s) of constructing 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。工地是指建造本工程項目的工地，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 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 Project site(s).
許可證持有人須在工程項目工地的所有車輛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 constructed in accordance with the information and recommendations described in the Project Profile (Register No. PP-581/2019), the application document for environmental permit (Application No. AEP-569/2019), other relevant documents in the Register, the information and mitigation measures described 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 impliedly amended in this Permit.
許可證持有人須確保工程項目按照下述資料建造：登記冊內的工程項目簡介（登記冊編號：PP-581/2019）所說明的資料及各項建議；環境許可證的申請文件（申請書編號：AEP-569/2019）；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。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默示修訂。
- 1.8 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的建造工程展開前，至少提早 2 個星期以書面方式把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。
- 1.9 For the purpose of this Permit, “commencement of construction works” 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 employ an Independent Environmental Checker (IEC) before commencement of construction of the Project to audit the implementation of all measures recommended in the Project Profile (Register No.: PP-581/2019) and confirm full compliance through submission of an Audit Report to the Director within one month upon completion of the construction works. The IEC shall not be in any way an associated body of the Contractor for the Project.

許可證持有人須在工程項目的建造工程展開前聘用一名獨立環境查核人，負責審核工程項目簡介（登記冊編號：PP-581/2019）內建議的所有措施的實施工作，以及在建造工程完成後 1 個月內向署長提交審核報告書，以確定所有措施的實施完全符合規定。獨立環境查核人不得是工程項目的承辦商的相聯團體。

- 2.2 To avoid and minimize any potential environmental impacts including water quality and ecological impacts, all cleaning of drilling rig, re-circulation tank and equipment, and the disposal of any sediments and drilling fluid collected shall not be carried out on site or within the boundary of Yan Chau Tong Marine Park, Plover Cove Country Park and any marine environment.



為避免及盡量減低對環境的潛在影響，包括水質及生態影響，所有鑽孔機、循環缸及設備的清潔工作，以及所有已採集的沉積物及鑽探液的棄置，均不得在工地、印洲塘海岸公園的界線內、船灣郊野公園及任何海洋水體內進行。

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 II 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 II 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:

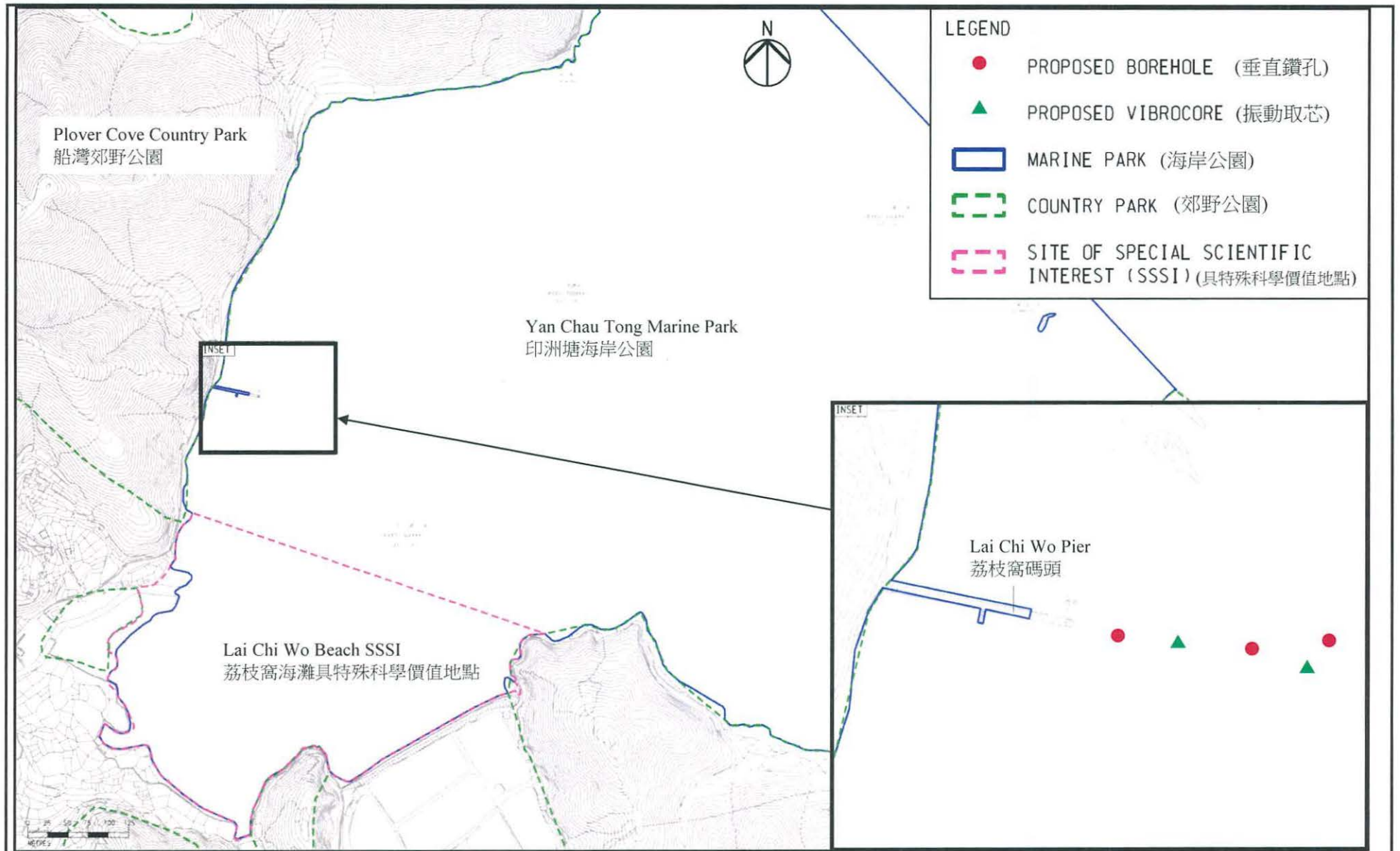


如任何人在違反本許可證的條件下建造工程項目，根據環評條例，即屬犯罪-

- (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連續性質，法院或裁判官可就其信納該罪行連續的每一
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-569/2019
環境許可證編號 EP-569/2019





Project Title: Site Investigation Works for Pier Improvement at Lai Chi Wo
 工程項目名稱：荔枝窩碼頭改善工程 - 實地勘測工作
Environmental Permit No. : EP-569/2019
 環境許可證編號 : EP-569/2019

Figure 1: Project Location
 圖 1: 工程項目位置

