

本署檔號
OUR REF: () to Ax(1) to EP2/N6/Q1/115 Pt.5
來函檔號
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**Environmental Protection Department
Branch Office**

28th 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
修頓中心廿八樓

20 July 2020

Highways Department

Environment Impact Assessment (EIA) Ordinance Cap. 499

Application for Environmental Permit

**Project Title: Upgrading of Remaining Sections of Kam Tin Road and Lam Kam Road
(Application No. AEP-576/2020)**

I refer to your above application received on 23 June 2020 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-576/2020) 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 concerning the above, please contact my colleague Mr. Matthew CHAN at 2835 1155.

Yours sincerely,

(LAU Chi Fai, Stanley)

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 **Highways 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**路政署**(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：

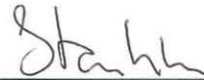
Application No. 申請書編號	AEP-576/2020
Document in the Register: 登記冊上的文件：	(1) Upgrading of Remaining Sections of Kam Tin Road and Lam Kam Road (Register No. AEIAR-222/2020) : - Environmental Impact Assessment (EIA) Report [Hereafter referred to as “the EIA Report”] - Environmental Monitoring and Audit (EM&A) Manual [Hereafter referred to as “the EM&A Manual”] - Executive Summary 錦田公路及林錦公路餘段改善工程 (登記冊編號 : AEIAR-222/2020): - 環境影響評估報告 [下稱“環評報告”] - 環境監察及審核手冊 [下稱“環監手冊”] - 行政摘要 (2) The Director’s letter of approval of the EIA Report dated 27 May 2020 (Reference : Ax(1) to EP2/N6/Q1/115) 署長於 2020 年 5 月 27 日發出批准環評報告的信件 (檔案編號 : Ax(1) to EP2/N6/Q1/115)



Application No. 申請書編號	AEP-576/2020
	(3) Application for Environmental Permit submitted on 23 June 2020 (Application No. AEP-576/2020) 於 2020 年 6 月 23 日 提交的環境許可證申請文件 (申請書編號: AEP-576/2020)

20 July 2020
2020 年 7 月 20 日

Date
日期



(LAU Chi Fai, Stanley)
Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(首席環境保護主任 劉志輝 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	Upgrading of Remaining Sections of Kam Tin Road and Lam Kam Road [This designated project is hereafter referred to as “the Project”] 錦田公路及林錦公路餘段改善工程 [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	Improvement to an existing road partly within a conservation area. 現有道路改善工程，工程部分位於自然保育區內。
Location of Designated Project 指定工程項目的地點	The Project is located at Kam Tin in New Territories. The location of the Project is shown in <u>Figure 1</u> of this Permit 工程項目位於新界錦田。工程項目的位置載於本許可證圖 1。
Scale and Scope of Designated Project 指定工程項目的規模和範圍	The Project includes: <ul style="list-style-type: none">- Upgrading of the road section of Kam Tin Road (between Tung Wui Road and Fan Kam Road) to 10.3 m wide carriageway;- Upgrading of the road sections of Kam Tin Road (between Fan Kam Road and Lam Kam Road) and Lam Kam Road to 7.3 m wide carriageway;- Associated provision of footpaths and improvement of pedestrian facilities, public transport lay-bys and right-turning lanes; and- Associated slope works, drainage works, landscaping works, and traffic aids and street lighting modification, etc.



	<p>工程項目包括:</p> <ul style="list-style-type: none">- 將錦田公路（介乎東匯路與粉錦公路）的路段改善至 10.3 米寬的行車道;- 將錦田公路（介乎粉錦公路與林錦公路）及林錦公路改善至 7.3 米寬的行車道;- 工程相關的行人路，改善行人設施，公共交通停車位及右轉車道；以及- 工程相關的斜坡工程，排水工程，園境工程，交通輔助設施及街道照明改造工程等。
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PART C (PERMIT CONDITIONS)

GENERAL CONDITIONS

- 1.1 The Permit Holder and any person constructing or operating 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 and any person constructing or operating the Project 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), Dumping at Sea Ordinance (Cap. 466) and Waste Disposal Ordinance (Cap. 354). 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 this 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 this Permit shall include all documents referred to in this 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 this 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 this Permit, including any amended Permit, is displayed at such locations. If the Permit Holder surrenders a part or the whole of this 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 and any person constructing or operating the Project shall construct and operate the Project in accordance with the project description in Part B of this Permit.
- 1.7 The Permit Holder and any person constructing or operating the Project shall ensure that the Project is designed, constructed and operated in accordance with the information and recommendations described in the approved EIA Report (Register No.: AEIAR-222/2020); the application documents for environmental permits; other relevant document 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 (Cap. 499). All submissions or any variation of submissions shall be certified by the Environmental Team (ET) Leader and verified by the Independent Environmental Checker (IEC) referred to in Conditions 2.1 and 2.2 below before submitting to the Director under this Permit.
- 1.10 The Permit Holder shall release all finalised 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 means as specified by the Director, for public inspection. For this purpose, the Permit Holder shall provide sufficient copies of the submissions.
- 1.11 The Permit Holder shall submit and / or deposit all submissions within the time as specified in the Conditions of this Permit. 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 finalised 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 2 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.

SPECIFIC CONDITIONS

2. Employment or Submissions before Construction of the Project

Employment of Environmental Team (ET)

- 2.1 An ET shall be established by the Permit Holder no later than 3 months before the commencement of construction of the Project. The ET 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. The ET and the ET Leader shall be responsible for the implementation of the EM&A programme in accordance with the EM&A requirements as contained in the EM&A Manual of the Project. The ET Leader shall keep a contemporaneous log-book of each and every instance or circumstance or change of circumstances, which may affect the compliance with the recommendations of the EIA Report (Register No: AEIAR-222/2020) and this Permit. The ET Leader shall notify the IEC within one working day of the occurrence of any such instance or circumstance or change of circumstances. The ET Leader’s log-book shall be kept readily available for inspection by all persons assisting in supervision of the implementation of the recommendations of the EIA Report (Register No.: AEIAR-222/2020) and this Permit or by the Director or his authorized officers. Failure to maintain records in the log-book, failure to discharge the duties of the ET Leader as defined in the EM&A Manual or failure to comply with this Condition 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 this Permit liable to suspension, cancellation or variation.

Employment of Independent Environmental Checker (IEC)

- 2.2 An IEC shall be employed by the Permit Holder no later than 3 months before the commencement of construction of the Project. The IEC shall not be in any way an associated body of the Contractor or the ET for the Project. The IEC shall be a person who has at least 7 years of experience in EM&A or environmental management. The IEC shall be responsible for duties defined in the EM&A Manual and shall audit the overall EM&A performance, including the implementation of all environmental mitigation measures, submissions required in the EM&A Manual, and any other submissions required under this Permit. In addition, the IEC shall be responsible for verifying the environmental acceptability of permanent and temporary works, relevant design plans and submissions under this Permit. The IEC shall verify the log-book(s) mentioned in Condition 2.1 of this Permit. The IEC shall



notify the Director by fax or email, within one working day of receipt of notification from the ET Leader of each and every change of circumstances or non-compliance with the recommendations of the EIA Report (Register No.: AEIAR-222/2020) and this Permit, which might affect the monitoring or control of adverse environmental impacts from the Project. In case the IEC fails to so notify the Director of the same, fails to discharge the duties of the IEC as defined in the EM&A Manual or fails to comply with this Condition, 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 despite employment of a new IEC may render the Permit liable to suspension, cancellation or variation. Notification by the Permit Holder is the same as notification by the IEC for the purpose of this Condition.

Employment of Qualified Ecologist

- 2.3 The Permit Holder shall, no later than 3 months before the commencement of the construction of the Project, appoint a qualified Ecologist to form part of the ET to carry out works relating to ecological aspects of the Project, preparation of the submissions of Vegetation Survey Report, Transplantation Proposal and Landscape and Visual Mitigation Plan for the Project as required under Conditions 2.8, 2.9 and 2.17 of this Permit, and auditing of the implementation of mitigation measures to ensure compliance with the recommendations of the submissions and the EIA Report (Register No. AEIAR-222/2020). The qualified Ecologist shall be a person who has at least 5 years of relevant experience. The qualification and experience of the Ecologist shall be certified by the ET Leader and verified by the IEC.

Submission of Environmental Permit (EP) Submission Schedule

- 2.4 The Permit Holder shall, no later than 1 month before the commencement of construction of the Project, submit the EP Submission Schedule for fulfilling the submission requirements as contained in this Permit and shall report the progress in fulfilling the submission requirements in the monthly Environmental Monitoring and Audit (EM&A) reports submitted under Condition 4.4 of this Permit. The Permit Holder shall inform the Director no later than 2 weeks before the scheduled submission date of the EP submission in writing in case of any subsequent change(s) to the submitted EP Submission Schedule. The EP Submission Schedule or any subsequent change(s) to the EP Submission Schedule shall be certified by the ET Leader and verified by the IEC before submitting to the Director under this Permit.

Submission of Management Organisation

- 2.5 The Permit Holder shall, no later than 1 month before the commencement of construction of the Project, inform the Director in writing the management organisation of the main construction companies and / or any form of joint ventures appointed for the Project. The information shall include at least an organisation chart, names of responsible persons and their contact details.



Submission of Construction Works Area and Programme Plan

- 2.6 The Permit Holder 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 a Construction Works Area and Programme Plan (CWAPP) of the Project. The CWAPP shall delineate in appropriate scale the construction works areas of the Project and the construction works boundaries of the parts of the Project encroaching upon the Conservation Areas. The CWAPP shall include a construction works programme of the Project to show an appropriate scheduling of the construction works to reduce environmental impacts during construction of the Project. The CWAPP shall be certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations of the EIA Report (Register No. AEIAR-222/2020).

Submission of Updated Environmental Monitoring and Audit (EM&A) Manual

- 2.7 The Permit Holder shall update the EM&A Manual to include the latest EM&A requirements in accordance with the information and recommendations described in the EIA Report (Register No. AEIAR-222/2020) and by taking into account any specific site conditions that may be changed before construction of the Project. The Permit Holder shall, no later than 2 months before the commencement of construction of the Project, submit 4 hard copies and 1 electronic copy of an updated EM&A Manual to the Director for approval. The updated EM&A Manual shall include but not limited to :
- (i) a water quality monitoring plan (WQMP) to detect water quality impacts at downstream of the watercourses directly affected by the Project during construction of the Project. The WQMP shall include details of the monitoring locations, monitoring frequency, parameters to be monitored and additional measures to be taken in the event of adverse weather conditions such as heavy rainfall during construction;
 - (ii) a monitoring plan to check the planting and establishment conditions of the planted and transplanted trees of the Project; and
 - (iii) an Event/Action Plan for water quality monitoring and tree planting monitoring.

The updated EM&A Manual shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations of the EIA Report (Register No. AEIAR-222/2020), and taking into account any specific requirements with respect to the latest site conditions of the Project. All measures recommended in the updated EM&A Manual approved under this Condition shall be fully and properly implemented in accordance with the requirements and time schedule(s) set out in the updated EM&A Manual. The EM&A Manual approved under this Condition shall hereinafter be referred to as the “updated EM&A Manual”.



Submissions of Vegetation Survey Report

- 2.8 The Permit Holder 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 a Vegetation Survey Report. The Vegetation Survey Report shall include the vegetation survey methodology, vegetation survey results and updated findings of condition(s), number and location(s) of flora species of conservation importance (e.g. *Aquilaria sinensis*) identified within the construction works areas of the Project. The Vegetation Survey Report shall confirm whether any identified individuals of the species will be directly affected by the construction works of the Project, recommend protective measures for in-situ preservation of the identified individuals of the species and, if in-situ preservation is not feasible, assess the suitability and practicality of the transplantation of those affected individuals of the species.
- 2.9 If the transplantation of the affected flora species of conservation importance is recommended in the Vegetation Survey Report, the Permit Holder shall, no later than 2 months before the commencement of the transplantation, deposit with the Director 4 hard copies and 1 electronic copy of a Transplantation Proposal. The Transplantation Proposal shall show the methodology of transplantation for each species, recipient locations, post-transplantation maintenance schedule for each species and implementation programme.
- 2.10 The Vegetation Survey Report and Transplantation Proposal shall be prepared by the qualified Ecologist, certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations of the EIA Report (Register No. AEIAR-222/2020). All measures recommended in the Transplantation Proposal shall be fully implemented.

Submissions for Land Contamination Assessment

- 2.11 The Permit Holder shall carry out detailed assessment to re-appraise land contamination of the Project site before the commencement of construction of the Project. The Permit Holder shall submit 4 hard copies and 1 electronic copy of an updated Contamination Assessment Plan (CAP) to the Director for approval. The updated CAP shall include details of analytical methodology and the chemical parameters for analysis. The Permit Holder shall conduct the site investigation in accordance with the approved updated CAP and submit 4 hard copies and 1 electronic copy of a Contamination Assessment Report (CAR) to document the findings of the site investigation (SI) to the Director for approval.
- 2.12 If land contamination is confirmed and remediation is necessary, the Permit Holder shall submit 4 hard copies and 1 electronic copy of a Remediation Action Plan (RAP) to the Director for approval. The RAP shall consider the latest international practice and proven methods and technologies for the contaminative land remediation and devise the remediation strategies most



suitable for the conditions and requirements of the Project site. The Permit Holder shall conduct the remediation in accordance with the approved RAP and submit 4 hard copies and 1 electronic copy of a Remediation Report (RR) to document the remediation work done to the Director for approval.

- 2.13 No construction of the relevant parts of the Project with SI as required in the approved updated CAP shall be commenced before the approval of the CAR. If contaminative land remediation is required, no construction of the relevant parts of the Project shall be commenced before the approval of the RR. The Permit Holder shall, no later than 6 months before the commencement of construction of the relevant parts of the Project, deposit with the Director the submission schedule of the updated CAP, CAR, RAP and RR for the Project. The updated CAP, CAR, RAP and RR shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations of the EIA Report (Register No. AEIAR-222/2020).

Submissions of Noise Mitigation Measures Plan

- 2.14 The Permit Holder shall, no later than 1 month before the commencement of construction of the Project, submit 4 hard copies and 1 electronic copy of a Traffic Noise Mitigation Measures Plan (TNMMP) to the Director for approval. The TNMMP shall review the traffic noise mitigation requirements and location and extent of the low noise road surfacing and noise barriers. If noise barriers are necessary, the TNMMP shall provide a detailed design of the noise barriers. The design of the noise barriers shall take into account the effects of aesthetic quality, compatibility with the surrounding rural environment and avoiding bird collision. The TNMMP shall include an implementation schedule in table form to clearly list out the mitigation measures to be implemented, and the implementation party, location, timing and environmental performance required for implementation of the mitigation measures. The TNMMP shall be certified by the ET Leader and verified by the IEC as conforming to the findings and recommendations of the EIA Report (Register No. AEIAR-222/2020). All mitigation measures recommended and requirements specified in the approved TNMMP and the implementation schedule shall be fully implemented.
- 2.15 The Permit Holder 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 a Construction Noise Management Plan (CNMP) to describe the arrangements to mitigate construction noise impact arising from the construction activities of the Project. The CNMP shall include the arrangements to use quiet powered mechanical equipment, quiet construction methods and temporary noise barriers, enclosures and insulation fabric to reduce the construction noise impact. The CNMP shall include an implementation schedule in table form to clearly list out the mitigation measures to be implemented, and the implementation party, location, timing and environmental performance required for implementation of the mitigation measures. The CNMP shall be certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations of the EIA Report (Register No. AEIAR-222/2020). All mitigation measures



recommended and requirements specified in the CNMP and the implementation schedule shall be fully implemented.

Submission of Waste Management Plan

- 2.16 The Permit Holder 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 a Waste Management Plan (WMP) to describe the arrangements for avoidance, minimization, reuse, recovery and recycling, storage, collection, treatment and disposal of different categories of waste to be generated from the construction activities. The WMP shall include measures and arrangements to maximise the reuse of construction and demolition (C&D) materials generated from the Project in-situ. The WMP shall include an implementation schedule in table form to clearly list out the mitigation measures to be implemented, and the implementation party, location, timing and environmental performance required for implementation of the mitigation measures. The WMP shall be certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations of the EIA Report (Register No. AEIAR-222/2020). All mitigation measures recommended and requirements specified in the WMP and the implementation schedule shall be fully implemented.

Submission of Landscape and Visual Mitigation Plan

- 2.17 The Permit Holder shall, no later than 1 month before the commencement of construction of the Project or otherwise approved by the Director, deposit with the Director 4 hard copies and 1 electronic copy of a Landscape and Visual Mitigation Plan (LVMP). The LVMP shall include the tree preservation, transplantation and compensation proposal. The LVMP shall include design details, locations, implementation programme, maintenance and management schedules, and drawings in the scale of 1:1,000 or other appropriate scale, as agreed with the Director, of the landscape and visual mitigation measures. The LVMP shall include an implementation schedule in table form to clearly list out the mitigation measures to be implemented, and the implementation party, location, timing and environmental performance required for implementation of the mitigation measures. The LVMP shall be certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations of the EIA Report (Register No. AEIAR-222/2020). All mitigation measures recommended and requirements specified in the LVMP and the implementation schedule shall be fully implemented and maintained during construction and operation phases of the Project.

3. Measures during Construction of the Project

Measures to Mitigate Ecological Impacts

- 3.1 No works of the Project shall be carried out outside the construction works areas of the Project as delineated in the CWAPP deposited under Condition 2.6.



- 3.2 Construction works for the watercourses affected by the Project shall only be carried out during dry season from November to March of the next year, unless otherwise agreed by the Director.
- 3.3 Pre-cast concrete units shall be used for extension of the existing box culverts of the watercourses and no in-situ concrete batching shall be used for the construction works of box culverts, unless otherwise agreed by the Director.

4. Environmental Monitoring and Audit (EM&A) Requirements

- 4.1 The Permit Holder shall implement the EM&A programme in accordance with the procedures and requirements as set out in the updated EM&A Manual under Condition 2.7 of this Permit. Any changes to the EM&A requirements or programme or termination of the programme shall be justified by the ET Leader and verified by the IEC as conforming to the information and requirements contained in the updated EM&A Manual before submission to the Director for approval.
- 4.2 The Permit Holder shall take samples, measurements and necessary remedial actions in accordance with the requirements of the updated EM&A Manual by:
- (i) conducting baseline environmental monitoring;
 - (ii) conducting impact monitoring;
 - (iii) carrying out remedial actions described in the Event/Action Plans of the updated EM&A Manual in accordance with the time frame set out in the Event/Action Plans, or as agreed by the Director, in case where specified criteria in the updated EM&A Manual are exceeded; and
 - (iv) logging and keeping records of the details of (i) to (iii) above for all parameters within 3 working days of the 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 the information for inspection on site.
- 4.3 The Permit Holder shall submit 1 hard copy and 1 electronic copy of Baseline Monitoring Report(s) to the Director at least 2 weeks before the commencement of construction of the Project. The submission(s) shall be certified by the ET Leader and verified by the IEC as having complied with the requirements as set out in the updated EM&A Manual before submission to the Director. Additional copies of the Baseline Monitoring Report(s) shall be provided upon request by the Director.
- 4.4 The Permit Holder shall submit 1 hard copy and 1 electronic copy of Monthly EM&A Reports to the Director, within 10 working days after the end of the reporting month. The monthly EM&A Reports shall include an executive summary of all environmental audit results, together with actions taken in the event of non-compliance (exceedances) of the environmental quality



performance limits (Action and Limit Levels), complaints received and emergency events relating to violation of environmental legislation. The submissions shall be certified by the ET Leader and verified by the IEC as having complied with the requirements as set out in the updated EM&A Manual before submission to the Director. Additional copies of the Monthly EM&A Reports shall be provided upon request by the Director.

- 4.5 All environmental monitoring and audit data submitted under this Permit shall be true, valid and correct.
- 4.6 To ensure a high degree of transparency regarding the monitoring data and results in view of the public concern about the Project, all environmental monitoring and audit data and results and all submissions and all performance test data and results required by this Permit shall be made available by the Permit Holder to the public through a dedicated website to be set up by the Permit Holder under Condition 5.2 below, in the shortest practicable time and in no event later than 10 working days after such information is available.

5. Electronic Reporting of EM&A Information

- 5.1 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 hard copies as described in Conditions 4.3 and 4.4 above. 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, JPEG or PDF format unless otherwise agreed by the Director. The content of the electronic copies of these Reports must be the same as the hard copies.
- 5.2 The Permit Holder shall, within 4 weeks after the commencement of construction of the Project, set up a dedicated Internet website and notify the Director in writing the Internet address where the environmental monitoring data and project information is to be placed. All environmental monitoring data described in Condition 5.1 above shall be made available to the public via the abovementioned dedicated Internet website in the shortest possible time and in any event no later than 2 weeks after the relevant environmental monitoring data are collected or become available, unless otherwise agreed with the Director. All finalized submissions and plans shall be made available to the public via the dedicated Internet website in the shortest possible time and in any event no later than 2 weeks after the submissions and plans are approved by or deposited with the Director, 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 2 months after the last EM&A report is uploaded, or otherwise as agreed by the Director.

- 5.3 The Internet website as described in Condition 5.2 above shall enable user-friendly public access to the environmental monitoring data and project information including the Project Profile, EIA Report and Environmental Permit(s). The Internet website shall have features capable of:
- (i) providing access to all environmental monitoring data of this Project collected since the commencement of construction;
 - (ii) searching by date;
 - (iii) searching by types of monitoring data; and
 - (iv) hyperlinking to relevant monitoring data after searching
- or otherwise as agreed by the Director.

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 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環境許可證的條件。許可證持有人須以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 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，署長可在取得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 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.
如果本許可證在工程項目建造或營辦期間取消或交回，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或營辦環評條例附表 2 第 1 部所列明的指定工程項目，即屬犯罪。
7. Any person who constructs or operates the Project contrary to the conditions in this 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.

如任何人在違反本許可證的條件下建造或營辦工程項目，根據環評條例，即屬犯罪—

- (i) 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) 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) 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) 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；以及
- (v) 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-576/2020

環境許可證編號 EP-576/2020



設置2米寬的行人路
Provision of 2.0m Wide Footpath

擬建7.3米寬的行車路
Proposed Carriageway Widening to 7.3m

Kam Tin Road
錦田公路

Remaining Sections of Kam Tin Road
and Lam Kam Road
錦田公路及林錦公路餘段

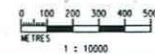
擬建10.3米寬的行車路
Proposed Carriageway Widening to 10.3m



Legend 圖例



Conservation Area
自然保育區



Project Title : Upgrading of Remaining Sections of Kam Tin Road and Lam Kam Road
工程項目名稱：錦田公路及林錦公路餘段改善工程

Environmental Permit No. : EP-576/2020
環境許可證編號 : EP-576/2020

Figure 1: Location of the Project
圖 1: 工程項目位置圖

(This figure was prepared based on Figure 1.1 of EIA Report (Register No.: AEIAR-222/2020))
(本圖是根據環境影響評估報告(登記冊編號 AEIAR-222/2020)圖 1.1 編制)

