

本署檔號  
OUR REF: (5) to AX(21) of EP 2/H10/P/  
09 Pt.12  
來函檔號  
YOUR REF: DSD HK 12/4  
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**Environmental Protection Department**

**Branch Office**

28th Floor, Southorn Centre,  
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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

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

**Project Title: Cyberport Development – Northern Access Road**  
**(Application No. FEP-165/2015)**

I refer to your above application received on 28 Dec 2015 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-02/065/2000/A) 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 Mr. Richard Wong at 2835 1128.

Yours sincerely,

(Ken Y K Wong)

Principal Environmental Protection Officer  
for Director of Environmental Protection

Encl.  
b.c.c. S(RS)3

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)

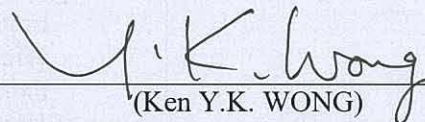
Pursuant to Sections 10 and 12 of the Environmental Impact Assessment Ordinance (EIAO), the Director of Environmental Protection (the Director) grants this further environmental permit to the **Drainage Services Department** (hereinafter referred to as the "Permit Holder") to operate the designated project 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**渠務署**(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-165/2015
Document in the Register 登記冊上文件	(1) Engineering Feasibility Study for Infrastructural Works for the Proposes Development at Telegraph Bay (Register No.: AEIAR-009/1999) <ul style="list-style-type: none"><li>- Environmental Impact Assessment Report (March 1999) [Hereinafter referred to as the "EIA Report"]</li><li>- Executive Summary (March 1999) [Hereinafter referred to as the "EIA Executive Summary"]</li></ul> 鋼線灣發展工程可行性研究環境影響評估研究 (登記冊編號: AEIAR-009/1999) <ul style="list-style-type: none"><li>- 環境影響評估報告 (1999年3月) [下稱「環評報告」]</li><li>- 行政摘要 (1999年3月) [下稱「環評摘要」]</li></ul> (2) The Director's letter of approval of the EIA report dated 26 April 1999, (ref. (79) in Ax (2) to EP 2/H10/P/09 Pt.3) 署長於1999年4月26日發出批准環評報告的信件，檔案編號: (79) in Ax (2) to EP 2/H10/P/09 Pt.3)(3) Application for an Environmental Permit submitted on 25 May 2000 (Application No.: AEP-065/2000) 於2000年5月25日提交的环境許可證申請 (申請書編號: AEP-065/2000)(4) Environmental Permit issued on 23 June 2000 (Permit No. EP-065/2000) 於2000年6月23日簽發的环境許可證 (許可證編號

	<p>EP-065/2000)</p> <p>(5) Application for Variation of an Environmental Permit (Application No.: VEP-019/2000) including all attachments submitted on 6 July 2000 於2000年7月6日提交的更改環境許可證申請文件及附件 (申請書編號: VEP-019/2000)</p> <p>(6) Environmental Permit issued on 19 July 2000 (Permit No. VEP-019/2000/A/EP-065) 於2000年7月19日簽發的環境許可證 (許可證編號 VEP-019/2000/A/EP-065)</p> <p>(7) Application for Further Environmental Permit (Application No.: FEP-154/2014) including all attachments submitted on 17 March 2014 於2014年3月17日提交的新環境許可證申請文件及附件 (申請書編號: FEP- 154/2014)</p> <p>(8) Application for Further Environmental Permit (Application No.: FEP-165/2015) including all attachments submitted on 28 December 2015 於2015年12月28日提交的新環境許可證申請文件及附件 (申請書編號: FEP- 165/2015)</p>
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6 January 2016  
2016 年 1 月 6 日

Date  
日期

  
(Ken Y.K. 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 黃耀光 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部所提及的指定工程項目的說明：

Title of Designated Project(s) 指定工程項目的名稱	Cyberport Development – Northern Access Road [This designated project is hereinafter referred to as "the Project"] 鋼線灣數碼港發展計劃的北面通道 [這指定工程項目下稱“工程項目”]
Nature of Designated Project(s) 指定工程項目的性質	Operation of part of a district distributor road. 營辦地區幹路的一部分。
Location of Designated Project(s) 指定工程項目的地點	Telegraph Bay, Pokfulam. The location of this Project is shown in Figure 1 attached to this Permit. 薄扶林鋼線灣。工程項目的位置見載於本許可證夾附的圖1。
Scale and Scope of Designated Project(s) 指定工程項目的規模和範圍	Operation and maintenance of Cyberport Development – Northern Access Road landscape areas totalling about 676 m <sup>2</sup> as shown in Figure 1 of this Permit. 營辦及保養載於本許可證的圖1所示的“鋼線灣數碼港發展計劃-北面通道”的園景美化區，園景美化區面積共約676平方米。



**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. 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。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 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 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有關營辦工程項目的負責人，並確保這些人士完全明白本許可證的所有條件與規定。
- 1.5 Not Used.
- 1.6 The Permit Holder shall 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，營辦工程項目。
- 1.7 The Permit Holder shall ensure that the Project is operated in accordance with the information and recommendations described in the approved EIA Report (Register No. AEIAR-009/1999), the application documents for environmental permits, 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 or impliedly amended in this Permit.  
許可證持有人須確保工程項目按照下述資料營辦：環評報告（登記冊編號：AEIAR-009/1999）所說明的資料及各項建議；環境許可證的申請文件；登記冊內的其他



相關文件；本許可證所說明的資料或緩解措施；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默示修訂。

2. **Specific Conditions**  
**特定條件**

- 2.1 The landscape areas totalling 676 m<sup>2</sup> as shown in Figure 1 of this Permit shall be properly managed and maintained in accordance with the detailed landscape as-built drawing(s) deposited with the Director under Condition 2.15 of the environmental permit (Permit No.: VEP-019/2000/A/EP-065).

本許可證圖1所示面積共約676平方米的園景美化區須按照環境許可證(VEP-019/2000/A/EP-065)條件2.15向署長存放的竣工景觀圖則妥善管理和維護。

**Notes:**  
註:

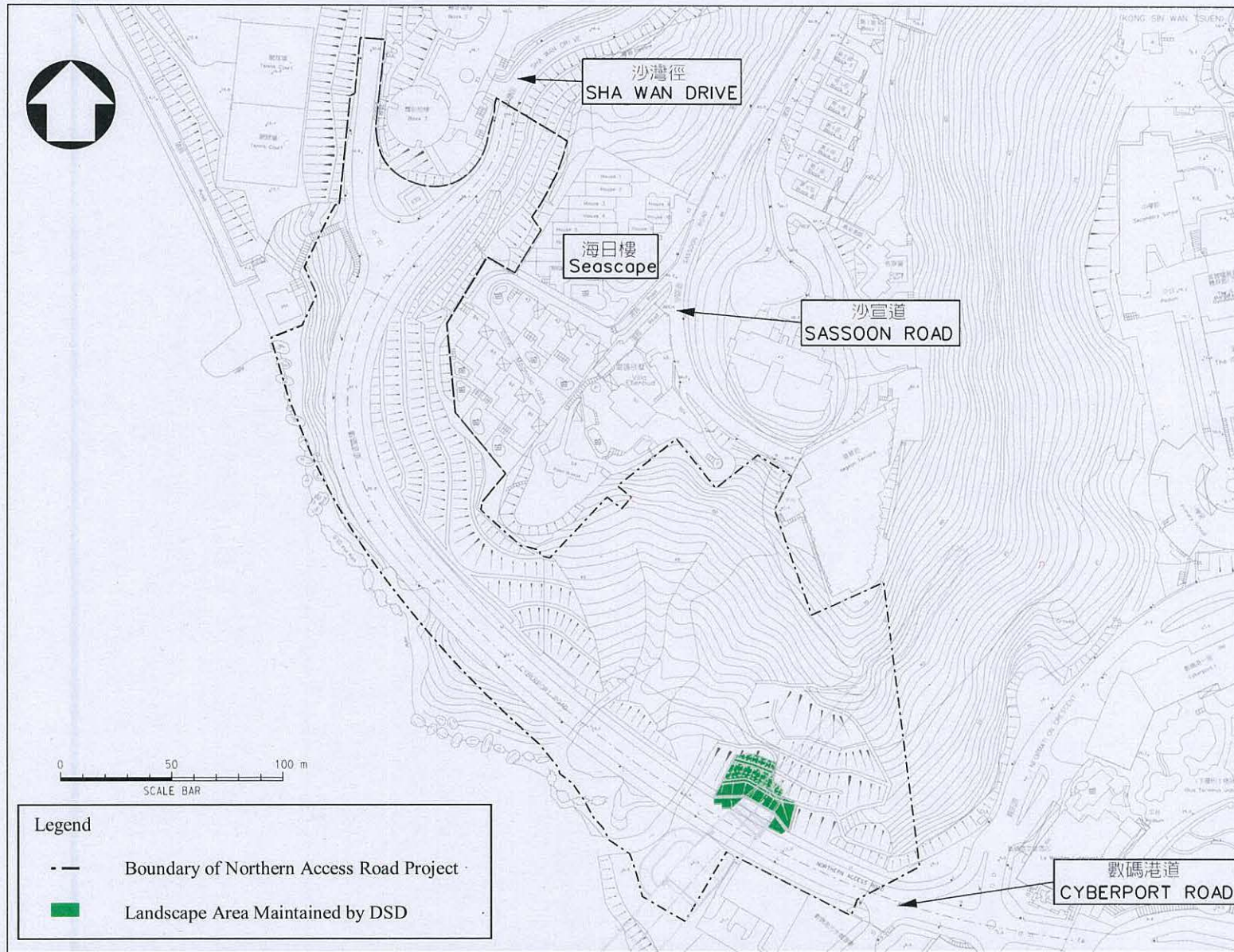
1. This Permit consists of three parts, namely, Part A (Main Permit), Part B (Description of Designated Project) and Part C (Permit Conditions). Any person relying on this permit should obtain independent legal advice on the legal implications under the EIAO, and the following notes are for general information 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 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 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(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 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、更改或取消本許可證。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。



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 EIAO to operate a designated project listed in Part 1 of Schedule 2 of the EIAO 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 1 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 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營辦工程項目，根據環評條例，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；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 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-02/065/2000/A**  
環境許可證編號 : FEP-02/065/2000/A





**Project Title: Cyberport Development - Northern Access Road**  
 工程項目名稱：數碼港發展計劃的北面通道  
**Environmental Permit No. : FEP-02/065/2000/A**  
 環境許可證編號：FEP-02/065/2000/A

**Figure 1: Landscape Maintenance Plan for Northern Access Road Project of Drainage Services Department**

**圖 1: 渠務署位於北面通道項目的園景美化保養工程位置圖**

(This figure was prepared based on Figure 2 for FEP application (Application no. FEP-165/2015))  
 (本圖是根據申請新的環境許可證 (申請編號 FEP-165/2015) 圖 2 編制)

