

本署檔號
OUR REF: Ax(1) to EP2/N6/I/29 Pt.13
來函檔號
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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

21 March 2019

Drainage Services Department

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

Project Title: San Tin Eastern Main Channel
(Application No. VEP-557/2019)

I refer to your above application received on 22 February 2019 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 (No. EP-270/2007). I attach the Environmental Permit as amended (No. EP-270/2007/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,

(K. H. TO)

Principal Environmental Protection Officer
for Director of Environmental Protection

Environmental Permit No. EP-270/2007/A

環境許可證編號 EP-270/2007/A

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 Drainage Services 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渠務署(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。本環境許可證是依據下列文件、批准或許可而簽發




<p>Application No. 申請書編號</p>	<p>VEP-557/2019</p>
<p>Document in the Register 登記冊上的文件</p>	<ol style="list-style-type: none"> <li data-bbox="517 405 1520 600"> <p>1. Main Drainage Channels and Poldered Village Protection Scheme for San Tin, NWNT : Environmental Impact Assessment Study Final Assessment Report (Register No. AEIAR-019/1999) [Hereinafter referred to as “ the EIA Report ”]</p> <p>新界西北新田主排水道及鄉村防洪工程：環境影響評估研究 最後評估報告(登記冊編號：AEIAR- 019/1999) [下稱 "環評報告"]</p> <li data-bbox="517 904 1520 1099"> <p>2. Main Drainage Channels and Poldered Village Protection Scheme for San Tin, NWNT : Ecological Habitat Management Plan [Hereinafter referred to as “ the EHMP ”]</p> <p>新界西北新田主排水道及鄉村防洪工程：生態管理計劃 [下稱 "生態計劃"]</p> <li data-bbox="517 1292 1520 1682"> <p>3. Application for Environmental Permit dated 1 March 2002 (Application No. : AEP-124/2002) for construction of the designated project – Main Drainage Channels and Poldered Village Scheme for San Tin, NWNT Phase 3, Part 1– Eastern Main Drainage Channel for San Tin</p> <p>二零零二年三月一日提交的環境許可證申請書(申請書編號: AEP-124/2002) 為建造指定工程項目 - 新界西北新田主排水道及鄉村防洪工程第三期首部份 - 新田主排水道</p> <li data-bbox="517 1753 1520 1850"> <p>4. Environmental Permit (No. EP-124/2002) issued on 28 March 2002 二零零二年三月二十八日簽發的環境許可證(編號 EP-124/2002)</p> <li data-bbox="517 1921 1520 2009"> <p>5. Application for Environmental Permit dated 14 March 2007 (Application No. : AEP-270/2007) for operation of the designated project – Main Drainage</p>



	<p>Channels and Poldered Village Scheme for San Tin, NWNT Phase 3, Part 1– Eastern Main Drainage Channel for San Tin</p> <p>於二零零七年三月十四日提交的許可證申請書(申請書編號: AEP-270/2007) 為營辦指定工程項目 - 新界西北新田主排水道及鄉村防洪工程第三期首部份 - 新田主排水道</p> <p>6. Application for Variation of an Environmental Permit No. VEP- 557/2019 and attached documents submitted by the Permit Holder on 22 February 2019 許可證持有人於 2019 年 2 月 22 日提交更改環境許可證申請編號 VEP-557/2019 和附件</p>
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21 March 2019

Date
日期



(K. H. TO)

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) 杜景浩代行)



PART B (DESCRIPTION OF DESIGNATED PROJECT)

B 部 (指定工程項目的說明)

Hereunder is the description of the designated project 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>San Tin Eastern Main Channel (This designated project is hereinafter referred to as “ the Project ”) 新田東主排水道 (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>Construct and operate a drainage channel, associated floodwall and embankment, road system and wetland 建造及營辦一條排水道、附屬防洪牆和防洪堤、道路系統及濕地工程</p>
<p>Location of Designated Project 指定工程項目的地點</p>	<p>San Tin, Yuen Long The location and alignment of the designated project are shown in <u>Figure 1</u> and <u>Figure 2</u> of this permit 元朗，新田 指定工程項目的地點及路線，見載於本許可證的圖 1 和圖 2</p>



<p>Scale and Scope of Designated Project</p> <p>指定工程項目的規模和範圍</p>	<p>A drainage channel of width less than 100m. The scope of the Project mainly includes construction and operation of –</p> <ul style="list-style-type: none"> (i) a main drainage channel from Castle Peak Road – Chau Tau Section to Shenzhen River near Ha Wan Tsuen. The channel is lined with grasscrete; (ii) an ancillary road system; (iii) an inflatable dam and associated pumping facilities; (iv) wetland and landscaping works; (v) about 1m to 1.5m high flood wall along western bank of Eastern Main Drainage Channel for San Tin; (vi) about 1m to 1.5m high flood wall and enhanced embankment on eastern bank of Eastern Main Drainage Channel for San Tin; and (vii) about 0.7m to 1.5m high floodwall near Castle Peak Road and Kwu Tung Road. <p>Full description of the scale and scope of the Project is given in section 2 of the EIA Report (Register No. AEIAR– 019/1999) and attachment to VEP application: No.VEP-557/2019.</p> <p>排水道的闊度少於 100 米。建造及營辦的工程項目範圍包括 –</p> <ul style="list-style-type: none"> (i) 由青山公路一洲頭段至深圳河近下灣村的一條主要排水道。排水道底部鋪砌草面物料； (ii) 一個附屬道路系統； (iii) 充氣堤壩及相連的泵水設施； (iv) 濕地和景觀美化工程； (v) 沿新田東主排水道西岸而建的約 1 至 1.5 米高的防洪牆； (vi) 沿新田東主排水道東岸而建的約 1 至 1.5 米高的防洪牆和提高的防洪堤；及 (vii) 在青山公路及古洞路附近的 0.7 至 1.5 米高的防洪牆。
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	<p>工程項目規模與範圍的詳細說明，見載於環評報告第 2 節 (登記冊編號：AEIAR-019/1999)及更改環境許可證申請編號 VEP-557/2019 的附件。</p>
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PART C (PERMIT CONDITIONS)

C 部 (許可證條件)

1. General Conditions

一般條件

- 1.1 The Permit Holder shall comply with all conditions of 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.

許可證持有人必須完全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), Dumping at Sea Ordinance (Cap. 466) and Waste Disposal Ordinance (Cap.



354). This Permit does not of itself constitute any ground of defense 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)；海上傾倒物料條例(第 466 章)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掀起的法律程序構成任何抗辯理由或作為某法例所默示的任何批准。

- 1.3 The Permit Holder shall give a copy of this Permit to the person(s) in charge of operation of the Project 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 operation of the Project(s) 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營辦本工程項目的負責人，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。工地是指營辦工程項目的工地，此定義應用於下文。

- 1.4 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 部的工程項目的說明建造及營辦本工程項目。

- 1.5 The Permit Holder shall ensure that the Project is constructed and operated in accordance with the information and recommendations described in the EIA Report (Register No. AEIAR-019/1999), the Ecological Habitat Management Plan and all application documents for environmental permits and relevant documents in the Register listed in Part A of this Permit, mitigation measures described in this Permit, mitigation measures to be recommended in the submissions deposited with or approved by the Director as a result of permit conditions contained in this Permit, and mitigation measures to be recommended under monitoring activities during construction and operation 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 or impliedly amended in this Permit.

許可證持有人須確保工程項目的建造及營辦遵照環評報告(登記冊編號：AEIAR-019/1999)內所載資料及建議；本許可證 A 部所述的生態管理計劃及環境許可證申請文件及登記冊內的其他相關文件；本許可證所載的緩解措施；根據本許可證內載條件送交署長存放或獲署長批准的文件所建議的緩解措施；以及在建造及營辦工程項目期間進行持續監察及監測工作時所建議的緩解措施。



即使登記冊文件所述建議沒有在本許可證明確提示，該些建議仍須實施，除非本許可證明確表示已被豁除或默示已作修訂。

- 1.6 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 receipt of the Director's comments or otherwise as specified by the Director.

所有按本許可證規定提交存放的文件，須在接獲署長的意見(如有者)的 1 個月內，根據署長的意見作出修正並再提交署長，或遵照署長另作的指示。

- 1.7 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 to 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).

署長批准的所有提交文件、署長沒有給予意見的所有提交存放文件，或依照署長根據本許可證給予意見作出修正的所有提交文件，均被詮釋為本許可證 C 部 所載的許可證條件的一部分。對提交文件所作的任何修訂，均須署長書面批准，或符合有關許可證條件所訂明的規定。所有與提交文件不符合的情況，將可能構成違反環境影響評估條例(第 499 章)的規定。

- 1.8 The Permit Holder shall release all finalized 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 other means as specified by the Director for public inspection. For this purpose, the Permit Holder shall provide sufficient copies of the submissions.

許可證持有人須向公眾公開所有按本許可證規定提交的文件定稿，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其他方法，以供公眾查閱。為此，許可證持有人須提供足夠數量的複本。

- 1.9 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 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.

本許可證規定向署長提交的所有文件，必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，並且須與硬複本同時提交。

2. Measures during the Construction of Floodwall and Enhanced Embankment

建造防洪牆和提高防洪堤期間採取的措施

- 2.1 The construction of floodwall and enhanced embankment shall not be carried out during birds' peak overwintering season from November to March.

建造防洪牆和提高防洪堤的工程不可以在 11 月至 3 月的雀鳥度冬季節高峰期內進行。

- 2.2 The Permit Holder shall, at least three months before the commencement of construction of the Project, submit to the Director for approval one hard copy and one electronic copy of the detailed design of the floodwall setting out the ecological features and locations.

許可證持有人須在建造工程展開前至少 3 個月制定防洪牆設計詳圖，列明防洪牆的保育自然生態設施及位置，並將 1 份硬複本及 1 份電子版本提交署長審批。

- 2.3 The Permit Holder shall employ an Independent Environmental Checker (IEC) before the commencement of construction of the Project. The IEC shall not be in any way an associated body of the Contractor for the Project. The IEC shall audit the implementation of all mitigation measures recommended in the attached documents of the VEP-557/2019 application and required under this Permit, and certify in writing in the monthly audit report full implementation of the mitigation measures during the construction of the Project. One hard copy 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.



在工程項目的建造工程展開前，許可證持有人須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有任何聯繫。獨立環境查核人須於施工階段審核及在每月的審核報告中以書面確認已執行更改環境許可證申請編號 VEP-557/2019 和附件中建議及本許可證規定的所有緩解措施。在規定提交報告的月份結束後 2 星期內，須向署長提交每月審核報告的 1 份硬複本及 1 份電子版本。

3. Specific Conditions During Operation

營辦的特別條件

- 3.1 Ecological monitoring, monitoring of sediment accumulation and need for maintenance dredging shall be conducted in accordance with the requirements set out in section 6.2.1 of the Environmental Monitoring and Audit Manual.

按照環境監察及審核手冊第 6.2.1 節所載規定，進行生態監察和監察沈積物堆積情況及是否需要進行維修挖泥工程。

- 3.2 Maintenance dredging shall be carried out by land-based, tightly sealed closed grab excavator(s) in dry season during low tide or when the inflatable dam constructed at downstream of the channel is inflated to exclude the effect of tide.

施行維修挖泥工程須採用陸上密封式抓斗挖土機，並要在旱季及退潮期間或在建於水道下游的充氣堤壩充氣膨脹以阻隔潮汐影響時進行。

- 3.3 The stockpiling, handling, transport and disposal of excavated sediments shall adopt the measures specified in sections 4 and 5 of the EIA Report (No. AEIAR-019/1999) and section 4.8 of the Environmental Monitoring and Audit Manual.

挖掘沉積物的堆存、處理、運輸及處置應採用環評報告第 4 節及 5 節(登記冊編號：AEIAR-019/1999)和環境監察及審核手冊第 4.8 節所載措施進行。

- 3.4 Monitoring of the operational noise of the pumping station shall be conducted in accordance with the procedures and requirements set out in the Environmental Monitoring and Audit Manual. Any changes to the monitoring and audit programme shall be certified by the Environmental Team (ET) Leader and verified by the Independent Environmental Checker (IEC) as conforming to the requirements set out in the EM&A Manual and shall be approved by the Director. The ET leader and the



IEC shall be persons who have at least 7 years of experience in environmental monitoring and audit or environmental management.

監察泵水站運作噪音，須按照環境監察及審核手冊內所載程序和規定進行。環境監察及審核安排如有任何更改，均須由環境小組組長證明並經獨立環境查核人核實，與環境監察及審核手冊所載規定一致，並須提交署長批准。環境小組組長和獨立環境查核人須具有至少 7 年環境監察及審核或環境管理經驗。

- 3.5 All environmental monitoring and audit data submitted under this Permit shall be true, valid and correct.

所有提交的環境監察及審核資料必須真實、有效及正確。

- 3.6 To facilitate public inspection of the EM&A Manual and Post Project Monitoring Report, the Permit Holder shall place the documents described in conditions 3.1 and 3.4 on a web site and before commencement of monitoring notify the Director in writing the internet address of the web site where the reports are to be placed. The Permit Holder shall make available all documents described in conditions 3.1 and 3.4 to the public on the web site in the shortest time practicable, and in no event later than 1 week after depositing the report with the Director, unless otherwise agreed with the Director. The Permit Holder shall maintain the web site for public access of the monitoring reports for 12 months after depositing the final monitoring report with the Director.

為方便公眾閱覽環境監察及、審核手冊及工程後監察報告，許可證持有人須將條件第 3.1 及 3.4 項所述的文件在網站存放。並在監察展開前，以書面通知署長報告存放的網址所在。許可證持有人須將條件第 3.1 及 3.4 項所述的所有文件，盡快在網站存放，在任何情況下均不得遲於報告送交署長存放後的 1 個星期，除非另獲署長同意。許可證持有人須在最後監察報告送交署長存放的 12 個月內，維持網站運作，讓公眾閱覽監察報告。

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之用。

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，署長或獲授權人員在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，許可證持有人在未經署長或獲其授權人員同意，不得進行任何相關工程。

3. The Permit Holder may apply under Section 13 of the Environmental Impact Assessment Ordinance (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 Project site by the amended permit.

許可證持有人可根據環境影響評估條例(“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 Project may, before he assumes responsibility of the 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負責人，在承擔責任之前，可根據條例第 12 條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 Project site.

根據條例第 14 條，署長可在環境局局長的同意下暫時吊銷、更改或取消本環境許可證。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 Ordinance before the Project could be continued. It is an offence under Section 26 (1) of the Ordinance to construct and operate a designated project listed in Schedule 2 of the Ordinance 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，則在繼續營辦工程項目之前，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，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 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:

任何人在違反本許可證的條件下建造或營辦工程項目，並且根據環評條例定罪，即可遭受 —

- (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持續性質，法院或裁判官可就其信納該罪行持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。

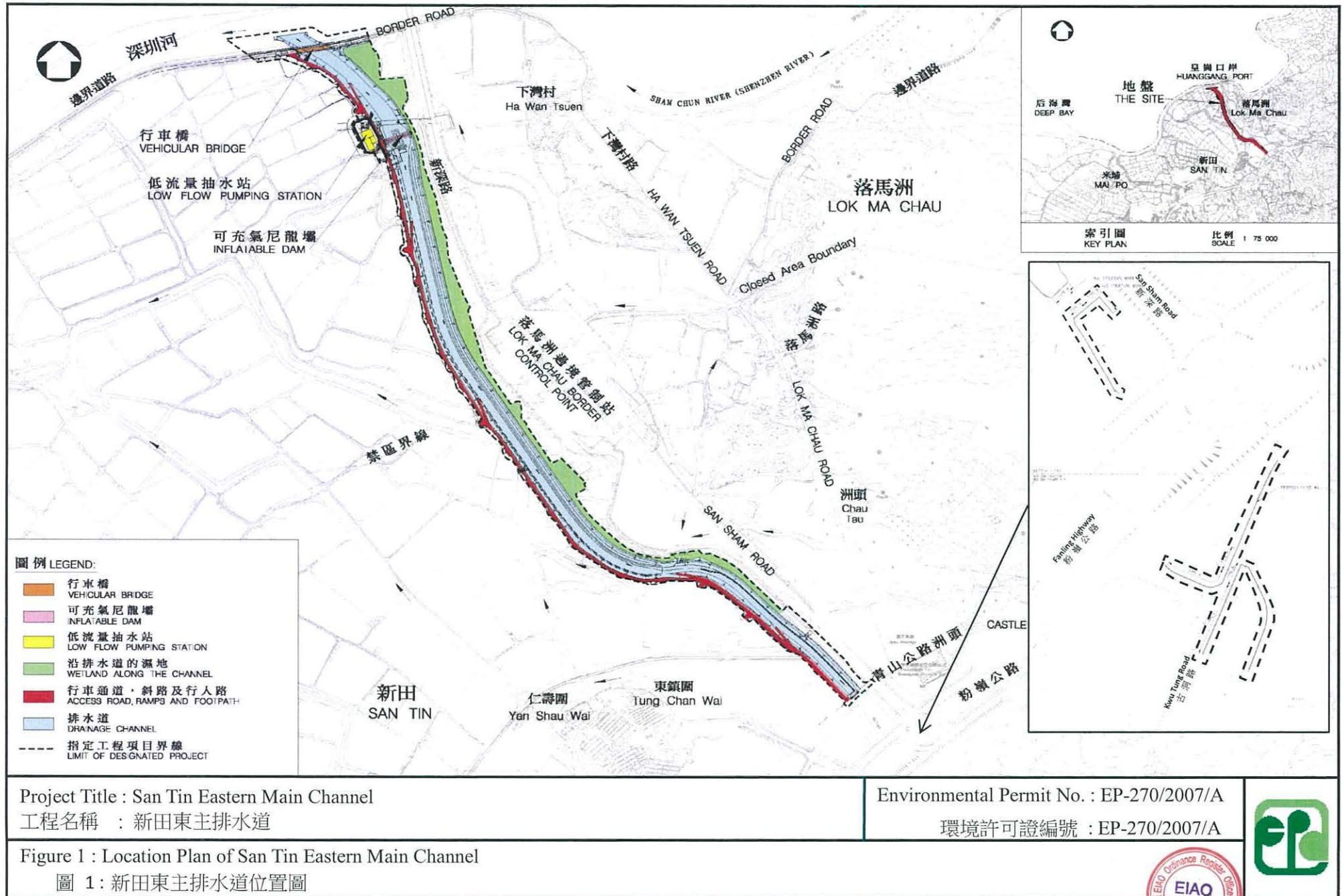
10. Occupational safety and health issues are governed by the Occupational Safety and Health Ordinance (Cap. 509), and Factories and Industrial Undertakings Ordinance (Cap. 59). The Permit Holder is advised to contact the Labour Department for requirements relating to occupational safety and health issues.

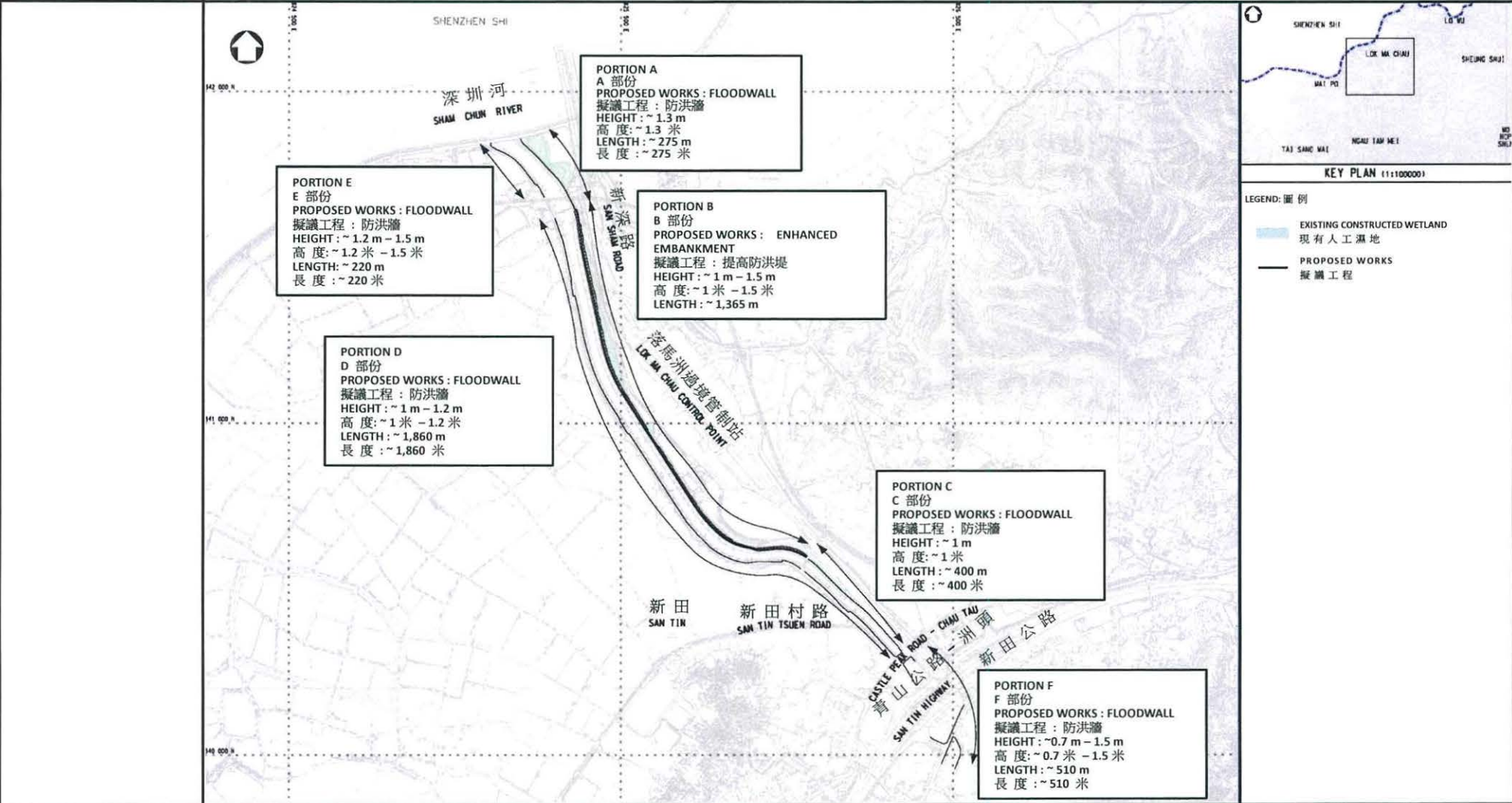
職業安全及健康事宜，受職業安全及健康條例（第 509 章）和工廠及工業經營條例（第 59 章）所規管。有關職業安全及健康事宜的規定，許可證持有人宜聯絡勞工處。

Environmental Permit No. EP-270/2007/A

環境許可證編號：EP-270/2007/A







Project Title : San Tin Eastern Main Channel
 工程名稱 : 新田東主排水道

Environmental Permit No. : EP-270/2007/A
 環境許可證編號 : EP-270/2007/A

Figure 2 : Layout Plan of the Floodwall and Enhanced Embankment at San Tin Eastern Main Channel
 圖 2 : 新田東主排水道的防洪牆和防洪堤佈局圖



