

本署檔號
OUR REF: () in EP2/N7/S3/57 Pt.5
來函檔號
YOUR REF:
電話
TEL. NO.:
圖文傳真
FAX NO.: 2835 1868
電子郵件
E-MAIL: 2591 0558
網址
HOMEPAGE: <http://www.epd.gov.hk>

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

27 January 2017

Civil Engineering and Development Department

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

Project Title: NENT - Fanling Bypass Western Section
(Application No. VEP-525/2016)

I refer to your above application received on 29 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-472/2013). I attach the Environmental Permit as amended (No. EP-472/2013/A) 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 concerning the above, please contact my colleague Mr. Steve Li at 2835 1142.

Yours sincerely,

(WONG Chuen Fai)

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 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) granted the Environmental Permit (No: EP-472/2013) to the **Civil Engineering and Development Department** (hereinafter referred to as the "Permit Holder") on 21 November 2013. Pursuant to Section 13 of the EIAO, the Director amends the Environmental Permit (No. EP-472/2013) based on the Application for Variation of Environmental Permit (No. VEP-525/2016), and the amendments, as described below, are incorporated into this Environmental Permit (EP-472/2013/A). This Environmental Permit as amended is for the construction and operation of the designated project described in **Part B of this Permit** subject to the conditions specified in **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》(環評條例)第 10 條的規定，環境保護署署長(署長)於 2013 年 11 月 21 日將編號:EP-472/2013 的環境許可證批予 **土木工程拓展署** (下稱“許可證持有人”)。根據環評條例第 13 條的規定，署長因應編號: VEP-525/2016 的更改環境許可證申請修訂了編號: EP-472/2013 的環境許可證。有關修訂已包含在本環境許可證內(編號: EP-472/2013/A)，以作為建造及營辦本許可證 **B 部** 所說明的指定工程項目，但須遵守本許可證 **C 部** 所列明的條件。本環境許可證是依據下列文件、批准或許可而簽發：

Application No. 申請書編號	VEP-525/2016
Document in the Register: 登記冊上的文件：	<p>(1) North East New Territories New Development Areas (Register No.: AEIAR-175/2013)</p> <ul style="list-style-type: none">- Environmental Impact Assessment Report (April 2013) [hereinafter referred to as the "EIA Report"]- Environmental Monitoring and Audit Manual (April 2013) [hereinafter referred to as the "EM&A Manual"] <p>新界東北新發展區 (記冊編號：AEIAR-175/2013)</p> <ul style="list-style-type: none">- 環境影響評估報告 (2013 年 4 月) [下稱“環評報告”]- 環境監察及審核手冊 (2013 年 4 月) [下稱“環監手冊”] <p>(2) The Director's letter of approval of the EIA Report dated 18 October 2013 (Reference: (45) in EP2/N7/S3/57 Pt.3)</p> <p>署長於 2013 年 10 月 18 日發出批准環評報告的信件 (檔案編號: (45) in EP2/N7/S3/57 Pt.3)</p>



	<p>(3) Application for Environmental Permit submitted by the Permit Holder on 23 October 2013 (Application No.: AEP-472/2013)</p> <p>許可證持有人於 2013 年 10 月 23 日提交的环境許可證申請書(申請書編號: AEP-472/2013)</p> <p>(4) Environmental Permit issued on 21 November 2013 (Permit No.: EP-472/2013) (Reference: (57) in EP2/N7/S3/57 Pt.3)</p> <p>於 2013 年 11 月 21 日發出的環境許可證 (許可證編號: EP-472/2013) (檔案編號: (57) in EP2/N7/S3/57 Pt.3)</p> <p>(5) Application for Variation of Environmental Permit No. VEP-525/2016 including all attachments submitted by the Permit Holder on 29 December 2016.</p> <p>許可證持有人於 2016 年 12 月 29 日提交的更改環境許可證申請書夾附的文件 (申請書編號: VEP-525/2016)</p>
--	--

Application No. 申請書編號	Date of Application 申請日期	List of Amendments Incorporated into this 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-525/2016	29 December 2016 2016 年 12 月 29 日	<ol style="list-style-type: none"> 1. Vary <u>Figure 1</u> of Environmental Permit No. EP-472/2013. 更改環境許可證編號 EP-472/2013 的圖 1。 2. Delete <u>Figure 3</u> of Environmental Permit No. EP-472/2013. 在環境許可證編號 EP-472/2013 刪除圖 3。 3. Vary Condition 2.10 in <u>Part C</u> of Environmental Permit No. EP-472/2013 and renumber it to Condition 2.6 in <u>Part C</u> of the Environmental Permit 	27 January 2017 2017 年 1 月 27 日



		<p>No. EP-472/2013/A. 更改環境許可證編號 EP-472/2013 C 部的條 件 2.10 項及重新編號為 環境許可證編號 EP-472/2013/A C 部的第 2.6 項條件。</p> <p>4. Renumber Conditions 2.6 to 2.9 in <u>Part C</u> of the Environmental Permit No. EP-472/2013 to Conditions 2.7 to 2.10 in <u>Part C</u> of the Environmental Permit No. EP-472/2013/A. 把環境許可證編號 EP-472/2013 C 部的條 件 2.6 至 2.9 項重新編號 為環境許可證編號 EP-472/2013/A C 部的第 2.7 至 2.10 項條件。</p>	
--	--	---	--

27 January 2017
2017 年 1 月 27 日

Date
日期



(WONG Chuen Fai)

Principal Environmental Protection Officer
for Director of Environmental Protection

環境保護署署長

(首席環境保護主任黃傳輝代行)



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>Fanling Bypass Western Section [Hereinafter referred to as "the Project"]</p> <p>粉嶺繞道西段 [本指定工程項目下稱"工程項目"]</p>
<p>Nature of Designated Project 指定工程項目的性質</p>	<p>A major improvement to an existing expressway and trunk roads</p> <p>對現有快速公路及幹道作重大改善工程</p>
<p>Location of Designated Project 指定工程項目的地點</p>	<p>Fanling North New Development Area The location of the Project is shown in <u>Figure 1</u> attached to this Permit.</p> <p>粉嶺北新發展區 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 指定工程項目的規模和範圍</p>	<p>Construction of new district distributor inside FLN NDA, which provides a linkage between the Man Kam To Road and the proposed Fanling Bypass Eastern Section</p> <p>於粉嶺北新發展區內興建新的地區幹路，連接文錦渡路和擬建的粉嶺繞道東段</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》（環評條例）（第 499 章）的規定，而當局可根據環評條例採取適當行動。

- 1.2 The Permit Holder shall ensure full compliance with all legislation from time to time in force including, without limitation to, the Air Pollution Control Ordinance (Cap. 311), Waste Disposal Ordinance (Cap. 354), Water Pollution Control Ordinance (Cap. 358), Noise Control Ordinance (Cap. 400) and Dumping at Sea Ordinance (Cap. 466). 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）、《噪音管制條例》（第 400 章）及《海上傾倒物料條例》（第 466 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 authorized 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 construction and operation 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。工地是指建造及營辦工程項目的工地，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 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 and operate 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 部的說明，建造及營辦本工程項目。

- 1.7 The Permit Holder shall ensure that the Project is designed, constructed and operated in accordance with the information and all recommendations described in the approved EIA Report (Register No. AEIAR-175/2013) as described in Part A of this Permit; the Director's letter of approval of the EIA Report dated 18 October 2013 referenced (45) in EP2/N7/S3/57 Pt.3; 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, mitigation measures to be recommended under ongoing surveillance and monitoring activities during all stages of the Project and other relevant documents in the Register. 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.

許可證持有人須確保工程項目的設計、建造及營辦按照下述資料及措施辦理：本許可證 A 部提及的核准環評報告（登記冊編號：AEIAR-175/2013）所說明的資料及各項建議；署長於 2013 年 10 月 18 日發出該環評報告的批准信，檔案編號 (45) in EP2/N7/S3/57 Pt.3；本許可證所說明的資料及緩解措施；根據本許可證內載的條件須向署長存放或獲署長批准的提交文件所建議的緩解措施；在工程項目各階段進行的持續監察及監測工作所建議的緩解措施，以及登記冊內的其他相關文件。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。

- 1.8 All deposited submissions, as required under this Permit, shall be rectified and resubmitted in accordance with the comments, if any, made by the Director within



one month of the receipt of the Director's comments or otherwise as specified by the Director.

所有按本許可證規定提交的存放文件，須在接獲署長的意見（如有者）後 1 個月內（除非署長另行指定），根據署長的意見加以修正及重新提交。

- 1.9 All submissions approved by the Director, all submissions deposited without comments by the Director, or all submissions rectified in accordance with comments by the Director under this Permit shall be construed as part of the permit conditions described in Part C of this Permit. Any variation of the submissions shall be approved by the Director in writing or as prescribed in the relevant permit conditions. Any non-compliance with the submissions may constitute a contravention of the Environmental Impact Assessment Ordinance (Cap. 499). 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 2.1 and 2.2 below, before submitting to the Director under the Permit.

署長批准的所有提交文件、署長沒有給予意見的所有存放文件或根據本許可證規定由署長給予意見修正的所有提交文件，均須詮釋為本許可證 C 部 說明的許可證條件的一部分。提交文件如有任何修訂，均須獲署長的書面批准，或符合有關許可證條件訂明的規定。如有不符合提交文件的情況，則可能違反《環境影響評估條例》（第 499 章）的規定。所有提交文件或提交文件的任何修訂本，均須由下文條件第 2.1 及 2.2 項所述的環境小組組長核證及獨立環境查核人核實，然後才按本許可證規定向署長提交。

- 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.

許可證持有人須把所有按本許可證規定提交的文件定稿公開給公眾人士知道，方法是把有關文件複本存放於環境影響評估條例登記冊辦事處，或署長指定的任何其他地方，或署長指定的任何互聯網網站，或採取署長指定的任何方法，以供公眾查閱。因此，許可證持有人須提供足夠數量的提交文件複本。

- 1.11 All submissions to the Director required under this Permit shall be delivered either in person or by registered mail to the 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/or in Portable Document Format (PDF version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies.

本許可證規定向署長提交的所有文件，須親身送交或以掛號方式郵寄至環境影響評估條例登記冊辦事處（現址為：香港灣仔軒尼詩道 130 號修頓中心 27 樓）。所有按本許可證規定提交的文件定稿的電子版本，均須以超文本標示語言（HTML）（第 4.0 或較後版本）及/或便攜式文件格式（PDF）（第 1.3 或較後版本）製作，除非另獲署長同意，並須與硬複本同時提交。



- 1.12 The Permit Holder shall notify the Director in writing the commencement date of construction of the Project no later than 8 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 8 個星期以書面方式通知署長工程項目建造工程的施工日期。建造工程的施工日期如有任何更改，許可證持有人須立即以書面方式通知署長。

- 1.13 For the purpose of this Permit, “commencement of construction” does not include works related to site clearance and preparation, or other works as agreed by the Director.

就本許可證而言，「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

Submissions or Measures to be implemented before Construction of the Project

在工程項目施工前須提交的文件或採取的措施

Employment of Environmental Monitoring and Audit (EM&A) Personnel

聘用環境監察及審核（環監）人員

- 2.1 An Environmental Team (ET) shall be established by the Permit Holder no later than 6 weeks 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 updated EM&A Manual submitted and approved under Condition 2.3 of this Permit. 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-175/2013) 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-175/2013) 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 updated 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 the Permit liable to suspension, cancellation or variation.

在工程項目的建造工程展開前，許可證持有人須至少提早 6 個星期成立一個環境小組。環境小組不得與工程項目的承辦商或獨立環境查核人有任何聯繫。環境小組須由一名環境小組組長帶領。環境小組組長須在環境監察及審核（環監）或環境管理方面至少有 7 年經驗。環境小組及環境小組組長須按經更新環監手冊內載的環監規定，執行環監計劃，而該環監手冊須按本許可證條件第 2.3 項提交及獲准。環境小組組長須保存一本記錄冊，同時記載可能會影響環評報告（登記冊編號：AEIAR-175/2013）的建議及本許可證的符合情況的每宗事件、每種情況或每次情況變化。環境小組組長須在發生任何類似事件、情況或情況變化後 1 個工作天內通知獨立環境查核人。存放這本環境小組組長的記錄冊的地方，須可供協助督導執行環評報告（登記冊編號：AEIAR-175/2013）的建議及本許可證的所有人士、署長或獲授權人員隨時查閱。環境小組組長如未能在記錄冊保存記錄、未能執行經更新環監手冊所列明的環境小組組長職務，或未能符合本條件的規定，署長有權以書面要求許可證持有人撤換環境小組組長。許可證持有人如未能安排人選替補，或在聘用新環境小組組長後仍未能在記錄冊保存同期的記錄，或會導致許可證遭暫時吊銷、取消或更改。

- 2.2 An IEC shall be employed by the Permit Holder no later than 6 weeks 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 updated EM&A Manual submitted and approved under Condition 2.3 of this Permit, and shall audit the overall EM&A performance, including the implementation of all environmental mitigation measures, submissions required in the updated 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, 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-175/2013) 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 updated 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.

在工程項目的建造工程展開前，許可證持有人須至少提早 6 個星期聘用一名獨立環境查核人。獨立環境查核人不得與工程項目的承辦商或環境小組有任何聯繫。獨立環境查核人須在環監或環境管理方面至少有 7 年經驗。獨立環境查核人須執行按本許可證條件第 2.3 項提交及獲准的經更新環監手冊所列明的職務，以及審核整體的環監表現，包括實施所有環境緩解措施、提交經更新環監



手冊規定的文件，以及提交本許可證所要求的其他文件。此外，獨立環境查核人須核實永久及臨時工程在環境上的可接受程度、相關的設計圖則和根據本許可證提交的文件，並須核實本許可證條件第 2.1 項所述的記錄冊。在每次出現情況變化或不符合環評報告（登記冊編號：AEIAR-175/2013）建議及本許可證的情況，而可能會妨礙就工程項目所造成不良環境影響而進行的監察或控制工作時，獨立環境查核人須在接獲環境小組組長通知後 1 個工作天內通知署長。獨立環境查核人如未能通知署長有關情況，未能執行經更新環監手冊所列明的獨立環境查核人職務，或未能符合本條件的規定，署長可以書面要求許可證持有人撤換獨立環境查核人。如未能按指示撤換獨立環境查核人，或在聘用新獨立環境查核人後仍未能通知署長有關情況，則或會導致許可證遭暫時吊銷、取消或更改。為執行本條件，許可證持有人的通知等同獨立環境查核人的通知。

Submission of Updated Environmental Monitoring and Audit Manual

提交經更新的环境監察及審核手冊

- 2.3 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-175/2013) and by taking into account any specific site conditions that may be changed before the construction of the Project. The Permit Holder shall, at least 4 weeks before the commencement of construction of the Project, deposit with the Director four hard copies and four electronic copies of the updated EM&A Manual. Before submission to the Director, the updated EM&A Manual shall be certified by the ET Leader and verified by the IEC as conforming to the information and recommendations described in the EIA Report (Register No. AEIAR-175/2013), 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 deposited under this Condition shall hereinafter be referred to as the “updated EM&A Manual”.

許可證持有人須根據環評報告（登記冊編號：AEIAR-175/2013）所載的資料及建議，以及通過考慮在工程項目施工前可能會改變的任何具體地盤狀況，更新環監手冊，以加入最新的環監規定。許可證持有人須在工程項目的建造工程展開前，至少提早 4 個星期向署長存放經更新的環監手冊的 4 份硬複本及 4 份電子版本。經更新的環監手冊須由環境小組組長核證及獨立環境查核人核實，證明其符合環評報告（登記冊編號：AEIAR-175/2013）所載的資料及建議，並須考慮到有關工程項目最新地盤狀況的任何具體要求，才可提交署長。根據本條件獲准的經更新環監手冊內的所有建議措施，須按照經更新的環監手冊所載的規定和時間表徹底及妥善執行。根據本條件存放的環監手冊，下文稱為「經更新的環監手冊」。

Management Organization of Main Construction Companies

主要建造公司的管理架構

- 2.4 The Permit Holder shall, no later than 2 weeks before the commencement of construction of the Project, inform the Director in writing the management

organization of the main construction companies and/or any form of joint ventures associated with the construction of the Project. The information shall include at least an organization chart, names of responsible persons and their contact details.

許可證持有人在工程項目的建造工程展開前，須至少提早 2 個星期，把主要建築公司及 / 或以任何形式與工程項目的建造工程相關的合營企業的管理架構，以書面通知署長。提交的資料須至少包括一份組織圖、負責人的姓名及聯絡資料。

Submission of Location Plans

提交位置圖

- 2.5 The Permit Holder shall, no later than 2 weeks before the commencement of construction of the Project, deposit four hard copies and one electronic copy of location plan(s) of the Project with a scale of 1:1000 or other appropriate scale as agreed with the Director. The plans shall include the details the works boundaries, works areas, vertical and horizontal alignments of the roads and any other major facilities; and the locations of key environmental mitigation measures.

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 個星期存放以 1:1000 的比例或署長同意的其他合適比例繪製的工程項目位置圖的 4 份硬複本及 1 份電子版本。有關圖則須包括工程界線、施工區、道路的垂直及水平線向及任何其他主要設施的詳情；以及主要環境緩解措施的位置。

Submission of Traffic Noise Mitigation Plan

提交交通噪音緩解計劃

- 2.6 The Permit Holder shall, no later than one month before the commencement of construction of the Project, submit to the Director for approval four hard copies and two electronic copies of Traffic Noise Mitigation Plan (the Plan). If there is any change proposed to the traffic noise mitigation measures in the approved Plan, the Permit Holder shall, no later than one month before the implementation of any such change, submit to the Director for approval four hard copies and two electronic copies of an update to the Plan (the Updated Plan). The Plan or any Updated Plan shall demonstrate that the traffic noise performance requirements set out in the EIA report (Register No.: AEIAR-175/2013) will not be exceeded with the mitigation measures in place. All mitigation measures recommended in the approved Plan or approved Updated Plan shall be fully implemented and properly maintained throughout the operational phase(s) of the Project.

許可證持有人須在工程項目開始建造之前至少提早 1 個月將交通噪音緩解計劃(計劃)的 4 份硬複本及 2 份電子版本，提交署長批准。如對已批准的計劃提出任何交通噪音緩解措施的更改，許可證持有人須在執行提出的更改之前至少提早 1 個月將更新交通噪音緩解計劃(更新計劃)的 4 份硬複本及 2 份電子版本，提交署長批准。計劃及任何更新計劃須證明在實施了緩解措施後，工程項目的交通噪音表現不會超逾在環評報告(登記冊編號：AEIAR-175/2013)上所訂定的規定。在工程項目的營運期間所有緩解措施須根據已核准的計劃或更新計劃妥善執行及維持。



Measures to mitigate Cultural Heritage Impact

文化遺產影響的緩解措施

- 2.7 Photographic and cartographic records of the directly impacted historical buildings and cultural/ historical landscape features at FL11 and FL33 as shown in Figure 2 shall be kept by the Permit Holder and a copy of the records shall be deposited with the Director prior to the commencement of the respective removal or relocation works.

許可證持有人須保存位於 FL11 及 FL33（見圖 2）的受直接影響的歷史建築及文化／歷史景觀特色的照片及製圖記錄，並須在相關的清拆或重置工程展開前向署長存放有關記錄的複本。

Submissions or Measures to be implemented during Construction of the Project

在工程項目施工期間須提交的文件或採取的措施

Submission of Landscape Plan

提交景觀美化計劃

- 2.8 The Permit Holder shall, at least 6 weeks before the commencement of the corresponding parts of landscape and visual mitigation measures of the Project, deposit with the Director three hard copies and one electronic copy of landscape plan(s). The landscape plan(s) shall show the design details, confirmation of the feasibility for proposed planting, 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 of the Project. Before submission to the Director, the landscape plan(s) shall be certified by the ET Leader and verified by the IEC as conforming to the relevant information and recommendations, including those described in the EIA Report (Register No. AEIAR-175/2013). All landscape and visual mitigation measures shall be properly implemented and maintained for the Project in accordance with the deposited landscape plan. The Permit Holder shall make available additional copies to the Director upon request.

許可證持有人須在工程項目的景觀及視覺影響緩解措施的相關部分展開前，至少提早 6 個星期向署長存放景觀美化計劃的 3 份硬複本及 1 份電子版本。景觀美化計劃須展示工程項目景觀及視覺影響緩解措施的設計詳情、確認擬議種植的可行性、位置、實施計劃、保養及管理時間表，以及採用 1:1,000 的比例或署長同意的其他合適比例繪畫的圖則。景觀美化計劃須由環境小組組長核證及獨立環境查核人核實，證明符合相關資料及建議，包括環評報告（登記冊編號：AEIAR-175/2013）所載的資料及建議，然後才提交署長。工程項目的所有景觀及視覺緩解措施須根據存放的景觀美化計劃妥善執行及維持。如署長要求，許可證持有人須提供額外的複本。



Measures to mitigate Ecological Impacts

生態影響的緩解措施

- 2.9 To minimize disturbance and mortality on breeding ardeids, no works shall be carried out at the current egret location at Ma Kam To Road during the ardeid breeding season (from 1st March to 31st July). The exact location of the current egret location at Man Kam To Road shall be checked and confirmed by a qualified ecologist prior to commencement of any works activity within 50m from the egret.

為盡量減低對繁殖鷺鳥的滋擾及引致其死亡，不得於鷺鳥繁殖季節（由3月1日至7月31日）在文錦渡路的現有鷺鳥林地點進行工程。在距離鷺鳥林50米範圍內開展任何工程之前，須由合資格的生態學家查明及確認文錦渡路現有鷺鳥林地點的確實位置。

- 2.10 To minimise adverse impacts on habitats of ecological importance in the vicinity of the Project, 2m high solid dull green site barrier fences shall be erected around all active works areas, unless otherwise agreed with the Director.

為盡量減低對工程項目周圍具生態價值的生境造成的負面影響，除非另獲署長同意，許可證持有人須圍繞所有施工中的施工區設置2米高的純淡綠色地盤圍欄。

Submissions or Measures to be implemented during Operation of the Project

在工程項目營運期間須提交的文件或採取的措施

Measures to mitigate Ecological Impacts during Operation of the Project

工程項目營運期間生態影響的緩解措施

- 2.11 All noise barriers shall be opaque, non-transparent and non-reflective to minimize mortality impacts on birds, unless otherwise agreed with the Director.

除非另獲署長同意，所有隔音屏必須具遮光、不透明及不反光特性，以盡量減低對鳥類死亡的影響。

3 Environmental Monitoring and Audit Requirements

環境監察及審核規定

- 3.1 The EM&A programme shall be implemented in accordance with the procedures and requirements as set out in the updated EM&A Manual deposited under Condition 2.3 of this Permit. Any change to the EM&A requirements or programme shall be justified by the ET Leader and verified by the IEC as conforming to the relevant requirements set out in the updated EM&A Manual and shall seek prior approval from the Director before implementation.



環監計劃須按本許可證條件第 2.3 項存放的經更新環監手冊所載的程序及規定執行。環監規定或計劃如有任何更改，須由環境小組組長提出充分理由，並由獨立環境查核人核實，證明其符合經更新環監手冊所載的相關規定，並須事先獲署長批准，方可執行。

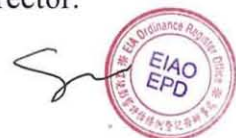
3.2 Samples, measurements and necessary remedial actions shall be taken in accordance with the requirements of the updated EM&A Manual by:-

取樣、測量及所需的補救行動，均須按照經更新環監手冊所載的規定進行：-

- (i) conducting baseline environmental monitoring;
進行環境基線監測；
- (ii) conducting impact monitoring;
進行影響監測；
- (iii) carrying out remedial actions described in the Event/Action Plans of the updated EM&A Manual in accordance with the time frames 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
如超逾經更新環監手冊內指定的標準，則按照經更新環監手冊內的事件 / 行動計劃所訂明的時限或署長所同意的時限，執行事件 / 行動計劃所說明的補救行動；以及
- (iv) logging and keeping records of details of 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 for inspection on site.
在收集數據或完成補救行動 3 個工作天內，須記錄及備存所有參數的詳情，用作擬備並提交每月環監報告，並備妥有關資料以供在工地查閱。

3.3 Three hard copies and two electronic copy of the Baseline Monitoring Report shall be submitted to the Director at least 2 weeks before the 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 updated EM&A Manual before submission to the Director. The ET Leader and IEC shall personally inspect the site within each reporting cycle prior to certification and verification of compliance of EM&A Reports. Additional copies of the submission shall be provided upon request by the Director.

3.4 在工程項目的建造工程展開前，須至少提早 2 個星期向署長提交基線監測報告的 3 份硬複本及 2 份電子版本。提交文件須由環境小組組長核證及獨立環境查核人核實，證明其符合經更新環監手冊所載的規定，然後才提交署長。環境小組組長及獨立環境查核人須在每個提交報告周期內親自巡查工地，然後才核證及查核環監報告的遵行情況。如署長要求，則須提交文件的額外複本。Three hard copies and two electronic copy of monthly EM&A Report shall be submitted to the Director within 2 weeks after the end of each reporting month throughout the entire construction period. The EM&A Reports shall include a summary of all non-compliance. The submissions shall be certified by the ET Leader and verified by the IEC as complying with the requirements as set out in the updated EM&A Manual before submission to the Director. Additional copies of the submission shall be provided to the Director upon request by the Director.



在整個建造期內，在每個提交報告的月份結束後 2 個星期內，須向署長提交每月環監報告的 3 份硬複本及 2 份電子版本。環監報告須包括各種不符合規限情況的摘要。提交文件須由環境小組組長核證及獨立環境查核人核實，證明其符合經更新環監手冊所載的規定，然後才提交署長。如署長要求，則須向署長提交文件的額外複本。

3.5 All EM&A data submitted under this Permit shall be true, valid and correct.

根據本許可證提交的所有環監數據，均須有效及真實無誤。

4 Electronic Reporting of EM&A Information

環監資料的電子匯報

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/or 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 3.3 and 3.4 above 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/JPEG format unless otherwise agreed by the Director. The content of the electronic copies of these Reports must be the same as the hard copies.

為方便公眾透過環評條例互聯網網站及在環評條例登記冊辦事處查閱基線監測報告及每月環監報告，以超文本標示語言 (HTML) (第 4.0 或較後版本) 及/或便攜式文件格式 (PDF) (第 1.3 或較後版本) 製作的這些報告的電子版本，除非另獲署長同意，須與本許可證上文條件第 3.3 及 3.4 項所說明的硬複本同時提交。關於 HTML 的版本方面，可與這些報告各節及小節作出超文本連結的目錄須在文件開端加入。報告內各類圖表須在載有相關資料的正文內作出超文本連結。除非另獲署長同意，報告內所有圖形均須以交錯存取的 GIF/ JPEG 格式制定。報告的電子版本內容，必須與硬複本的內容一致。

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 data 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 during the first 3-year of operation of the Project, or otherwise as agreed by the Director.



許可證持有人須在工程項目建造工程展開後 1 個月內，設立特定網站存放環境監察數據及工程項目資料，並以書面通知署長網址所在。上文條件第 4.1 項說明的所有環境監察結果及本許可證規定提交的所有文件，須盡快透過上述特定網站供公眾閱覽，在任何情況下均不得遲於有關環境監察數據收集或可供閱覽後的 2 個星期，除非另獲署長同意。許可證持有人須在工程項目的整個施工期及營運首 3 年內(或署長另行同意的時間)維持該特定網站，讓公眾人士查閱環境監察的數據及報告。

- 4.3 The internet website as described in Condition 4.2 above shall enable user-friendly public access to the monitoring data and project data including the EIA report, the environmental permit(s) and project profile of the Project. The internet website shall have features capable of:-

上文條件第 4.2 項說明的互聯網網站，必須方便用戶使用，讓公眾容易接達環境監察數據及工程項目資料，包括環評報告、環境許可證及工程項目簡介。除非另獲署長同意，互聯網網站須提供下述功能：

- (a) providing access to all environmental monitoring data collected since the commencement of construction and all submissions under this permit;
接達在建造工程展開後所收集的全部環境監察數據及本許可證規定提交的所有文件；
- (b) searching by date;
- (c) 按日期搜尋；searching by types of monitoring data; and
按監察數據類別搜尋；以及
- (d) hyperlinks to relevant monitoring data after searching.

在搜尋後與相關的監察數據作出超文本連結。

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 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 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或營辦工程項目，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.

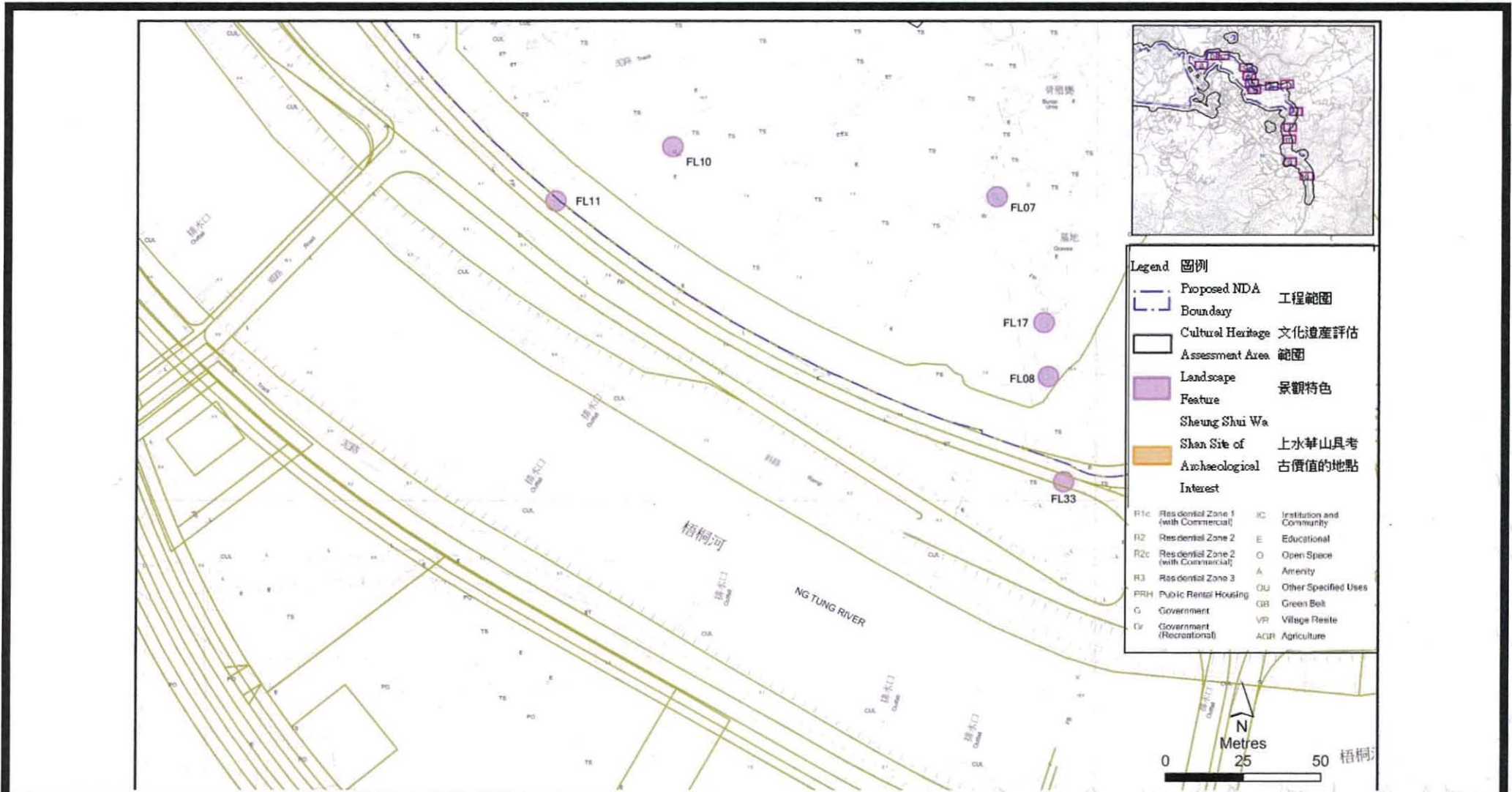
許可證持有人可在接獲本許可證後 30 天內，根據環評條例第 17 條就本許可證的任何條件提出上訴。

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-472/2013/A
環境許可證編號 EP-472/2013/A



Project Title: Fanling Bypass Western Section

工程名稱: 粉嶺繞道西段

Figure 2: Location Plan for Identified Built Heritage Items and Landscape Features

圖2: 文物建築及景觀特色位置

(Extracted from Drawing No. Plan 2g of North East New Territories New Development Area Planning and Engineering Study) (摘錄自新界東北新發展區規劃及工程研究 圖: 2g)



Environmental Permit No:

EP-472/2013/A

環境許可證編號:

EP-472/2013/A

