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Environmental Protection Department

Branch Office

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環境保護署分處

香港灣仔
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15 March 2018

CLP Power Hong Kong Limited

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

Project Title: TETRA Radio Base Station at Kai Kung Leng, Lam Tsuen Country Park, Yuen
Long, New Territories
(Application No. VEP-541/2018)

I refer to your above application received on 20 February 2018 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-406/2010). I attach the Environmental Permit as amended (No. EP-406/2010/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 on the above application, please contact my colleague Mr. Stanley LAU at 2835 1113.

Yours sincerely,

(WONG Wai-man Raymond)

Principal Environmental Protection Officer
for Director of Environmental Protection

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
Section 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) grants the Environmental Permit No. EP-406/2010 to **CLP Power Hong Kong Limited** (hereinafter referred to as the "Permit Holder") on 30 November 2010. Pursuant to Section 13 of the Ordinance, the Director amends the Environmental Permit based on the Application No. VEP-541/2018. The amendments, described below, are incorporated into this Environmental Permit No. EP-406/2010/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 and 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》(環評條例)第 10 條的規定，環境保護署署長(署長)於 2010 年 11 月 30 日將環境許可證編號 EP-406/2010 批予**中華電力有限公司**(下稱“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-541/2018 修訂環境許可證。以下修訂已包含在本環境許可證編號 EP-406/2010/A 內。本經修訂的環境許可證，只適用於建造及營辦本許可證 **B** 部所說明的指定工程項目，並須遵守本許可證 **C** 部所說明及附載的條件。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-541/2018
Document in the Register: 登記冊上的文件：	(1) Project Profile – “TETRA Radio Base Station at Kai Kung Leng, Lam Tsuen Country Park, Yuen Long, N.T.” (Register No. PP-423/2010) 工程項目簡介 – “新界元朗林村郊野公園雞公嶺陸地集群無線通訊基站” (登記冊編號：PP-423/2010) (2) The Director’s letter of permission to apply directly for environmental permit dated 20 October 2010 (Reference: (15) in EP2/N6/Q/139) 署長於 2010 年 10 月 20 日發出准許直接申請環境許可證的信件 (檔案編號：(15) in EP2/N6/Q/139) (3) Application for Environmental Permit submitted by the Permit Holder on 5 November 2010 (Application No. AEP-406/2010) 許可證持有人於 2010 年 11 月 5 日提交的环境許可證申請 (申請書編號 AEP-406/2010) (4) Environmental Permit issued on 30 November 2010 (Permit No. EP-406/2010)



	於 2010 年 11 月 30 日發出的環境許可證（許可證編號 EP-406/2010） (5) Application for Variation of an Environmental Permit No. VEP-541/2018 and attached documents submitted by the Permit Holder on 20 February 2018 許可證持有人於 2018 年 2 月 20 日提交更改環境許可證申請編號 VEP-541/2018 和附件
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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-541/2018	20 February 2018 2018 年 2 月 20 日	Amend Part C, Figure 2 更改 C 部圖 2	15 March 2018 2018 年 3 月 15 日



15 March 2018
2018 年 3 月 15 日

Date
日期

(WONG Wai-man Raymond)
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偉民代行

PART B (DESCRIPTIONS 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	TETRA Radio Base Station at Kai Kung Leng, Lam Tsuen Country Park, Yuen Long, N.T. 新界元朗林村郊野公園雞公嶺陸地集群無線通訊基站 [This designated project is hereinafter referred to as "the Project".] [這指定工程項目下稱“工程項目”]
Nature of Designated Project 指定工程項目的性質	Earthworks and building works in the Lam Tsuen Country Park 於林村郊野公園內進行土木工事及建築工程
Location of Designated Project 指定工程項目的地點	Kai Kung Leng, Lam Tsuen Country Park, Yuen Long 元朗林村郊野公園雞公嶺 Figure 1 attached to this Permit shows the location of the Project. 工程項目的位置載於本許可證的附圖 1。
Scale and Scope of Designated Project(s) 指定工程項目的規模和範圍	The Project is to construct and operate a TETRA radio base station. It occupies an area of approximately 18 m ² and includes a concrete platform, an equipment shelter, and the antennae and the associated mast. 工程包括興建及營辦一座陸地集群無線通訊基站。工程項目佔地約 18 平方米，包括一個混泥土地台，一個電訊器材保護外罩，和天線及相關的天線桿。



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 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.

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《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)；《海上傾倒物料條例》(第 466 章)以及《廢物處置條例》(第 354 章)。本許可證本身不會就根據任何法例提起的法律程序構成任何抗辯理由，或根據任何法例默示任何批准。

- 1.3 The Permit Holder shall make copies of this Permit together with all documents referred to in this Permit and the documents referred to in Part A of the Permit readily available at all times for inspection by the Director or his authorised officers at all sites/offices covered by this Permit. Any reference to the Permit shall include all documents referred to in the Permit and also the relevant documents in the Register.

許可證持有人須印製本許可證的複本，連同本許可證所述的所有文件或本許可證 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複本交予有關工地的負責人，並確保這些人士完全明白本許可證的所有條件與規定。工地是指建造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的所有車輛進出口或一處方便地點，顯眼地展示本許可證的複本，以供公眾在任何時間內閱覽。許可證持有人須確保在這些地點展示關於本許可證(包括任何經修訂的許可證)的最新資料。許可證持有人如交回許可證的部分或全部，必須把其送交署長的通知書，在備有原有許可證的相同地點展示。遭暫時吊銷、更改或取消的許可證必須從工地除下，不再展示。



- 1.6 The Permit Holder shall construct and operate the Project in accordance with the project description in Part B of this Permit.
許可證持有人須依據本許可證 B 部的工程項目說明，建造及營辦工程項目。
- 1.7 The Permit Holder shall ensure that the Project is designed, constructed and operated in accordance with the information and recommendations described in the Project Profile (Register No.: PP-423/2010), the Application for Environmental Permit (Application No.: AEP-406/2010) and the information and mitigation measures described in this Permit. Where recommendations referred to in the documents of the Register are not expressly referred to in this Permit, such recommendations are nevertheless to be implemented unless expressly excluded or impliedly amended in this Permit.
許可證持有人須確保工程項目的設計、建造及營辦，按照工程項目簡介（登記冊編號：PP-423/2010）所說明的資料及建議；環境許可證申請文件（申請編號：AEP-406/2010）；以及本許可證所說明的資料及緩解措施辦理。登記冊內的文件所述建議如沒有在本許可證明確表示，則仍須實施這些建議，除非獲本許可證明確豁除或默示修訂。
- 1.8 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.
所有按本許可證規定提交的文件，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並再向署長提交。
- 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).
所有提交署長並獲批准的文件、所有提交署長存放而沒有收到署長意見的文件、或根據本許可證提交並已依照署長的意見作出修訂的所有文件，將詮釋為本許可證 C 部所說的許可證條件的一部分。對提交文件所作的任何修訂，均須獲得署長的書面批准，或符合有關許可證條件所述。凡與所提交的文件有不符合的情況，均可能構成違反《環境影響評估條例》（第 499 章）。
- 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根據本許可證規定而提交的文件定稿向公眾發放，方法是把上述文件的複本存放在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互聯網網站，或依照署長指定的任何其他方法，供公眾查閱。因此，許可證持有人須提供足夠數量的文件複本。
- 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 in Portable Document Format (PDF version 4.0 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies.
按本許可證的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）和便攜式文件格式（PDF）（第 4.0 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 at least two weeks prior to the commencement of construction of the Project. The Permit Holder shall notify the Director in writing immediately if there is any change of the commencement date of the construction.

許可證持有人須在工程項目的建造工程展開前，至少提早 2 個星期以書面方式把建造工程的施工日期通知署長。施工日期如有任何更改，許可證持有人必須立即以書面方式通知署長。

- 1.13 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.

為執行本許可證，「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 The Permit Holder shall construct and operate the Project in accordance with the location and the layout as indicated in Figure 1 and Figure 2 of this Permit.

許可證持有人須依照本許可證圖 1 及圖 2 所示的地點和佈局建造及營辦本工程項目。

- 2.2 The equipment shelter and all antenna poles shall be painted in subdued and non-reflective colour. The colour scheme and finishing shall match the country park environment and complement that of the existing structures of the immediate surrounding area.

電訊器材保護外罩及所有天線桿均須塗以柔和及不反光的顏色，色調和外表塗飾須配合郊野公園的環境及融入周圍現有的建築物。

- 2.3 The Permit Holder shall, no later than two months before the commencement of construction of the project, submit four hard copies of a plan including the location, the size and the species of the screen planting. The Permit Holder shall implement screen planting in the approved plan to minimize the visual impact.

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 個月提交 4 份圖則的硬複本。該圖則須包括栽種植物屏障的位置、尺寸及植物品種。許可證持有人須執行經核准圖則內所述的栽種植物屏障措施，以減低對視覺的影響。

- 2.4 During the construction period, the Permit Holder shall employ an independent checker to audit the implementation of all mitigation measures recommended in the Project Profile (Register No. PP-423/2010) and in this Permit. The independent checker shall not be in any way an associated body of the Contractor for the Project.

在建造工程期間，許可證持有人須聘用一名獨立查核人，以審核工程項目簡介（登記冊編號：PP-423/2010）及本許可證建議的所有緩解措施。獨立查核人不得與工程項目的承辦商有任何聯繫。

- 2.5 The Permit Holder shall submit a monthly audit report to confirm full implementation of the mitigation measures during and upon the completion of the construction. Before submission to the Director, the monthly audit report shall be certified by the independent checker. Three hard copies and one electronic copy of the monthly audit report shall be submitted to the Director within two weeks after the end of the reporting month.

許可證持有人須提交每月審核報告，以確認在建造工程進行期間及竣工後已執行所有緩解措施。每月審核報告提交署長前，須由獨立查核人核實。在規定提交報告的月份結束後 2 個星期內，須向署長提交每月審核報告的 3 份硬複本及 1 份電子版本。



Notes :
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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 EIAO to the Director for a variation of the conditions of this Permit. The Permit Holder shall replace the original permit displayed on the Project site by the amended permit.
許可證持有人可根據環評條例第 13 條的規定向署長申請更改本許可證的條件。許可證持有人須把經修改的許可證替換在工程項目工地內展示的原有許可證。
4. A person who assumes the responsibility for the whole or a part of the designated project 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.
根據該條例第 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 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，必須先根據條例規定取得另一份環境許可證。根據條例第 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條例附表 2 第 I 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 Ordinance, 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;
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；

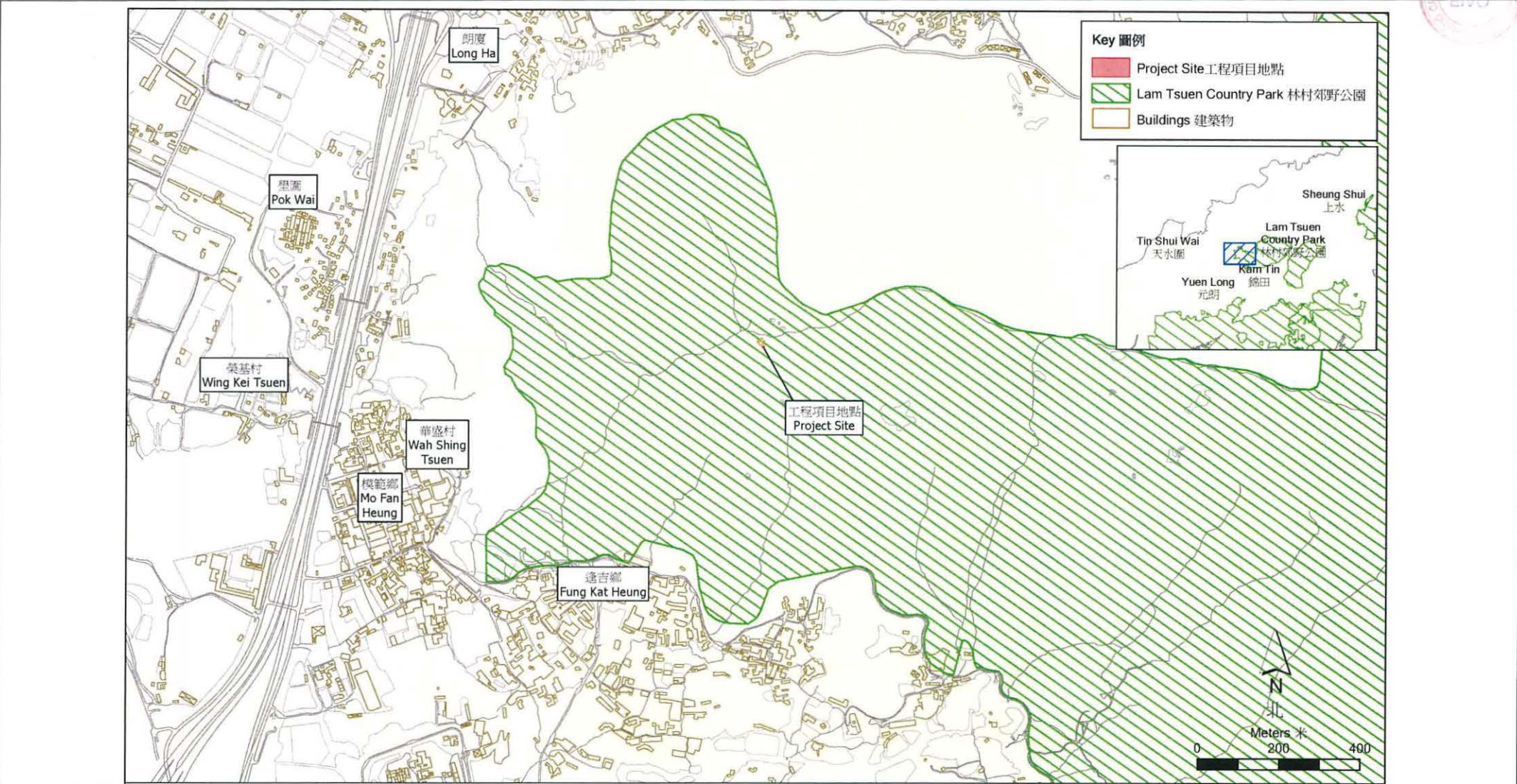


- (iii) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
一經循簡易程序首次定罪，可處第 6 級罰款及監禁 6 個月；
 - (iv) on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for 1 year; and
一經循簡易程序第二次或其後每次定罪，可處罰款 100 萬元及監禁 1 年；以及
 - (v) in any case where 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，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，根據該條例第 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-406/2010/A
環境許可證編號 EP-406/2010/A





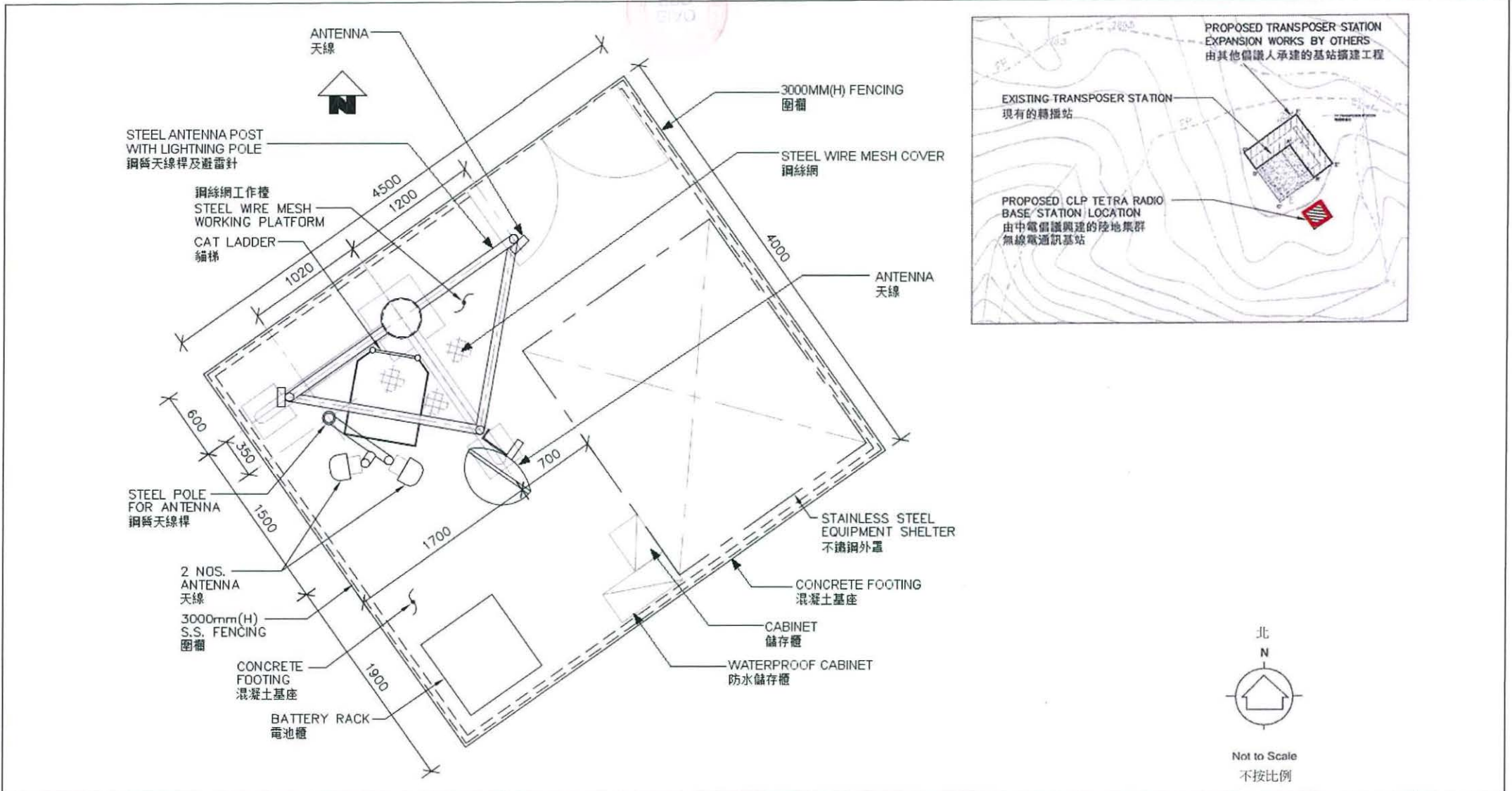
Project Title - TETRA Radio Base Station at Kai Kung Leng, Lam Tsuen Country Park, Yuen Long, N.T.
 工程名稱 - 元朗林村郊野公園雞公嶺陸地集群無線通訊基站

Environmental Permit No. : EP-406/2010/A
 環境許可證編號 : EP-406/2010/A

Figure 1 - Location Plan [Modified from the Project Profile (Register No. PP-423/2010)]

圖 1 - 位置圖 [修改自工程項目簡介(登記冊編號: PP-423/2010)]





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Figure 2 - Layout Plan
 圖 2 - 佈局圖

