本署檔號

OUR REF:

(43) in EP 2/N5/Q/72

來函檔號

YOUR REF: (006RB2) in SP 7/1/129/17

TEL. NO.: 2835 1868

圖文傳真

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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 -百三十號 修頓中心廿八樓

13 April 2018

Drainage Services Department

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

#### Project Title: Provision of Trunk Sewer to 3 Villages in Tai Po – Ta Tit Yan, Yuen Tun Ha and Lo Lau Uk (Application No. AEP-556/2018)

I refer to your above application received on 16 March 2018 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-556/2018) 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. Steve LI at 2835 1142.

Yours sincerely,

(Raymond W.M. WONG)

Principal Environmental Protection Officer for Director of Environmental Protection

Encl.



# 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 <u>Part B</u> subject to the conditions specified in <u>Part C</u>. 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<u>深務署</u>(下稱"許可證持有人")以建造及營辦<u>B部</u>所說明的指定工程項目,但須遵守<u>C部</u>所列明的條件。本環境許可證的發出,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:	AEP-556/2018
Document in the Register: 登記冊上的文件:	(1) Project Profile - Provision of Trunk Sewer to 3 Villages: Ta Tit Yan, Yuen Tun Ha and Lo Lau Uk in Tai Po (Register No. PP-563/2018)  工程項目簡介 - 擬建污水幹渠連接大埔 3 條鄉村 - 打 鐵屻、元墩下及老劉屋(登記冊編號: PP-563/2018)
	(2) The Director's letter of permission to apply directly for environmental permit dated 5 March 2018 (Ref.: (30) in EP2/N5/Q/72) 署長於 2018 年 3 月 5 日發出批准直接申請環境許可證的信件 (檔案編號: (30) in EP2/N5/Q/72)
	(3) Application for environmental permit submitted by the Permit Holder on 16 March 2018 (Application No. AEP-556/2018) 許可證持有人於 2018 年 3 月 16 日提交的環境許可證申請文件 (申請書編號: AEP-556/2018)

13 April 2018 2018年4月13日

Date 日期

(Raymond W.M. WONG)
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



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## 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 <u>Part A</u> 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	Provision of Trunk Sewer to 3 Villages in Tai Po – Ta Tit Yan, Yuen Tun Ha and Lo Lau Uk [This designated project is hereafter referred to as "the Project"] 擬建污水幹渠連接大埔 3 條鄉村 - 打鐵屻、元墩下及老 劉屋 [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	Construction of sewer partly within Tai Mo Shan Country Park (Item Q.1 of Part I of Schedule 2 of the EIAO) 建造部份位於大帽山郊野公園範圍內的污水渠(環評條例附表 2 第 I 部的 Q.1 項)
Location of Designated Project 指定工程項目的地點	The project is located at Wun Yiu Road, Tai Po. The location of the Project is shown in <u>Figure 1</u> of this Permit. 工程項目位於大埔碗窰路。工程項目的位置載於本許可證 <u>圖 1</u> 。
Scale and Scope of Designated Project 指定工程項目的規模和範 圍	<ul> <li>The scope of the Project includes: –</li> <li>Laying about 1 km long, approximate 250 mm diameter public trunk sewer from San Uk Ka to Ta Tit Yan, which can be connected to Yuen Tung Ha and Lo Lau Uk;</li> <li>Construction of the associated sewer manholes and facilities;</li> <li>Installation of one small prefabricated pipe support for supporting the proposed sewer pipe crossing the Wun Yiu Ecologically Important Stream;</li> <li>Provision of leakage prevention system for the pipe sections crossing four existing watercourses to avoid potential pollution.</li> </ul>
	此部份工程項目的範圍如下: - 由新屋家敷設長約 1 公里、直徑約 250 毫米的公共 污水幹渠,連接至打鐵屻(沿途可供元墩下和老劉屋 接駁);
	<ul><li>建造相關的污水沙井及設施;</li><li>安裝一個小型預製件污水渠支撐以支撐污水渠管橫 跨碗窰具重要生態價值河溪;</li></ul>

### Environmental Permit No. EP-556/2018 環境許可證編號 EP-556/2018

- 為橫跨河道的污水管提供防滲漏系統,避免對集水區及郊野公園造成潛在污染。

#### PART C (PERMIT CONDITIONS) C部 (許可證條件)

#### 1. <u>General Conditions</u> 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》(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 Air Pollution Control Ordinance (Cap. 311), Waste Disposal Ordinance (Cap. 354), Water Pollution Control Ordinance (Cap. 358) and Noise Control Ordinance (Cap. 400). 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)及《噪音管制條例》(第 400 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. 
  许可證持有人須把本許可證的一份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'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 notices

EIAO EPD 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 description in <u>Part B</u> 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 relevant recommendations described in the Project Profile (Register No: PP-563/2018), the application documents for Environmental Permit (Application No. AEP-556/2018), other relevant documents in the Register; 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, 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 in this permit or otherwise agreed by the Director.

許可證持有人須確保工程項目按照下述資料設計、建造及營辦:工程項目簡介(登記冊編號: PP-563/2018)所說明的資料及相關建議、環境許可證申請文件(申請書編號: AEP-556/2018)、登記冊內的其他相關文件、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、以及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。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。

- 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及存放的文件,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及重新提交。
- 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).

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及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》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。

- 1.10 The Permit Holder shall release all finalised 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 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 finalised 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.

  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) 和便攜式文件格式 (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 2 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兩個星期,以書面方式把施工日期通知署長。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和預備工程,或署長同意的其他工程。

## 2. <u>Specific Conditions</u> 特定條件

Submissions before Commencement of Construction of the Project and Measures during Construction of the Project 工程項目施工前須提交的文件及施工期間須採取的措施

- 2.1 The Permit Holder shall, no later than 4 weeks before the commencement of construction of the Project, submit six hard copies and one electronic copy of a Water Quality and Ecological Monitoring Plan (WQEMP) to the Director for approval. The WQEMP shall provide details, supported with justifications, on the methodology, equipment, locations, frequency and duration for baseline, impact and post-construction monitoring, water quality action and limit levels, and Event and Action Plans. The approved WQEMP shall be fully and properly implemented. 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 個星期向署長提交水質及生態監察計劃書的 6 份硬複本及 1 份電子版本,以供審批。該計劃書須列明包括基線、影響及完工後監測的方法、設備、地點、次數、及持續時間的詳情、水質表現規限(行動及極限水平)、事件及行動計劃等資料,並附上充分理據。經批准的水質及生態監察計劃書須徹底及妥善執行。
- 2.2 The Permit Holder shall, no later than 4 weeks before the commencement of construction of the Project, deposit six hard copies and one electronic copy of layout plan(s) of the Project, with a scale of 1:1000 or other appropriate scale as agreed with the Director, and shall include the details of works boundaries, works areas, stockpiling areas, storage areas for machinery, fuel, lubricant and chemicals, and other temporary uses, e.g. temporary toilets and resting areas for workers, etc., with a view to avoid or minimise any impacts or disturbance to Tai Mo Shan Country Park and nearby watercourses.

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 6 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、堆存物料區、機械、燃料、潤滑劑及化學品存放區、其他臨時用途的範圍(如臨時廁所和工人休息區等)的詳情;目的是避免或減少對大帽山郊野公園及附近水道帶來影響或滋擾。

- 2.3 The Permit Holder shall, no later than 4 weeks before the commencement of construction of the Project, deposit six hard copies and one electronic copy of a Waste Management Plan (WMP) for the construction of the Project with the Director. The WMP shall include but not limited to the following information: 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 廢物管理計劃的 6 份硬複本及 1 份電子版本。計劃須至少包括:
  - (a) arrangement for avoidance, reduction, recovery, recycling, reuse, storage, collection, treatment and disposal of different categories of waste to be generated from the construction activities; 避免產生、減少、回收、循環再造、再使用、貯存、收集、處理和棄置各類建造作業所產生廢物的安排;
  - (b) waste flow table(s) indicating the amounts of waste generated, recycled and disposed of;

廢物流量表,顯示廢物產生量、回收量和棄置量;

- the recommended mitigation measures on waste management contained in the Project Profile (No. PP-563/2018);
  - 工程項目簡介(編號: PP-563/2018)中所建議的廢物管理緩解措施;
- (d) maximisation of the use of Construction & Demolition materials for backfilling the works area during the construction phase of the Project; and 在工程項目施工階段盡量利用拆建物料回填工地區;及
- (e) designated disposal location(s) for all surplus excavated materials and other wastes.

所有剩餘挖出棄土及其他廢物的指定棄置地點。

All recommended measures as set out in the WMP shall be fully and properly implemented.

廢物管理計劃內列明的各項建議措施,均須徹底及妥善執行。

2.4 To avoid or minimize impacts to the Wun Yiu Ecologically Important Stream (WYEIS), the following measures shall be implemented during construction stage of the Project:

項目施工階段須採取以下措施以避免或減少對碗窰具重要生態價值河溪的影響:

- (a) no construction activity within the water body of WYEIS; 不得於碗窰河溪的水體內施工;
- (b) no construction work shall be carried out inside WYEIS in spring and wet seasons;
  不得於春季和雨季期間在碗窰河溪內施工;
- (c) only hand-held tools may be used inside WYEIS; and 在碗窰河溪內只允許以手持工具施工;及
- (d) the natural bottom and water flow of WYEIS shall be preserved and no access track on riverbed shall be allowed. 保存碗窰河溪的天然河床及水流,不得於碗窰河溪河床上設立臨時通道。
- 2.5 No dredging, river training or river diversion shall be allowed in the Project. 工程項目不得進行挖泥,河道治理或河道導流工程。
- 2.6 The Permit Holder shall employ an Independent Environmental Checker (IEC) to audit the implementation of all mitigation measures recommended in the Project Profile (Register No. PP-563/2018) and in the above Conditions. The IEC shall confirm full compliance through an Audit Report deposited with the Director within one month upon completion of the construction works.

許可證持有人須聘用一名獨立環境查核人,負責審核工程項目簡介(登記冊編號: PP-563/2018) 內及以上各許可證條件中建議的緩解措施的實施工作。獨立環境查核人須確定緩解措施的實施完全符合工程項目簡介及以上各許可證條件的建議,並在建造工程完成後一個月內,就有關審核向署長存放審核報告書。

#### 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 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。
- If there is a breach of any condition of this Permit, the Director or his authorized 2. 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。
- The Permit Holder may apply under Section 13 of the EIAO to the Director for a 3. 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環境許可證的條 件。許可證持有人須將經修改的許可證替換在建造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 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 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,則在繼續營辦工程項目 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 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,即屬犯罪一
  - (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.

    在任何情况下如該罪行屬持續性質,則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 天内,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-556/2018 環境許可證編號 EP-556/2018 EIAO EPD

