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Branch Office**

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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

12 August 2015

Asia King Development Limited

**Environmental Impact Assessment (EIA) Ordinance (Cap.499)  
Application for Environmental Permit**

**Project Title:**

**Comprehensive Development and Wetland Protection near Yau Mei San Tsuen**  
**(Application No. AEP-500/2015)**

I refer to your above application received on 16 July 2015 for an environmental permit under Section 10(1) of the EIA Ordinance.

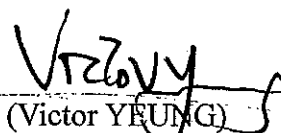
Pursuant to Section 10(5) of the EIA Ordinance, I now issue the attached Environmental Permit (No. EP-500/2015) for your use.

Under Section 15 of the EIA Ordinance, the Environmental Permit will be placed on the EIA Ordinance Register. It will also be placed on the EIA Ordinance website (<http://www.epd.gov.hk/eia/>).

Please note that if you are aggrieved by any of the conditions imposed in this Permit, you may appeal under Section 17 of the EIA Ordinance within 30 days of receipt of this Permit.

Should you have any queries on the above application, please contact my colleague Mr. Edward LAM at 2835 1113.

Yours sincerely,

  
(Victor YEUNG)

Ag. Principal Environmental Protection Officer  
for Director of Environmental Protection

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE  
(CHAPTER 499)  
Section 10

環境影響評估條例  
(第499章)  
第10條

ENVIRONMENTAL PERMIT TO CONSTRUCT AND OPERATE  
A DESIGNATED PROJECT

建造及營辦指定工程項目的環境許可證

PART A (MAIN PERMIT)  
A部 (許可證主要部分)

Pursuant to Section 10 of the Environmental Impact Assessment Ordinance (EIAO), the Director of Environmental Protection (the Director) grants this environmental permit to Asia King Development Limited (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國盛發展有限公司(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：

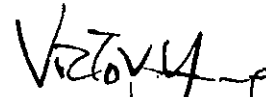
Application No. 申請書編號	AEP-500/2015
Document in the Register: 登記冊上的文件:	1. Comprehensive Development and Wetland Protection near Yau Mei San Tsuen - Environmental Impact Assessment Report - Environmental Impact Assessment Study Executive Summary - Environmental Monitoring and Audit Manual  Hereinafter referred to as the "EIA Report" (Register No.: AEIAR-189/2015)  毗鄰攸美新村綜合發展及濕地保護計劃 - 環境影響評估報告 - 環境影響評估行政摘要 - 環境監察及審核手冊  下稱“環評報告” (登記冊編號：AEIAR-189/2015)



Application No. 申請書編號	AEP-500/2015
Document in the Register : 登記冊上的文件:	<p>2. The Director's letter of approval of the EIA Report dated 6 July 2015 (Ref.: (32) in EP2/N6/P/119 Pt.2)</p> <p>環境保護署長於 2015 年 7 月 6 日發出批准環評報告的信件 (檔案編號 : (32) in EP2/N6/P/119 Pt.2)</p> <p>3. Application for Environmental Permit submitted by the Permit Holder on 16 July 2015 (Application No.: AEP-500/2015)</p> <p>許可證持有人於 2015 年 7 月 16 日提交的環境許可證申請 (申請書編號 : AEP-500/2015)</p>

12 August 2015

Date  
日期



(Victor W.T. YEUNG)

Acting Principal Environmental Protection Officer  
(Strategic Assessment)

for Director of Environmental Protection

環境保護署署長

(署理首席環境保護主任 (策略評估) 楊維德代行)



**PART B (DESCRIPTION OF DESIGNATED PROJECT)**

**B部 (指定工程項目的說明)**

Hereunder is the description of the designated project mentioned in Part A of this environmental permit (hereinafter referred to as “the Permit”):

下列為本環境許可證（下稱“許可證”）A部所提述的指定工程項目的說明：

Title of Designated Project 指定工程項目的名稱	Comprehensive Development and Wetland Protection near Yau Mei San Tsuen (This designated project is hereinafter referred to as “the Project”)  毗鄰攸美新村綜合發展及濕地保護計劃 （本指定工程項目下稱“工程項目”）
Nature of Designated Project 指定工程項目的性質	A residential development within Deep Bay Buffer Zone 2  在后海灣2號緩衝區內的住宅發展
Location of Designated Project 指定工程項目的地點	Mai Po, Yuen Long, N.T. 新界元朗米埔  The location of the Project is shown in <u>Figure 1</u> of this Permit 工程項目的地點展示於本許可證圖1內
Scale and Scope of Designated Project 指定工程項目的規模和範圍	The Project is to construct and operate a residential development and a Wetland Restoration Area at DD104 Yuen Long, N.T.  工程項目為在新界元朗丈量約份第104約內建造及營辦住宅及濕地修復區



## PART C (PERMIT CONDITIONS)

### 1. General Conditions

- 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.
- 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), Waste Disposal Ordinance (Cap. 354) and Dumping at Sea Ordinance (Cap. 466). 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.
- 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.
- 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 and operation of the Project and shall mean the same hereafter.
- 1.5 The Permit Holder shall display conspicuously a copy of this Permit on the construction site(s) at all vehicular site entrances/exits or at a convenient location for public's information at all times. The Permit Holder shall ensure that the most updated information about 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 construction site(s).
- 1.6 The Permit Holder shall construct and operate the Project in accordance with the project description in Part B of this Permit.
- 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 approved EIA Report (Register No. AEIAR-189/2015), the application for Environmental Permit (Application No. AEP-500/2015) and other relevant documents in the Register, the information and mitigation measures described in this Permit, mitigation measures to be recommended in the submissions that shall be deposited with or approved by the Director as a result of permit conditions contained in this Permit, and mitigation measures to be recommended under on-going surveillance and monitoring activities during all stages of the Project. Where recommendations referred to in the documents of the Register are not expressly referred to in this Permit, such recommendations are



nevertheless to be implemented unless expressly excluded or impliedly amended in this Permit.

- 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 specified by the Director.
- 1.9 All submissions approved by the Director, all submissions deposited without comments by the Director, and 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 this Permit.
- 1.10 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.
- 1.11 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 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies.
- 1.12 The Permit Holder shall notify the Director in writing the commencement date of construction of the Project no later than one month 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 construction.
- 1.13 For the purpose of this Permit, "commencement of construction" does not include works related to site clearance and preparation or other works as agreed by the Director.

## 2. Submissions or Measures to be Implemented before Construction of the Project

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

- 2.1 An Environmental Team (ET) shall be established by the Permit Holder no later than one month before commencement of construction of the Project. The ET shall not be in any way an associated body of the Contractor or the Independent Environmental Checker (IEC) for the Project. The ET shall be headed by an ET Leader. The ET Leader shall be a person who has at least 7 years of experience in environmental monitoring and auditing (EM&A) or environmental management. The ET and the ET Leader shall be responsible



for the implementation of the EM&A programme in accordance with the EM&A requirements as contained in the EM&A Manual of the Project. The ET Leader shall keep a contemporaneous log-book of each and every instance or circumstance or change of circumstances, which may affect the compliance with the recommendations of the EIA Report (Register No. AEIAR-189/2015) 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-189/2015) and this Permit or by the Director or his authorized officers. Failure to maintain records in the log-book, failure to discharge the duties of the ET Leader as defined in the EM&A Manual or failure to comply with this Condition would entitle the Director to require the Permit Holder by notice in writing to replace the ET Leader. Failure by the Permit Holder to make replacement or further failure to keep contemporaneous records in the log-book despite the employment of a new ET Leader may render the Permit liable to suspension, cancellation or variation.

- 2.2 An IEC shall be employed by the Permit Holder no later than one month before commencement of construction of the Project. The IEC shall not be in any way an associated body of the Contractor or the ET for the Project. The IEC shall be a person who has at least 7 years of experience in EM&A or environmental management. The IEC shall be responsible for duties defined in the EM&A Manual, and shall audit the overall EM&A performance, including the implementation of all environmental mitigation measures, submissions required in the EM&A Manual, and any other submissions required under this Permit. In addition, the IEC shall be responsible for verifying the environmental acceptability of permanent and temporary works, relevant design plans and submissions under this Permit. The IEC shall verify the log-book(s) mentioned in Condition 2.1 of this Permit. The IEC shall notify the Director by fax or email, within one working day of receipt of notification from the ET Leader of each and every occurrence, change of circumstances or non-compliance with the EIA Report (Register No. AEIAR-189/2015) and this Permit, which may affect the monitoring or control of adverse environmental impacts from the Project. In the case where the IEC fails to so notify the Director of the same, fails to discharge the duties of the IEC as defined in the EM&A Manual or fails to comply with this Condition, the Director may require the Permit Holder by notice in writing to replace the IEC. Failure to replace the IEC as directed or further failure to so notify the Director despite employment of a new IEC may render the Permit liable to suspension, cancellation or variation. Notification by the Permit Holder is the same as notification by the IEC for the purpose of this Condition.

### ***Management Organization of Main Construction Companies***

- 2.3 The Permit Holder shall, no later than one month 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 submitted information shall include at least an organization chart, names of responsible persons and their contact details.



***Wetland Restoration Area (WRA)***

- 2.4 The Permit Holder shall be fully responsible for the design, construction, and long term management and monitoring of the WRA.
- 2.5 The Permit Holder shall review the development layout and widen the ecological corridor with a view to maintaining adequate ecological connection between Ngau Tam Mei Drainage Channel and the Deep Bay wetland system.
- 2.6 The Permit Holder shall, without compromising the ecological function of the WRA, preserve the existing fruit trees within the WRA site as far as practicable.
- 2.7 The Permit Holder shall, in consultation with the Agriculture, Fisheries and Conservation Department (AFCD), update the Wetland Restoration Plan setting out the details of Conditions 2.4, 2.5, 2.6, 2.8, 2.9 and 5.6 for submission to the Director for approval before commencement of construction of the Project.

***Boundary Barriers, Fencing and Planting***

- 2.8 The Permit Holder shall make use of trees principally of native species for screen and buffer planting for the operation phase of the Project.
- 2.9 The Permit Holder shall design the boundary barriers and fencing with the aim to avoid hindrance to wildlife movement between the WRA and the Deep Bay wetland system, for both the construction and operation phases of the Project.
- 2.10 The Permit Holder shall make best use of moveable noise barriers close to the noise sources of construction activities with a view to minimizing the extent and hence the visual impacts of noise barriers during construction of the Project.
- 2.11 The Permit Holder shall prepare a Landscape and Visual Implementation Plan setting out details of Conditions 2.8, 2.9 and 2.10 for submission to the Director for approval before commencement of construction of the Project.

***Control of Water Pollution due to Site Runoff***

- 2.12 The Permit Holder shall prepare and implement an Emergency Response Plan (ERP) to control water pollution due to site runoff during inclement weather. The plan shall include but not limited to measures of the Best Management Practices as identified in the EIA report and an event and action plan with action and limit levels for water quality monitoring.

***Updated Environmental Monitoring and Audit (EM&A) Manual***

- 2.13 The Permit Holder shall submit an updated EM&A Manual setting out details of ERP required in Condition 2.12 to the Director for approval prior to commencement of construction works.





**3. Measures to Mitigate Environmental Impacts during Construction of the Project**

*Establishment of Wetland Restoration Area (WRA)*

- 3.1 Prior to the site clearance, formation and construction of the residential development, the Permit Holder shall construct the WRA in accordance with the Wetland Restoration Plan approved under Condition 2.7.
- 3.2 Construction for the WRA shall be commenced and completed in the wet season (April to September) of the first construction year.
- 3.3 The installation of site hoarding shall not be carried out during peak winter bird season between October and March.
- 3.4 The Permit Holder shall provide a temporary wetland enhancement area of not less than 1.1 ha at the south-western part of the project area during the construction of the WRA.
- 3.5 The Permit Holder shall notify the Director the completion of construction of the WRA. The Permit Holder shall also notify the Director the completion of establishment of the WRA. The notification shall contain evidence of completion. The evidence shall be certified by the ET Leader and verified by the IEC.
- 3.6 For the residential development area of the Project, no construction of superstructure, roadworks and underground services and utilities shall be commenced before the acceptance of the notification of completion of establishment of the WRA under Condition 3.5 by the Director.

*Boundary Barriers, Fencing and Planting*

- 3.7 The Permit Holder shall implement and maintain the construction stage measures recommended in the Landscape and Visual Implementation Plan approved under Condition 2.11.

*Control of Water Pollution due to Site Runoff*

- 3.8 To control water pollution due to site runoff during inclement weather, the Permit Holder shall implement and maintain the construction stage measures recommended in the ERP of the updated EM&A Manual approved under Condition 2.13.

**4. Measures to Mitigate Environmental Impacts during Operation of the Project**

*Long Term Management of the WRA*

- 4.1 The Permit Holder shall be fully responsible for the long term management and monitoring of the WRA in accordance with the approved Wetland Restoration Plan.
- 4.2 Upon the acceptance of the notification of completion of establishment of the WRA under Condition 3.5 by the Director, the Permit Holder shall, in consultation with the AFCD, conduct an overall review of the performance of the wetland and its management and monitoring requirements, and update the Wetland Restoration Plan if required for



submission to the Director for approval. The outcome of the overall review shall be submitted to the Director no later than 6 months after the completion of establishment of the WRA.

***Boundary Barriers, Fencing and Planting***

- 4.3 The Permit Holder shall implement and maintain the operation stage measures recommended in the Landscape and Visual Implementation Plan approved under Condition 2.11.

***Control of Water Pollution due to Site Runoff***

- 4.4 To control water pollution due to site runoff during inclement weather, the Permit Holder shall implement and maintain the operation stage measures recommended in the ERP of the updated EM&A Manual approved under Condition 2.13.

***Sewage Disposal***

- 4.5 Before public sewer is available for connection, sewage from the Project shall be treated by the interim sewage treatment plant as stated in the EIA report.

**5. Environmental Monitoring and Audit (EM&A) Requirements**

- 5.1 The EM&A programme shall be implemented in accordance with the procedures and requirements in the EM&A Manual. Any changes to the monitoring and audit requirements shall be justified by the ET leader and verified by the IEC as conforming to the requirements set out in the EM&A Manual, and shall seek the prior approval from the Director before implementation.
- 5.2 Samples, measurements and necessary remedial actions shall be taken in accordance with the requirements of the EM&A Manual by:
- a) conducting baseline environmental monitoring;
  - b) conducting constructional and operational phase impact monitoring;
  - c) carrying out remedial actions described in the Event/Action Plans of the EM&A Manual in accordance with the time frame set out in the Event/Action Plans, or as agreed by the Director, in case where specified criteria in the EM&A Manual are exceeded;
  - d) logging and keeping records of the details of (a) to (c) above for all parameters within 3 working days of the collection of data or completion of remedial action(s), for the purpose of preparing and submitting the monthly EM&A Reports and to make available the information for inspection on site.
- 5.3 Four (4) hard copies and 1 electronic copy of the Baseline Monitoring Report shall be submitted to the Director at least 2 weeks before commencement of construction of the Project. The submission shall be certified by the ET Leader and verified by the



IEC. Additional copies of the submission shall be made available to the Director upon his request.

- 5.4 Four (4) hard copies and 1 electronic copy of monthly EM&A Report shall be submitted to the Director within 2 weeks after the end of the reporting month. The EM&A Reports shall include a summary of all non-compliance (exceedances) of the environmental quality performance limits (Action and Limit Levels). The submissions shall be certified by the ET Leader and verified by the IEC. Additional copies of the submission shall be provided to the Director upon request by the Director.
- 5.5 All EM&A data submitted under this Permit shall be true, valid and correct.
- 5.6 In accordance with the EM&A Manual, the Permit Holder shall carry out baseline ecological monitoring for target species and other wetland-dependent fauna within the Project Area and Assessment Area as defined in the EIA report, during the 12 months prior to commencement of any site clearance required for wetland and/or residential construction. The baseline monitoring results should be reported in the Baseline Monitoring Report. Throughout the construction and operation phases of the project, the project proponent shall also carry out ecological monitoring in accordance with the approved Wetland Restoration Plan with monitoring results reported in the regular EM&A reports. The Baseline Monitoring Report and the regular EM&A reports shall be submitted to the Director and made available to AFCD, Advisory Council on the Environment and its members for information.

**6. Electronic Reporting of EM&A Information**

- 6.1 To facilitate public inspection of the Baseline Monitoring Report and monthly EM&A Reports via the EIAO Internet Website and at the EIAO Register Office, electronic copies of these Reports shall be prepared in Hyper Text Markup Language (HTML) (version 4.0 or later) and in Portable Document Format (PDF version 1.3 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies as described in Conditions 5.3 and 5.4 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 format unless otherwise agreed by the Director. The content of the electronic copies of these Reports must be the same as the hard copies.
- 6.2 The Permit Holder shall, within 6 weeks after commencement of construction of the Project, set up a dedicated Internet web site and notify the Director in writing the Internet address where the environmental monitoring data and project information is to be placed. All environmental monitoring data described in Condition 6.1 above shall be made available to the public via the dedicated Internet web site in the shortest possible time and in any event no later than 2 weeks after the relevant environmental monitoring data are collected or become available, unless otherwise agreed with the Director. All finalized submissions and plans shall be made available to the public via the dedicated Internet web site in the shortest possible time and in any event no later than 2 weeks after the submissions and plans are approved by or deposited with the Director, unless



otherwise agreed with the Director.

6.3 The Internet web site as described in Condition 6.2 above shall enable user-friendly public access to the environmental monitoring data and project information including the Project Profile, EIA report, Environmental Permit(s) and finalized submissions and plans required under this Permit. The Internet web site shall have features capable of:

- a) providing access to all environmental monitoring data of this Project collected since the commencement of construction;
- b) providing access to all finalized submissions as required under this Permit;
- c) searching by date;
- d) searching by types of monitoring data; and
- e) hyperlinking to relevant monitoring data after searching

or otherwise as agreed by the Director

**Notes :**

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 shall obtain independent legal advice on the legal implications under the EIAO, and the following notes are for general information only.
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.
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.
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.
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 site.
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

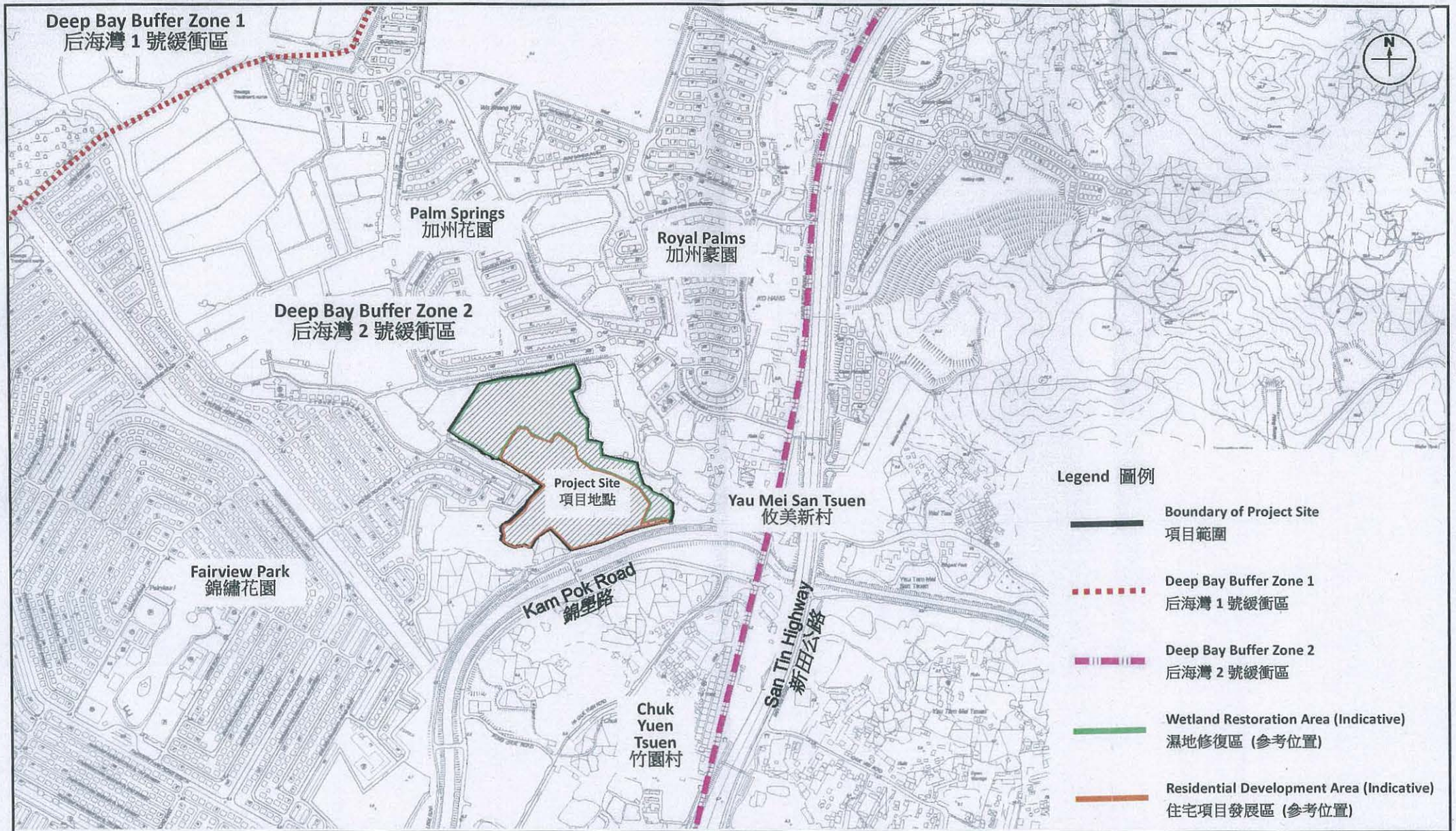


permit.

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: -
  - (i) on a first conviction on indictment to a fine of \$2 million and to imprisonment for 6 months;
  - (ii) on a second or subsequent conviction on indictment to a fine of \$5 million and to imprisonment for 2 years;
  - (iii) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
  - (iv) on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for 1 year; and
  - (v) in any case where the offence is of a continuing nature, the court or magistrate may impose a fine of \$10,000 for each day on which he is satisfied the offence continued.
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.
9. The Notes are for general reference only and that the Permit Holder shall refer to the EIAO for details and seek independent legal advice.

**Environmental Permit No. EP-500/2015**  
**環境許可證編號 EP-500/2015**





Project Title : Comprehensive Development and Wetland Protection near Yau Mei San Tsuen  
 工程項目名稱 : 毗鄰攸美新村綜合發展及濕地保護計劃

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



Environmental Permit No.: EP-500 / 2015  
 環境許可證編號 : EP-500 / 2015

