

本署檔號
OUR REF: () in Ax(1) to EP2/N1/A/27 Pt.10
來函檔號
YOUR REF:
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TEL. NO.: 2835 1105
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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

19 January 2024

By Registered Post & Fax:

Leisure and Cultural Services Department

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

Project Title: Sha Tin New Town, Stage II - Road T3 and Associated Roadworks
(Application No. FEP-221/2023)

I refer to your above application received on 21 December 2023 for further environmental permit under Section 12(1) of the EIA Ordinance.

Pursuant to Section 12(3) of the EIA Ordinance, I now issue the attached Further Environmental Permit (No. FEP-01/135/2002/K) for your use.

Under Section 15 of the EIA Ordinance, the Further 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 Ms. Clara YU at 2835 1843.

Yours sincerely,

(Queenie Y. C. NG)

Acting Principal Environmental Protection Officer
for Director of Environmental Protection

Encl. FEP-01/135/2002/K

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
SECTIONS 10 AND 12
環境影響評估條例
(第 499 章)
第 10 條及 12 條

FURTHER ENVIRONMENTAL PERMIT TO OPERATE
A DESIGNATED PROJECT
營辦指定工程項目的新的環境許可證

PART A (MAIN PERMIT)
A 部 (許可證主要部分)

Pursuant to Sections 10 and 12 of the Environmental Impact Assessment Ordinance (EIAO), the Director of Environmental Protection (the Director) granted this Further Environmental Permit to the **Leisure and Cultural Services Department** (hereinafter referred to as the "Permit Holder") to operate the designated project described in Part B subject to the conditions specified in Part C. The issue of this Further 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 條及 12 條的規定，環境保護署署長(署長)將本新的環境許可證批予**康樂及文化事務署**(下稱“許可證持有人”)，以營辦 B 部 所說明的指定工程項目，但須遵守 C 部 所列明的條件。本新的環境許可證的發出，乃以下表所列的文件、批准或許可作為根據：

Application No. 申請書編號	FEP-221/2023
Document in the Register: 登記冊上的文件：	<p>(1) Sha Tin New Town - Stage II, Trunk Road T3 (Tai Wai) Environmental Impact Assessment (EIA) Study (Register No. EIA-143/BC) Updated Final Report (March 1998) [Hereinafter referred to as the "EIA Report"] Environmental Monitoring & Audit Manual (March 1998) [Hereinafter referred to as the "EM&A Manual"] 沙田新市鎮第二階段 - T3 號主幹道路(大圍)環境影響評估(登記冊編號: EIA-143/BC)《最新修訂報告》(1998 年 3 月) [下稱「環評報告」] 《環境監察及審核手冊》(1998 年 3 月) [下稱「環監手冊」]</p> <p>(2) Documents attached to the Application for Environmental Permit submitted by the Permit Holder on 18 April 2002 (Application No.: AEP-135/2002) [Hereinafter referred to as the "Application"] “Sha Tin New Town, Stage II, Trunk Road T3 - Tai Wai, Environmental Review Report (March 2002 (Revised))” [Hereinafter referred to as the "Environmental Review"] 許可證持有人於 2002 年 4 月 18 日提交的環境許可證申請書夾附的文件(申請書編號: AEP-135/2002)[下稱「申請書」] 《沙田新市鎮第二階段 - T3 號主幹道路(大圍)環境檢討報告(2002 年 3 月修訂)》[下稱「環境檢討」]</p>



- (3) Environmental Permit issued - Permit No.: EP-135/2002 issued on 13 May 2002
已簽發的環境許可證—許可證編號：EP-135/2002
於2002年5月13日簽發
- (4) Application for Variation of an Environmental Permit No. VEP-091/2003 [Hereafter referred to as “the Application VEP-091/2003”]
申請更改環境許可證編號 VEP-091/2003 [下稱
“申請書編號 VEP-091/2003”]
- (5) Environmental Permit issued - Permit No.: EP-135/2002/A issued on 30 April 2003
已簽發的環境許可證—許可證編號：
EP-135/2002/A 於2003年4月30日簽發
- (6) Application for Variation of an Environmental Permit No. VEP-169/2005 [Hereafter referred to as “the Application VEP-169/2005”]
申請更改環境許可證編號 VEP-169/2005 [下稱
“申請書編號 VEP-169/2005”]
- (7) Environmental Permit issued - Permit No.: EP-135/2002/B issued on 7 April 2005
已簽發的環境許可證—許可證編號：
EP-135/2002/B 於2005年4月7日簽發
- (8) Application for Variation of an Environmental Permit No. VEP-177/2005 [Hereafter referred to as “the Application VEP-177/2005”]
申請更改環境許可證編號 VEP-177/2005 [下稱
“申請書編號 VEP-177/2005”]
- (9) Environmental Permit issued - Permit No.: EP-135/2002/C issued on 9 June 2005
已簽發的環境許可證—許可證編號：
EP-135/2002/C 於2005年6月9日簽發
- (10) Application for Variation of an Environmental Permit No. VEP-190/2005 [Hereafter referred to as “the Application VEP-190/2005”]
申請更改環境許可證編號 VEP-190/2005 [下稱
“申請書編號 VEP-190/2005”]
- (11) Environmental Permit issued - Permit No.: EP-135/2002/D issued on 2 September 2005
已簽發的環境許可證—許可證編號：
EP-135/2002/D 於2005年9月2日簽發
- (12) Application for Variation of an Environmental Permit No. VEP-235/2007 [Hereafter referred to as “the Application VEP-235/2007”]
申請更改環境許可證編號 VEP-235/2007 [下稱
“申請書編號 VEP-235/2007”]



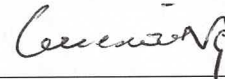
	<p>(13) Environmental Permit issued - Permit No: EP-135/2002/E issued on 30 May 2007 已簽發的環境許可證－許可證編號：EP-135/2002/E 於 2007 年 5 月 30 日簽發</p> <p>(14) Application for Variation of an Environmental Permit No. VEP-242/2007 [Hereafter referred to as “the Application VEP-242/2007”] 申請更改環境許可證編號 VEP-242/2007 [下稱“申請書編號 VEP-242/2007”]</p> <p>(15) Environmental Permit issued - Permit No: EP-135/2002/F issued on 30 Nov 2007 已簽發的環境許可證－許可證編號：EP-135/2002/F 於 2007 年 11 月 30 日簽發</p> <p>(16) Application for Variation of an Environmental Permit No. VEP-250/2008 [Hereafter referred to as “the Application VEP-250/2008”] 申請更改環境許可證編號 VEP-250/2008 [下稱“申請書編號 VEP-250/2008”]</p> <p>(17) Environmental Permit issued - Permit No: EP-135/2002/G issued on 13 Feb 2008 已簽發的環境許可證－許可證編號：EP-135/2002/G 於 2008 年 2 月 13 日簽發</p> <p>(18) Application for Variation of an Environmental Permit No. VEP-258/2008 [Hereafter referred to as “the Application VEP-258/2008”] 申請更改環境許可證編號 VEP-258/2008 [下稱“申請書編號 VEP-258/2008”]</p> <p>(19) Environmental Permit issued - Permit No: EP-135/2002/H issued on 13 May 2008 已簽發的環境許可證－許可證編號：EP-135/2002/H 於 2008 年 5 月 13 日簽發</p> <p>(20) Application for Variation of an Environmental Permit No. VEP-325/2010 [Hereafter referred to as “the Application VEP-325/2010”] 申請更改環境許可證編號 VEP-325/2010 [下稱“申請書編號 VEP-325/2010”]</p> <p>(21) Environmental Permit issued - Permit No: EP-135/2002/I issued on 25 October 2010 已簽發的環境許可證－許可證編號：EP-135/2002/I 於 2010 年 10 月 25 日簽發</p> <p>(22) Application for Variation of an Environmental Permit No. VEP-428/2014 [Hereafter referred to as “the Application VEP-428/2014”] 申請更改環境許可證編號 VEP-428/2014 [下稱“申請書編號 VEP-428/2014”]</p>
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	<p>(23) Environmental Permit issued - Permit No: EP-135/2002/J issued on 6 February 2014 已簽發的環境許可證 - 許可證編號：EP-135/2002/J 於 2014 年 2 月 6 日簽發</p> <p>(24) Application for Variation of an Environmental Permit No. VEP-623/2022 [Hereafter referred to as "the Application VEP-623/2022"] 申請更改環境許可證編號 VEP-623/2022 [下稱 "申請書編號 VEP-623/2022"]</p> <p>(25) Environmental Permit issued - Permit No: EP-135/2002/K issued on 30 December 2022 已簽發的環境許可證 - 許可證編號：EP-135/2002/K 於 2022 年 12 月 30 日簽發</p> <p>(26) Application for Further Environmental Permit submitted on 21 December 2023 (Application No. FEP-221/2023) 於 2023 年 12 月 21 日提交的新的環境許可證申請文件 (申請書編號：FEP-221/2023)</p>
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19 January 2024
2024 年 1 月 19 日

Date
日期



(Queenie Y. C. NG)
Acting Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(署理首席環境保護主任 吳沅清 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 further environmental permit (hereinafter referred to as the “Permit”):

下列為本新的環境許可證 (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>Sha Tin New Town, Stage II - Road T3 and associated roadworks [This designated project is hereinafter referred to as “the Project”] 沙田新市鎮第二階段工程 - T3 號主幹道路及相關工程 [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>Operation of a trunk road. 營辦一條主幹路。</p>
<p>Location of Designated Project 指定工程項目的地點</p>	<p>The Project is located west of Scenery Court at Sha Tin Central and east of Sha Tin Heights. 本工程項目位於沙田中部的蔚景園以西及沙田嶺以東，</p> <p>It runs North-South through Sha Tin along the existing transport corridor of Tai Po Road (Tai Wai & Sha Tin) and Shing Mun Tunnel Road. 沿大埔公路 (大圍及沙田段) 現有的運輸走廊及城門隧道公路，貫穿沙田南北。</p> <p>The location of the Project is shown in <u>Figures 1a</u> and <u>1b</u> of this Environmental Permit. 工程項目的地點載於本環境許可證圖 <u>1a</u> 及圖 <u>1b</u>。</p>
<p>Scale and Scope of Designated Project 指定工程項目的規模和範圍</p>	<p>Maintenance of landscape areas as shown in the <u>Figures 2a</u> and <u>2b</u> of this Permit. 載於本許可證的圖 <u>2a</u> 及圖 <u>2b</u> 的園景美化區的維修保養。</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 operating the Project shall comply with all conditions set out in this Permit. Any non-compliance by any person may constitute a contravention of the Environmental Impact Assessment Ordinance (Cap. 499) and may become the subject of appropriate action being taken under the Ordinance.
許可證持有人及任何營辦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》(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 and any person operating the Project 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.
許可證持有人及任何營辦工程項目的人士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)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出的訴訟構成任何抗辯理由，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 this Permit readily available at all times for inspection by the Director or his authorized officers at the Permit Holder's office(s). Any reference to this Permit shall include all documents referred to in this 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許可證持有人的辦事處查閱。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 operation of the Project and ensure that such person(s) fully understands all conditions and all requirements incorporated by this Permit. The site(s) refers to site(s) of 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的所有條件與規定。工地是指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 and any person operating the Project shall operate the Project in accordance with the project description in Part B of this Permit.
許可證持有人及任何營辦工程項目的人士須依據本許可證 B 部的工程項目說明，營辦工程項目。
- 1.6 The Permit Holder and any person operating the Project shall ensure that the Project is operated in accordance with the information and recommendations



described in the approved EIA Report (Register No.: EIA-143/BC); the application documents for environmental permits; other relevant documents in the Register; 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 in this Permit or otherwise agreed by the Director.

許可證持有人及任何營辦工程項目的人士須確保工程項目按照下述資料營辦：核准環評報告（登記冊編號：EIA-143/BC）所說明的資料及相關建議；環境許可證的申請文件；登記冊內的其他相關文件；以及本許可證所說明的資料及緩解措施。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或另獲署長同意。

2. Specific Conditions 特定條件

Measures to Mitigate Operational Landscape and Visual Impact 營辦期間的景觀及視覺影響緩解措施

- 2.1 The landscape areas as shown in Figures 2a and 2b of this Permit shall be properly managed and maintained in accordance with the as-built drawings of landscape measures submitted under Condition 5.2 of the environmental permit (Permit No.: EP-135/2002/K).

本許可證圖 2a 及圖 2b 所示的園景美化區，須按照環境許可證 (EP-135/2002/K) 條件 5.2 提交的景觀美化措施竣工圖妥善管理和維護。

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 conditions of this Permit, the Director or his authorized officer may, with the consent of the Secretary for Environment and Ecology, 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及生態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 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環境許可證的條件。許可證持有人須以經修改的許可證替換原有的許可證。



4. A person who assumes the responsibility for the whole or a part of the designated project(s) may, before he assumes responsibility of the designated project(s), 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 Environment and Ecology, suspend, vary or cancel this Permit.
根據環評條例第 14 條的規定，署長可在取得環境及生態局局長的同意下暫時吊銷、更改或取消本許可證。
6. If this Permit is cancelled or surrendered during 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 Ordinance to operate a designated project listed in Part I of Schedule 2 of the Ordinance without a valid environmental permit.
如果本許可證在工程項目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營辦環評條例附表 2 第 I 部所列明的指定工程項目，即屬犯罪。
7. Any person who operates the Project contrary to the conditions in this 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營辦工程項目，且被裁定觸犯環評條例所訂明的罪行，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；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持續性質，法院或裁判官可就其信納該罪行持續的每天另處罰款 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. FEP-01/135/2002/K
環境許可證編號 FEP-01/135/2002/K



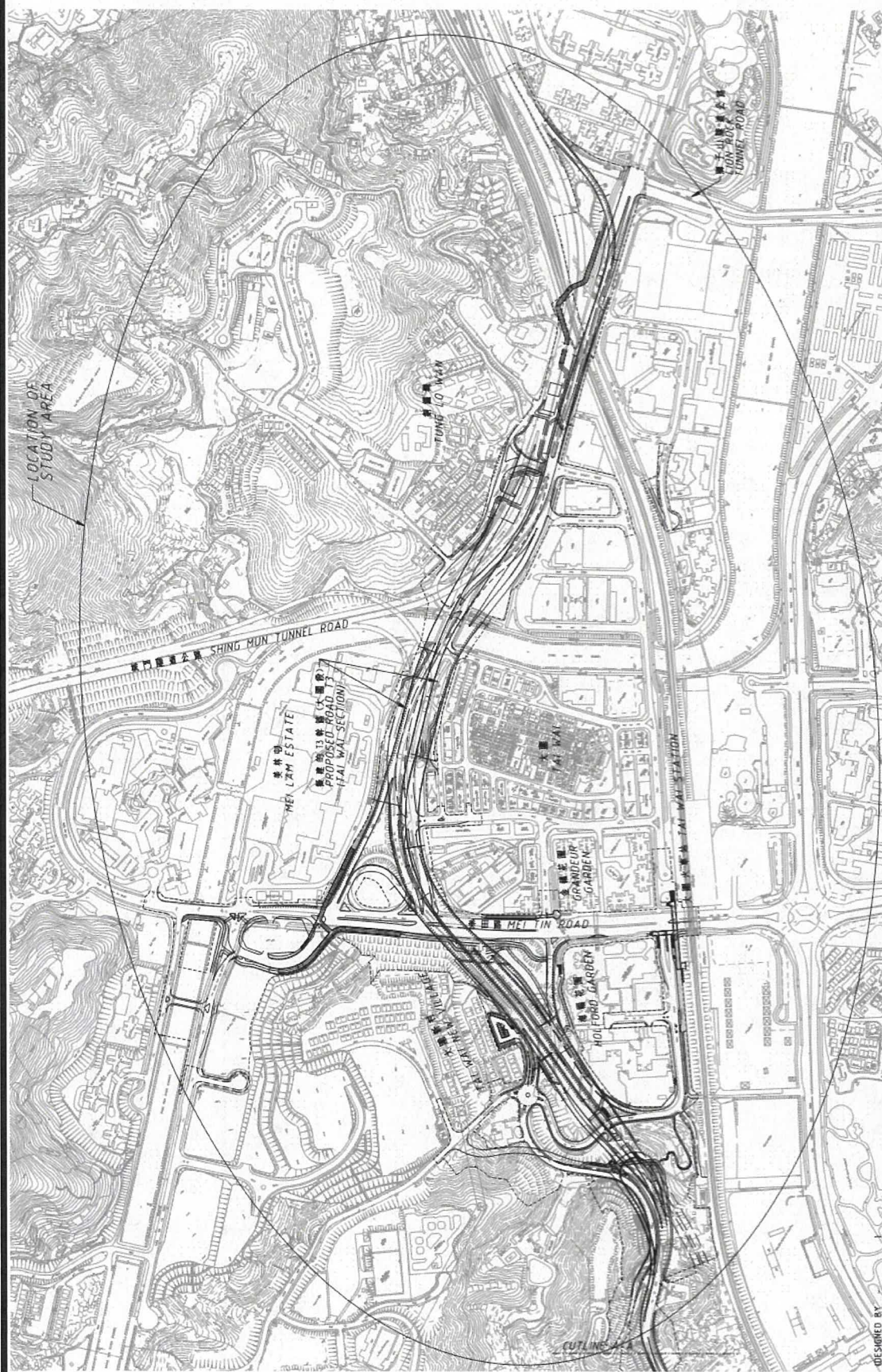


Figure 1a : Location of the Project
 圖 1a : 工程項目的地點
 (Reproduced from Drawing No. T3/SSK5257 submitted under the Application for Variation of Environmental Permit (Application No.: VEP-242/2007))
 (轉載自更改環境許可證的申請 (申請書編號 : VEP-235/2007) 所提交的圖紙編號 T3/SSK5257)

Project Title: Sha Tin New Town – Stage II, Road T3 and Associated Roadworks
 沙田新市鎮第二階段工程 - T3 號主幹道路及相關工程
 Environmental Permit No.: FEP-01/135/2002/K
 環境許可證編號 : FEP-01/135/2002/K

DESIGNED BY

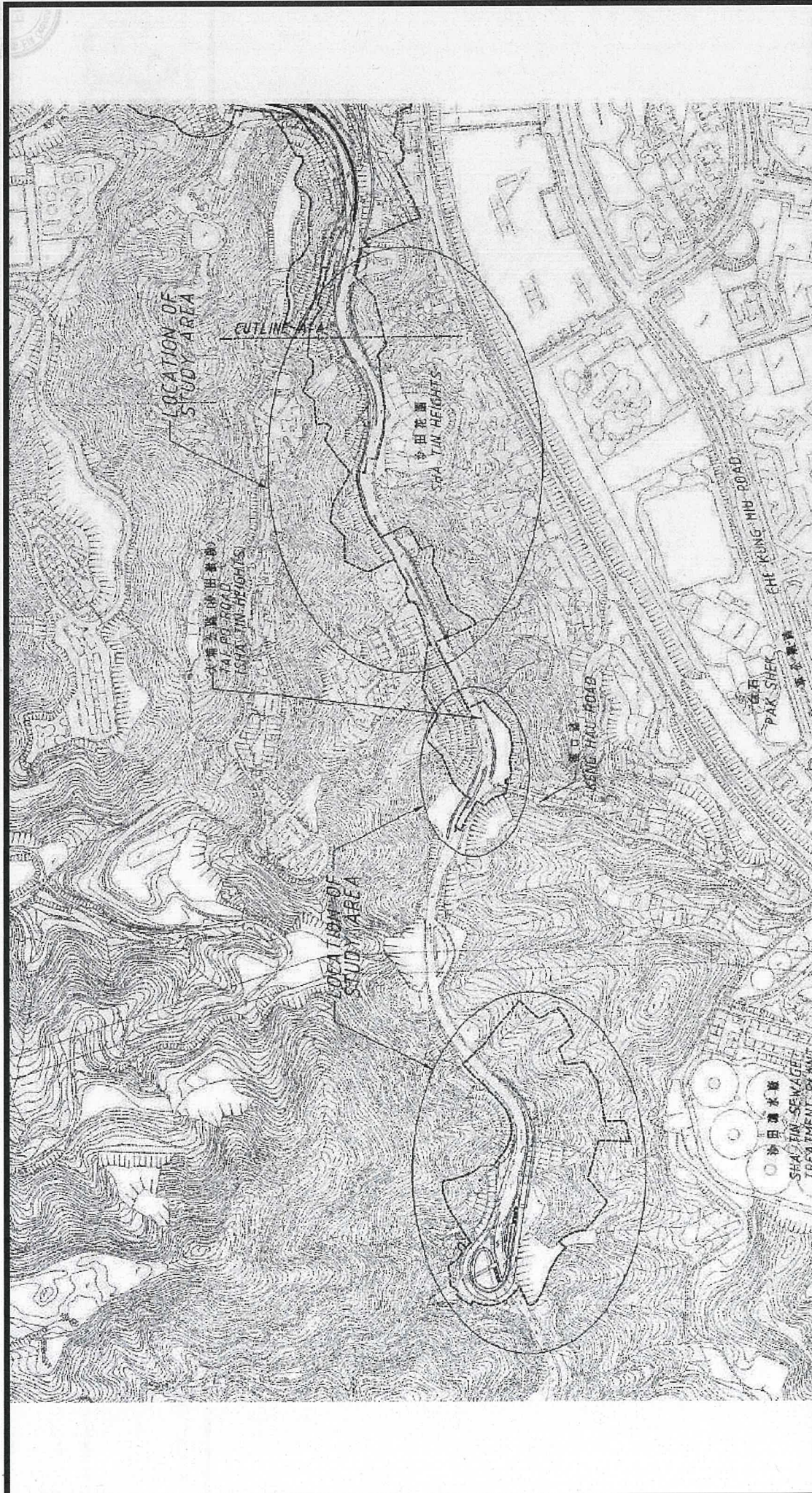


Figure 1b : Location of the Project
 圖 1b : 工程項目的地點
 (Extracted from the Application for Environmental Permit (Application No.: AEP-135/2002))
 (摘自環境許可證申請書 (申請書編號: AEP-135/2002))

Project Title: Sha Tin New Town - Stage II,
 Road T3 and Associated Roadworks
 沙田新市鎮第二階段工程 -
 T3 號主幹道路及相關工程

Environmental Permit No.: FEP-01/135/2002/K
 環境許可證編號: FEP-01/135/2002/K

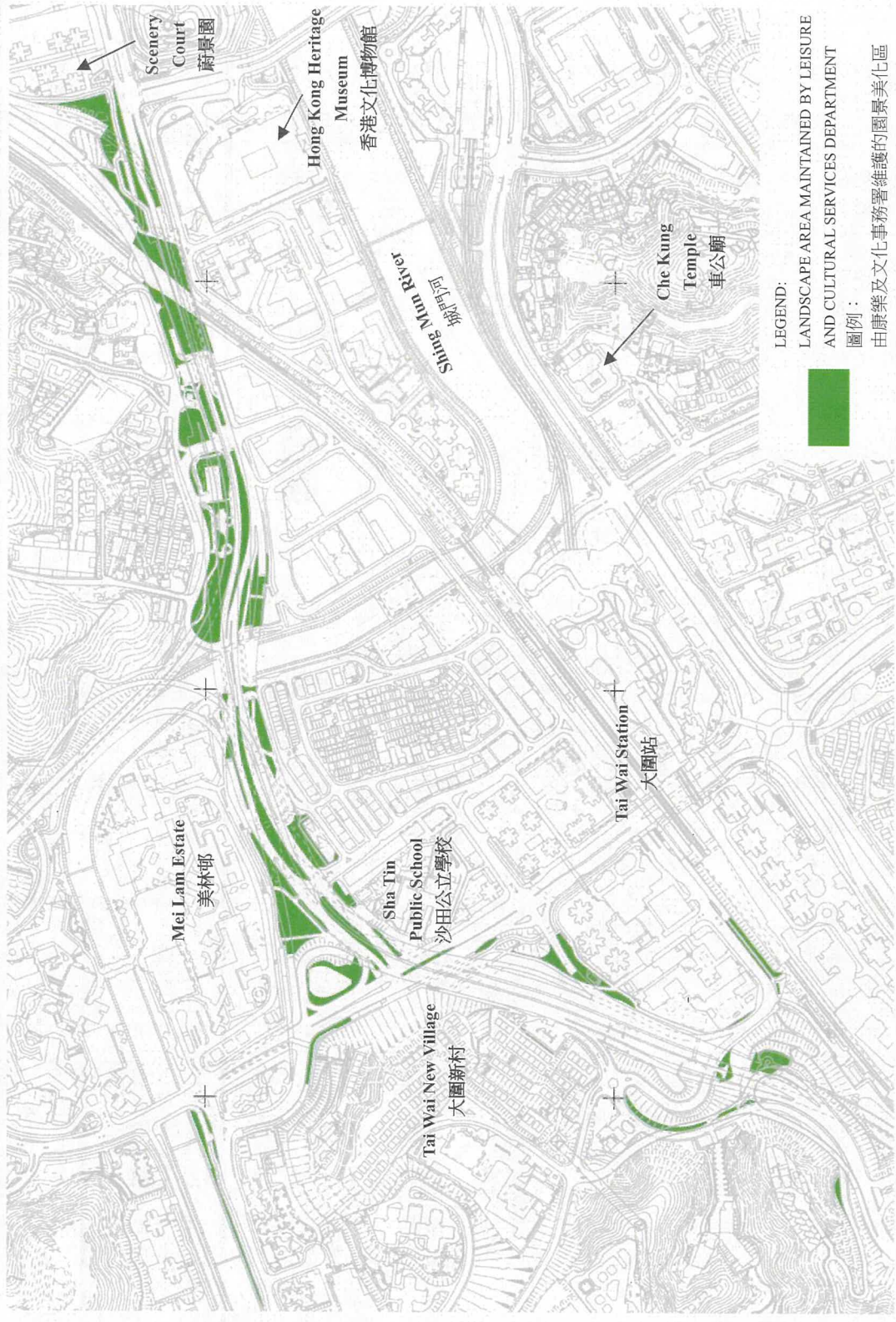


Figure 2a : Landscape Area Maintained by Leisure and Cultural Services Department (1)
圖 2a : 由康樂及文化事務署維護的園景美化區 (1)
(Reproduced from Drawing No. 63494/EP/1102 submitted under the Application for Further Environmental Permit (Application No.: FEP-221/2023))
(轉載自新的環境許可證申請 (申請書編號: FEP-221/2023) 所提交的圖則編號 63494/EP/1102)

Project Title:
Sha Tin New Town – Stage II,
Road T3 and Associated Roadworks
沙田新市鎮第二階段工程 -
T3 號主幹道路及相關工程

Environmental Permit No.: FEP-01/135/2002/K
環境許可證編號: FEP-01/135/2002/K

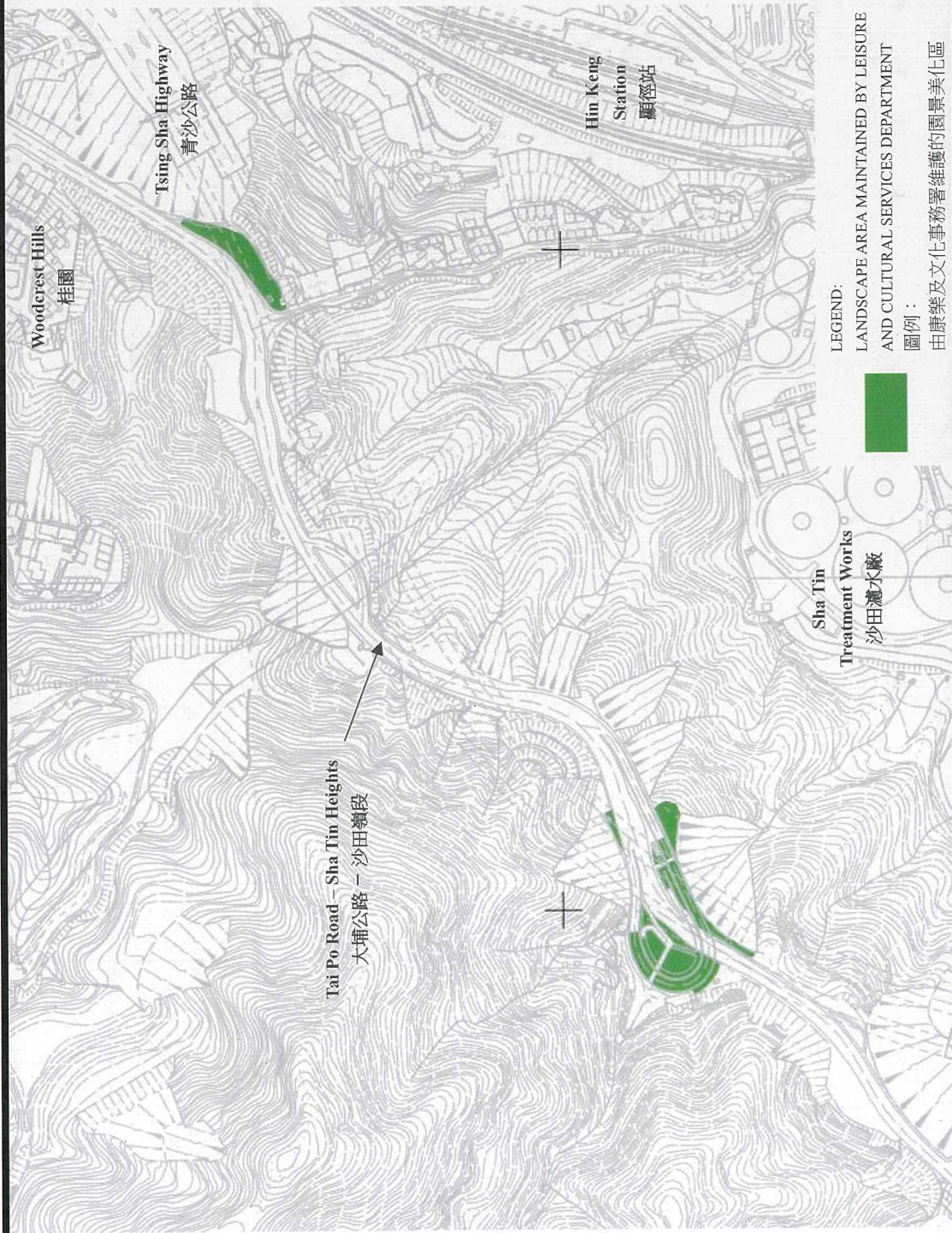


Figure 2b : Landscape Area Maintained by Leisure and Cultural Services Department (2)
圖 2b : 由康樂及文化事務署維護的園景美化區 (2)

(Reproduced from Drawing No. 63494/EP/1101 submitted under the Application for Further Environmental Permit (Application No.: FEP-221/2023))
(轉載自新的環境許可證申請 (申請書編號: FEP-221/2023) 所提交的圖則編號 63494/EP/1101)

Project Title: Sha Tin New Town - Stage II, Road T3 and Associated Roadworks
沙田新市鎮第二階段工程 - T3 號主幹道路及相關工程

Environmental Permit No.: FEP-01/135/2002/K
環境許可證編號: FEP-01/135/2002/K