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Environmental Protection Department

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環境保護署分處

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5 January 2017

Antiquities and Monuments Office
Leisure and Cultural Services Department

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

Project Title: Restoration to Yan Tun Kong Study Hall at Ping Shan,
Yuen Long, New Territories
(Application No. VEP-515/2016)

I refer to your above application received on 9 December 2016 for variation of an environmental permit under Section 13(1) of the EIA Ordinance.

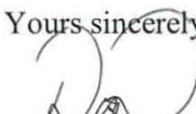
Pursuant to Section 13(5) of the EIA Ordinance, we have amended the Environmental Permit (EP-420/2011/A). I attach the Environmental Permit as amended (No. EP-420/2011/B) for your use.

Under Section 15 of the EIA Ordinance, the amended 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. Stanley LAU at 2835 1113.

Yours sincerely,



(C. F. WONG)

Principal Environmental Protection Officer
for Director of Environmental Protection

Encl.

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
Sections 10 & 13
環境影響評估條例
(第 499 章)
第 10 及 13 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 (the Ordinance), the Director of Environmental Protection (the Director) granted the environmental permit (No. EP-420/2011) to the **Antiquities and Monuments Office, Leisure and Cultural Services Department** (hereinafter referred as the "Permit Holder") on 14 September 2011. Pursuant to Section 13 of the EIAO, the Director amends the Environmental Permit No. EP-420/2011/A based on the Application No. VEP-515/2016. The amendments, described below, are incorporated into this Environmental Permit (No. EP-420/2011/B). This Environmental Permit as amended is for construction of the designated project described in Part B of this Permit subject to the conditions specified in or attached to Part C of this Permit. 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(本條例)第 10 條的規定，環境保護署署長(署長)於 2011 年 9 月 14 日將環境許可證(編號 EP-420/2011)批予康樂及文化事務署古物古蹟辦事處(許可證持有人)。根據條例第 13 條的規定，署長因應更改環境許可證的申請編號 VEP-515/2016 修訂環境許可證編號 EP-420/2011/A。以下修訂已包含在本環境許可證編號 EP-420/2011/B 內。本經修訂的環境許可證，只適用於建造本許可證 B 部所說明的指定工程項目，並須遵守 C 部所說明或附載的條件。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 | VEP - 515/2016 |
| Document in the Register 登記冊上的文件 | <p>(1) Project Profile – “Restoration to Yan Tun Kong Study Hall at Ping Shan, Yuen Long, New Territories” (Register No. : PP-422/2010) 工程項目簡介 - “ 新界元朗屏山仁敦岡書室修復工程 ” (登記冊編號 : PP-422/2010)</p> <p>(2) The Director’s letter of permission to apply directly for environmental permit dated 12 October 2010 (Ref. : (14) in EP2/N6/Q/138) 署長於 2010 年 10 月 12 日簽發的批准直接申請環境許可證的信件 (檔案編號 : (14) in EP2/N6/Q/138)</p> <p>(3) Application for Environmental Permit submitted on 18 August 2011 (Application No. : AEP-420/2011) 於 2011 年 8 月 18 日提交的环境許可證申請 (申請書編號 : AEP-420/2011)</p> <p>(4) Bat Survey Report submitted on 9 August 2011 於 2011 年 8 月 9 日提交的蝙蝠調查報告書</p> <p>(5) Environmental Permit (No. EP-420/2011) issued on 14 September 2011 於 2011 年 9 月 14 日簽發的環境許可證(編號 : EP-420/2011)</p> |

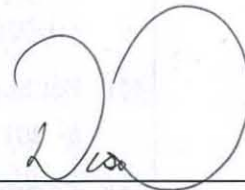


| | |
|--|--|
| | <p>(6) Application for Variation of an Environmental Permit including attachment submitted by the Permit Holder on 5 April 2013 (Application No. VEP- 400/2013)</p> <p>許可證持有人於 2013 年 4 月 5 日提交的更改環境許可證申請文件 (申請書編號: VEP-400 /2013)和附件</p> <p>(7) Environmental Permit (No. EP-420/2011/A) issued on 22 April 2013</p> <p>於 2013 年 4 月 22 日簽發的環境許可證 (編號: EP-420/2011/A)</p> <p>(8) Application for Variation of an Environmental Permit including attachment submitted by the Permit Holder on 9 December 2016 (Application No. VEP- 515/2016)</p> <p>許可證持有人於 2016 年 12 月 9 日提交的更改環境許可證申請文件 (申請書編號: VEP-515 /2016)和附件</p> |
|--|--|

| Application No. 申請書編號 | Date of Application 申請日期 | List of Amendments Incorporated into Environmental Permit 已包含在本環境許可證內的修訂項目 | Date of Amendment 修訂日期 |
|--------------------------|------------------------------------|---|----------------------------------|
| VEP-400/2013 | 5 April 2013 2013 年 4 月 5 日 | <p>(i) Vary condition 2.1 in <u>Part C</u> of Environmental Permit No. EP-420/2011</p> <p>更改環境許可證編號 EP-420/2011 的 <u>C</u> 部的第 2.1 項條件</p> <p>(ii) Add in Figure 2</p> <p>新增圖 2</p> | 22 April 2013 2013 年 4 月 22 日 |
| VEP-515/2016 | 9 December 2016 2016 年 12 月 9 日 | <p>Vary condition 2.1 in <u>Part C</u> of Environmental Permit No. EP-420/2011/A</p> <p>更改環境許可證編號 EP-420/2011/A 的 <u>C</u> 部的第 2.1 項條件</p> | 5 January 2017 2017 年 1 月 5 日 |

5 January 2017
2017 年 1 月 5 日

Date
日期



(WONG Chuen-fai)

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

環境保護署署長

(首席環境保護主任(策略評估)黃傳輝代行)



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:

| | |
|--|--|
| <p>Title of Designated Project 指定工程項目的名稱</p> | <p>Restoration to Yan Tun Kong Study Hall at Ping Shan, Yuen Long, New Territories 新界元朗屏山仁敦岡書室修復工程</p> <p>[This designated project is hereinafter referred to as “the Project”] [這指定工程項目下稱 “工程項目”]</p> |
| <p>Nature of Designated Project 指定工程項目的性質</p> | <p>Restoration works in a declared monument 於法定古蹟進行修復工程</p> |
| <p>Location of Designated Project 指定工程項目的地點</p> | <p>Ping Shan, Yuen Long 元朗屏山</p> <p>Location of the Project is shown in <u>Figure 1</u> of this Permit. 工程項目的位置載於本許可證圖 1。</p> |
| <p>Scale and Scope of Designated Project(s) 指定工程項目的規模和範圍</p> | <p>The scope of project works include — 工程範圍包括 —</p> <p>(i) demolish later-added reinforced concrete structures, false ceiling panels, concrete and cement based screed floor at the Study Hall and restore the floor to its original design and materials in the existing layout; 拆卸書室內後加的鞏固石屎結構、假天花、石屎及水泥鋪地，以及復修地面於原有佈局的設計及物料；</p> <p>(ii) repair, replace and reconstruct the timber roof structure including purlins, battens, rafters, truss beams and other timber support, etc., restore and reconstruct the traditional Chinese tiled roofs. Repair and restore the existing plasterwork to the main ridges and gable walls and other artwork; 維修、更換及重建木屋頂部結構，包括桁樑、椽條、桁樑架結構及其他木材支架等，重修和重建傳統的中式瓦面屋頂。維修及修復屋脊及山牆的灰塑，以及其他繪製裝飾；</p> |



- (iii) repair, replace and reconstruct the damaged carpentry work and other timber decorations such as staircases with handrails and balustrades, cocklofts, windows, doors, altar, couplets and wood carvings, etc. to match the existing;

按原樣維修、更換及重建已殘損的木作及裝飾，如樓梯扶手及欄河、閣樓、窗、門、神龕、對聯及木雕等；

- (iv) repair and restore all masonry works including removal of modern paint on walls and columns and other masonry surfaces and repair and re-point the external and internal brick walls “dentist” replacement;

維修及修復磚石構件，包括清除石牆、石柱及其他磚石構件上的現代油漆，以及維修內外磚牆及勾縫；

- (v) restore and replace floor paving throughout the Study Hall, including canton tiles, lime-sand screed, red sandstone and granite slabs etc.;

修復及更換書室內的鋪地，包括廣東大階磚，灰沙鋪地、紅砂岩及花崗石等等；

- (vi) restore the original window and door openings and traditional arched doorway with decorative plasterworks throughout the Study Hall;

修復書室內所有窗門開口及飾有灰塑花飾的傳統拱門；

- (vii) clear and improve drainage works and upgrade electrical system;

清理及改善排水，並提升電力系統；

- (viii) repair, restore and repaint the plaster works, mural paintings, friezes and other decorative artworks; and

維修、修復及修飾灰塑、壁畫、沿牆的飾帶，以及其他繪製裝飾；及

- (ix) repair and restore roofs and balconies with application of appropriate waterproofing systems.

維修及修復屋頂及陽台，以及加設合適的防水措施。



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 (Cap. 499) and may become the subject of appropriate action being taken under the Ordinance.

許可證持有人必須遵守本許可證的全部條件。任何人士如有不遵守本許可證的情況，則可能構成違反環境影響評估條例(第 499 章)的規定，而當局可根據條例採取適當行動。

- 1.2 The Permit Holder shall ensure full compliance with all legislation from time to time in force including without limitation to the Noise Control Ordinance (Cap. 400), Air Pollution Control Ordinance (Cap. 311), Water Pollution Control Ordinance (Cap. 358) 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.

許可證持有人須經常確保完全遵守現行法例，包括但不限於噪音管制條例(第 400 章)；空氣污染管制條例(第 311 章)；水污染管制條例(第 358 章)；及廢物處置條例(第 354 章)。根據任何法例掀起的法律程序，本許可證本身不能作為任何抗辯理據或視為某法例所默許。

- 1.3 The Permit Holder shall make copies of this Permit together with all documents referred to in this Permit or 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.

許可證持有人須複印本許可證及本許可證所述的所有文件，或本許可證 A 部所述的文件，以供署長或其授權人士在本許可證所涵蓋的所有工地/辦事處隨時查閱。凡提及本許可證，即包括本許可證所述的所有文件和登記冊內的相關文件。

- 1.4 The Permit Holder shall give a copy of this Permit to the person(s) in charge of the site(s) and ensure that such person(s) fully understands all conditions and all requirements incorporated by the Permit. The site(s) refers to site(s) of construction of the Project and shall mean the same hereafter.

許可證持有人須把本許可證的一份副本交予相關工地的負責人，並確保這些人士完全明白本許可證內載的所有條件與規定。工地是指本工程項目的建造工地，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 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).



許可證持有人須在有關建造工地的所有車輛進出入口或一處方便地點，顯眼地展示本許可證的副本，以供公眾在任何時間內閱覽。許可證持有人須確保有關本許可證的最新資料，包括經修訂的許可證，在這些地點展示。如果許可證持有人交回許可證的部分或全部，其送交署長的通知書，亦須在展示原有許可證的同一地點展列。遭暫時吊銷、更改或取消的許可證必須從工地除下移走，不再展示。

- 1.6 The Permit Holder shall construct the Project in accordance with the project descriptions 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-422/2010) in the Register, and the information and mitigation measures described in the approved Bat Survey Report and 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的設計及建造，符合登記冊內本工程項目簡介(登記冊編號：PP-422/2010) 所說明的資料及建議；以及經批核的蝙蝠調查報告和本許可證所述資料及緩解措施。即使登記冊文件所述的建議沒有在本許可證內明確引述，這些建議仍須實施，除非在本許可證內明確地表示豁除或默示已修訂。

- 1.8 The Permit Holder shall notify the Director in writing the commencement date of construction of the Project no later than 2 weeks prior to commencement of construction of the Project. The Permit Holder shall notify the Director in writing immediately if there is a change of the commencement date of the construction.

許可證持有人須在工程項目施工前至少兩個星期，以書面通知署長施工開始的日期。如開始施工的日期有任何更改，許可證持有人必須立即以書面通知署長。

- 1.9 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.

因應本許可證的目的，「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 Restoration works for the rear annex of the Study Hall shall be carried out in the dry season. Restoration works for the rear annex shall commence only after it is confirmed that no bat is using the rear annex by the post-exclusion bat survey in accordance with the Bat Survey Report, approved under condition 2 of the Permission to Apply Directly for Environmental Permit (DIR) (No: DIR-207/2010). A letter confirming the absence of bats shall be deposited to the Director prior to the commencement of any construction works in the rear annex. To minimize the glaring impact on bats, no lighting shall face directly towards the bat boxes installed in the Study Hall when undertaking restoration works. Bat boxes shall be provided at locations as indicated in Figure 2 during construction of the Project.



書室後樓的修復工程只可在旱季期間進行。後樓的修復工程，須依據准許直接申請環境許可證 (No: DIR-207/2010) 的條件 2 下批核的蝙蝠報告，進行後期蝙蝠調查，在確保沒有蝙蝠使用書室的後樓，才可展開。並須在後樓施工前，以書面通知署長確證沒有蝙蝠。為減輕眩光對蝙蝠的影響，在修復工程施行期間，照明設備不可直射設置在書室的蝙蝠箱。在工程建造期間，須按照圖 2 所指示的位置提供蝙蝠箱。

- 2.2 Only hand-held powered tools and hand-held manual tools shall be used for carrying out the restoration works for the Study Hall.

施行書室的修復工程，只可使用可攜式的電動及手動工具。

- 2.3 The permit holder shall conduct bat survey throughout the construction phase as recommended in the approved Bat Survey Report. Within 2 months after completion of construction, the permit holder shall submit a Bat Survey Monitoring Report as per the requirements in section 7.3 of the Bat Survey Report.

許可證持有人須根據已獲審批的蝙蝠調查報告的建議，在施工期間進行蝙蝠調查。完成建造工程後的兩個月內，許可證持有人須根據蝙蝠調查報告的 7.3 條提交蝙蝠監察報告。

- 2.4 The Permit Holder shall employ an independent environmental checker to audit the implementation of all mitigation measures, the carrying out of the monitoring programme, and the submissions under Condition 2.1 and 2.3, as recommended in the Project Profile (Register No. PP-422/2010) and the approved Bat Survey Report.

許可證持有人須聘用一名獨立環境查核人，以審核工程項目簡介(登記冊編號：PP-422/2010) 及經批核的蝙蝠調查報告所建議的所有緩解措施，審核監察計劃的執行，及審核提交條件 2.1 及 2.3 所建議的文件。

Notes :

註

1. This Permit consists of three parts, namely, Part A (Main Permit), Part B (Description of Designated Project) and Part C (Permit Conditions). Any person relying on this Permit should obtain independent legal advice on the legal implications under the Ordinance, 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，署長或獲授權人員可在環境局局長的同意下勒令停止相關工程，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 Ordinance to the Director for a variation of the conditions of this Permit. The Permit Holder shall replace the original permit displayed on the construction site by the amended permit.

許可證持有人可根據本條例第 13 條的規定向署長申請更改本許可證的條件。許可證持有人須以經修訂的許可證替換在工程項目的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 may, before he assumes responsibility of the designated project, apply under Section 12 of the Ordinance 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，可根據該條例第 12 條的規定向署長申請新的環境許可證。

5. Under Section 14 of the Ordinance, 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 construction site.

根據本條例第 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、更改或取消的環境許可證必須從工程項目的工地除下，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 Ordinance before construction or operation of the Project could be continued. It is an offence under Section 26(1) of the Ordinance to construct or operate a designated project listed in Part I of Schedule 2 of the Ordinance without a valid environmental permit.

如本許可證在工程項目建造期間被取消或交回，則必須在繼續建造或營辦工程項目之前，根據本條例規定取得另一份環境許可證。根據本條例第 26(1)條的規定，任何人在沒有有效環境許可證的情況下，建造或營辦本條例附表 2 所列明的指定工程項目，即屬違法。

7. Any person who constructs the Project contrary to the conditions in the Permit, and is convicted of an offence under the Ordinance, is liable —

如任何人在違反本許可證的條件下建造工程項目，根據該條例，即屬違法 —

- (i) on a first conviction on indictment to a fine of \$2 million and to imprisonment for 6 months;

—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;

—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;

—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；以及

(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，則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 Ordinance 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 EIA Ordinance 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-420/2011/B

環境許可證編號 EP-420/2011/B





Project Title - Restoration to Yan Tun Kong Study Hall at Ping Shan, Yuen Long, New Territories

工程名稱 - 新界元朗屏山仁敦閣書室修復工程

Environmental Permit No. : EP-420/2011/B

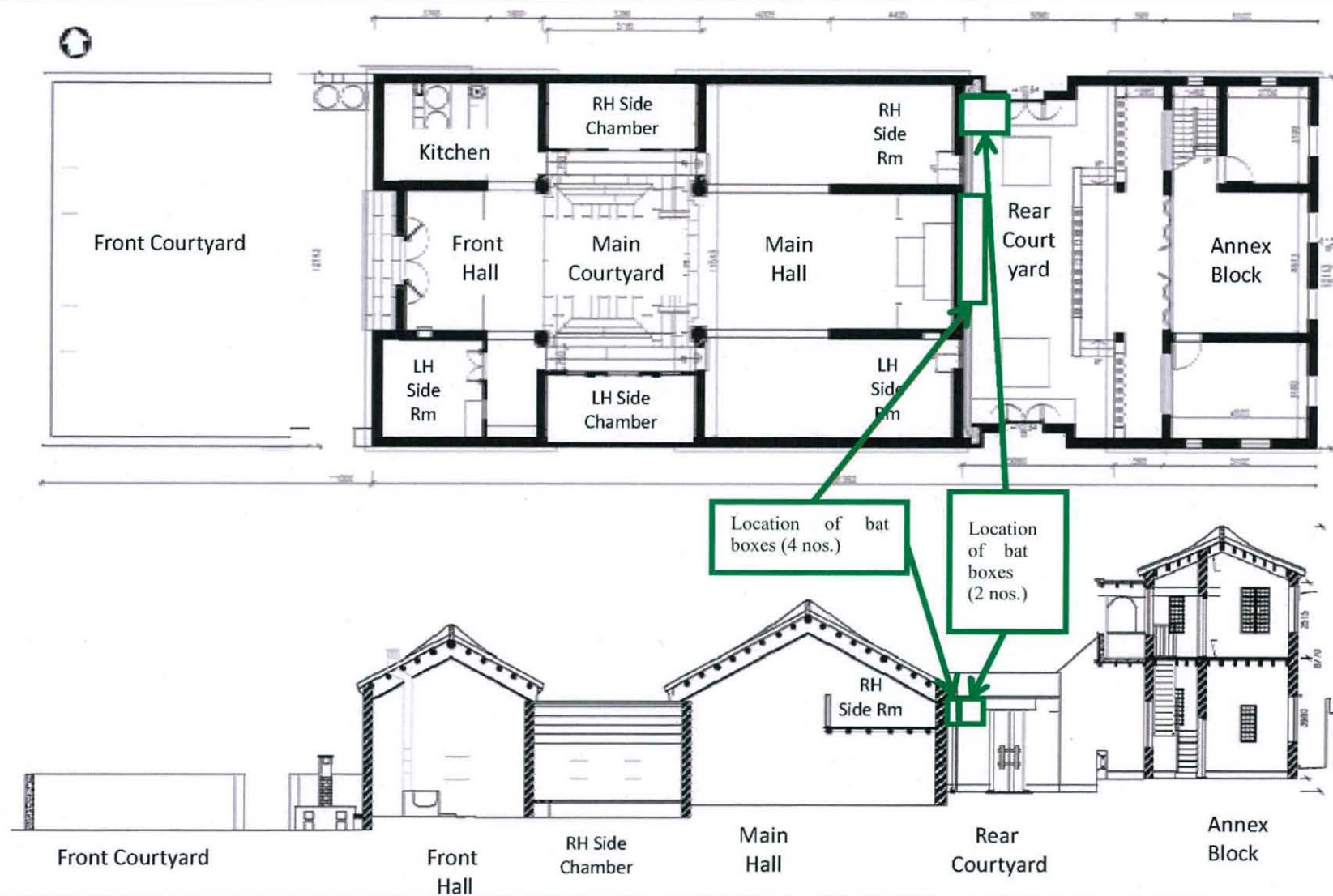
環境許可證編號

Figure 1 – Location Plan

圖 1 - 位置圖



Handwritten signature or initials.



Project Title - Restoration to Yan Tun Kong Study Hall at Ping Shan, Yuen Long, New Territories

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環境許可證編號

Figure 2 – Proposed Locations of Bat Boxes

圖 2 - 蝙蝠箱的建議位置

