

本署檔號
OUR REF: (20) in Ax(12)to
EP2/N9/O/65 IV
來函檔號
YOUR REF:
電話
TEL. NO.: 2835 1751
圖文傳真
FAX NO: 2591 0558
電子郵件
E-MAIL:
網址
HOMEPAGE: <http://www.epd.gov.hk>

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

5 May 2016

By Registered Post & Fax

Dear ,

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

Project Title:

Chok Ko Wan Link Road (remaining part)
Road P2 – Yam O to Penny's Bay (remaining part)
(Application No. FEP-167/2016)

I refer to your above application received on 11 April 2016 for a further environmental permit under Section 12(1) of the EIA Ordinance.

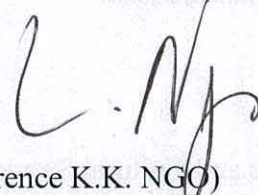
Pursuant to Section 12(3) of the EIA Ordinance, I now issue the attached further environmental permit (No. FEP-01/138/2002/C) for your use.

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 U at 2835 2164.

Yours sincerely,



(Lawrence K.K. NGO)
Acting Principal Environmental Protection Officer
(Regional Assessment)
for Director of Environmental Protection

Encl.
c.c.

ENVIRONMENTAL IMPACT ASSESSMENT ORDINANCE
(CHAPTER 499)
SECTIONS 10 & 12

環境影響評估條例
 (第 499 章)
 第 10 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 (hereinafter referred to as this “Permit”) to the **Leisure and Cultural Services Department** (hereinafter referred to as the “Permit Holder”) to operate the designated project described in **Part B** of this Permit subject to the conditions specified in **Part C** of this Permit. The issue of this Permit is based on the documents, approval and permissions described below:

根據環境影響評估條例(環評條例)第 10 及 12 條的規定，環境保護署署長(署長)將本新的環境許可證(下稱“本許可證”)批予**康樂及文化事務署**(下稱“許可證持有人”)以營辦本許可證 **B 部**所說明的指定工程項目，但須遵守本許可證 **C 部**所列明的條件。本許可證乃依據下列的文件、批准及許可條件而簽發

Application No. 申請書編號	FEP-167/2016
Documents in the Register: 登記冊上的文件：	<p>(1) Environmental Impact Assessment – Construction of an International Theme Park in Penny’s Bay of North Lantau and its Essential Associated Infrastructures</p> <ul style="list-style-type: none"> - Final EIA Report - Annex (Volume 1) - Annex (Volume 2) - Annex (Volume 3) - Executive Summary <p>(Register No.: AEIAR-032/2000) [Hereinafter referred to as “the EIA Report”]</p>



北大嶼山竹篙灣國際主題公園及有關主要基礎設施建造工程 - 環境影響評估:

- 最終環境影響評估報告
- 附件 (第一冊)
- 附件 (第二冊)
- 附件 (第三冊)
- 摘要

(登記冊編號: AEIAR-032/2000) [下稱“環評報告”]

- (2) The Director's letter of approval of the EIA Report dated 28 April 2000, ref: (53) in Annex (3) to EP2/N9/O/65 III.

環境保護署署長於 2000 年 4 月 28 日發出批准環評報告的信件 (檔案編號: (53) in Annex (3) to EP2/N9/O/65 III)

- (3) Environmental Impact Assessment Final Report – Northshore Lantau Development Feasibility Study (Volume 1 to 5), Environmental Monitoring and Audit Manual, and Executive Summary (Register No.: AEIAR-031/2000) [Hereinafter referred to as “the NLDFS EIA Report”]

大嶼山北岸發展可行性研究 - 環境影響評估最終報告(第一至第五冊), 環境監察及審核手冊, 以及行政摘要 (登記冊編號: AEIAR-031/2000) [下稱“NLDFS 環評報告”]

- (4) The Director's letter of approval of the NLDFS EIA Report dated 28 April 2000, ref: EP2/G/S3/108.

環境保護署署長於 2000 年 4 月 28 日發出批准環評報告的信件 (檔案編號: (53) in Annex (3) to EP2/N9/O/65 III)

- (5) Application documents for Environmental Permit including all attachments submitted on 26 April 2002 (Application No. AEP-138/2002)

於 2002 年 4 月 26 日提交的許可證申請文件包括所有附件 (申請書編號 AEP-138/2002)

- (6) Environmental Permit (No. EP-138/2002) issued on 10 May 2002.

於 2002 年 5 月 10 日簽發的環境許可證編號 EP-138/2002

- (7) Application documents for Variation of Environmental Permit including all attachments submitted on 14 August 2002. (Application No. VEP-070/2002)

於 2002 年 8 月 14 日提交更改環境許可證的申請編號 VEP-070/2002 和附件

- (8) Environmental Permit (No. EP-138/2002/A) issued on 3 September 2002.

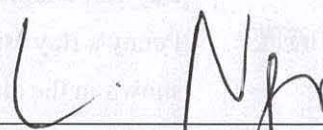
於 2002 年 9 月 3 日簽發的環境許可證編號 EP-138/2002/A



	<p>(9) Application documents for Variation of Environmental Permit including all attachments submitted on 2 January 2003. (Application No. VEP-083/2003)</p> <p>於 2003 年 1 月 2 日提交更改環境許可證的申請編號 VEP-083/2003 和附件</p> <p>(10) Environmental Permit (No. EP-138/2002/B) issued on 24 January 2003.</p> <p>於 2003 年 1 月 24 日簽發的環境許可證編號 : EP-138/2002/B</p> <p>(11) Application documents for Variation of Environmental Permit including all attachments submitted on 8 March 2003. (Application No. VEP-087/2003)</p> <p>於 2003 年 3 月 8 日提交更改環境許可證的申請編號 VEP-087/2003 和附件</p> <p>(12) Environmental Permit (No. EP-138/2002/C) issued on 31 March 2003.</p> <p>於 2003 年 3 月 31 日簽發的環境許可證編號 : EP-138/2002/C</p> <p>(13) Application for Further Environmental Permit submitted on 11 April 2016 (Application No. FEP-167/2016)</p> <p>於 2016 年 4 月 11 日提交的新的環境許可證的申請文件 (申請書編號 : FEP-167/2016)</p>
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5 May 2016
2016 年 5 月 5 日

Date
日期



(Lawrence K.K. NGO)
Acting Principal Environmental Protection Officer
(Regional Assessment)
for Director of Environmental Protection
環境保護署署長
(署理首席環境保護主任(區域評估) 敖國強代行)



PART B (DESCRIPTION OF PART 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	<ol style="list-style-type: none">1. Chok Ko Wan Link Road (remaining part)2. Road P2 – Yam O to Penny’s Bay (remaining part) <p>[This designated project is hereinafter referred to as “the Project”]</p> <ol style="list-style-type: none">1. 竹篙灣連接路 (餘下部份)2. P2 公路 – 陰澳至竹篙灣 (餘下部份) <p>[本指定工程項目下稱“工程項目”]</p>
Nature of Designated Project 指定工程項目的性質	<ol style="list-style-type: none">1. Operation of about 1.1 km of a road which is an expressway.2. Operation of about 0.9 km of a primary distributor. <ol style="list-style-type: none">1. 營辦一條約 1.1 千米長的快速公路。2. 營辦一條約 0.9 千米長的主要幹路。
Location of Designated Project 指定工程項目的地點	<p>Penny’s Bay, Lantau. The location of the Project is shown in Figure <u>R1</u> of this Permit.</p> <p>大嶼山竹篙灣。工程項目的地點載於本許可證的圖 <u>R1</u>。</p>
Scale and Scope of Designated Project(s) 指定工程項目的規模和範圍	<p>Maintenance of roadside planting areas along part of Magic Road, Sunny Bay Road and Fantasy Road (previously known as Road P2) and part of Penny’s Bay Highway (previously known as Chok Ko Wan Link Road) as shown in the attached Figures <u>R1</u> to <u>R5</u> of this Permit.</p> <p>載於本環境許可證的圖 <u>R1</u> 至 <u>R5</u> 的沿部份神奇道，欣澳道和幻想道 (前稱為 P2 公路) 及部份竹篙灣公路 (前稱為竹篙灣連接路) 的路旁種植區的維修保養。</p>



PART C (PERMIT CONDITIONS)

C 部 (許可證條件)

1. General Conditions

一般條件

- 1.1 The Permit Holder shall ensure full compliance with all conditions of this environmental permit. Any non-compliance may constitute a contravention of the EIAO and may become subject of appropriate action to be taken under the Ordinance.

許可證持有人必須確保完全符合本環境許可證的全部條件。如有不符合本許可證的情況，可能構成違反《環境影響評估條例》的規定，而當局可根據條例採取適當行動。

- 1.2 The Permit Holder shall ensure, from time to time, full compliance with all legislation in force including but without limitation to the Noise Control Ordinance (Cap. 400), Air Pollution Control Ordinance (Cap. 311), Water Pollution Control Ordinance (Cap. 358) and Waste Disposal Ordinance (Cap. 354). This Permit does not of itself constitute any ground of defense against any proceedings instituted 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)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); 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起的法律程序構成任何抗辯理由。

- 1.3 The Permit Holder shall make copies of this Permit together with all documents referred to in this Permit or the documents referred to in [Part A](#) of this Permit readily available at all times for inspection by the Director at the Permit Holder's office. 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或本許可證 [A 部](#) 所述文件，以供署長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和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 the Permit.

許可證持有人須將本許可證的一份複本交予負責營辦本工程項目的人士，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 The Permit Holder shall operate the part of the Project described in Part B of this Permit.

許可證持有人須依據本許可證 B 部 的說明，營辦工程項目部份。

1.6 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-032/2000), 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 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-032/2000）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修訂。

2. Specific Conditions

特別條件

2.1 The Permit Holder shall manage and maintain the roadside planting areas as shown in Figures R1 to R5 of this Permit, in accordance with the detailed landscape plan deposited with the Director under Condition 3.11 of the environmental permit (Permit No.: EP-138/2002/C).

許可證持有人須按照環境許可證(EP-138/2002/C)條件 3.11 向署長存放的竣工景觀圖則，妥善管理和維護本許可證圖 R1 至 R5 所示的路旁種植區。

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 that 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 Ordinance 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。許可證持有人須將經修改的許可證，替換原有許可證。

4. A person who assumes the responsibility for the whole or a part of the designated project may, before he assumes responsibility of the designated project, apply under Section 12 of the Ordinance to the Director for a further environmental permit.

承擔指定工程項目的整項或部分工程的責任的人，在承擔指定工程項目責任之前，可根據條例第 12 條的規定向署長申請新的環境許可證。

5. Under Section 14 of the 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 construction site.

根據條例第 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。

6. If this Permit is cancelled or surrendered during the operation or decommission of the Project, another environmental permit must be obtained under the EIAO before the operation of the Project could be continued. It is an offence under Section 26(1) of the EIAO to operate or decommission 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營辦或解除運作期間取消或交回，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或解除運作環評條例附表 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 the Permit, and is convicted of an offence under the Ordinance, 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 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 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-01/138/2002/C

環境許可證編號：FEP-01/138/2002/C



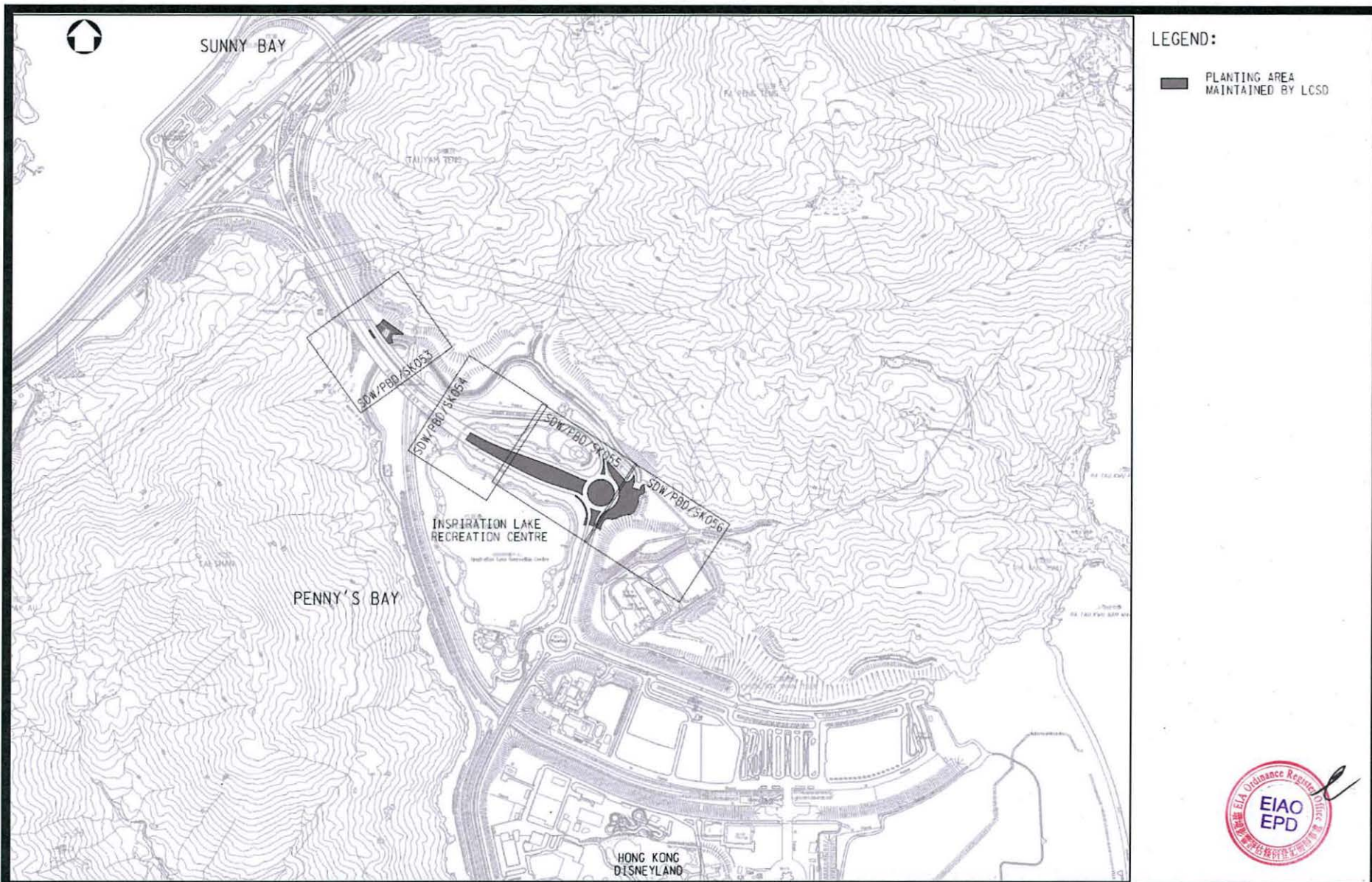


Figure R1: Chok Ko Wan Link Road (remaining part)
 Road P2 - Yam O to Penny's Bay (remaining part)
 圖 R1 : 竹篙灣連接路 (餘下部份)
 P2 公路 - 陰澳至竹篙灣 (餘下部份)

Environmental Permit No.: FEP-01/138/2002/C
 環境許可證編號: FEP-01/138/2002/C



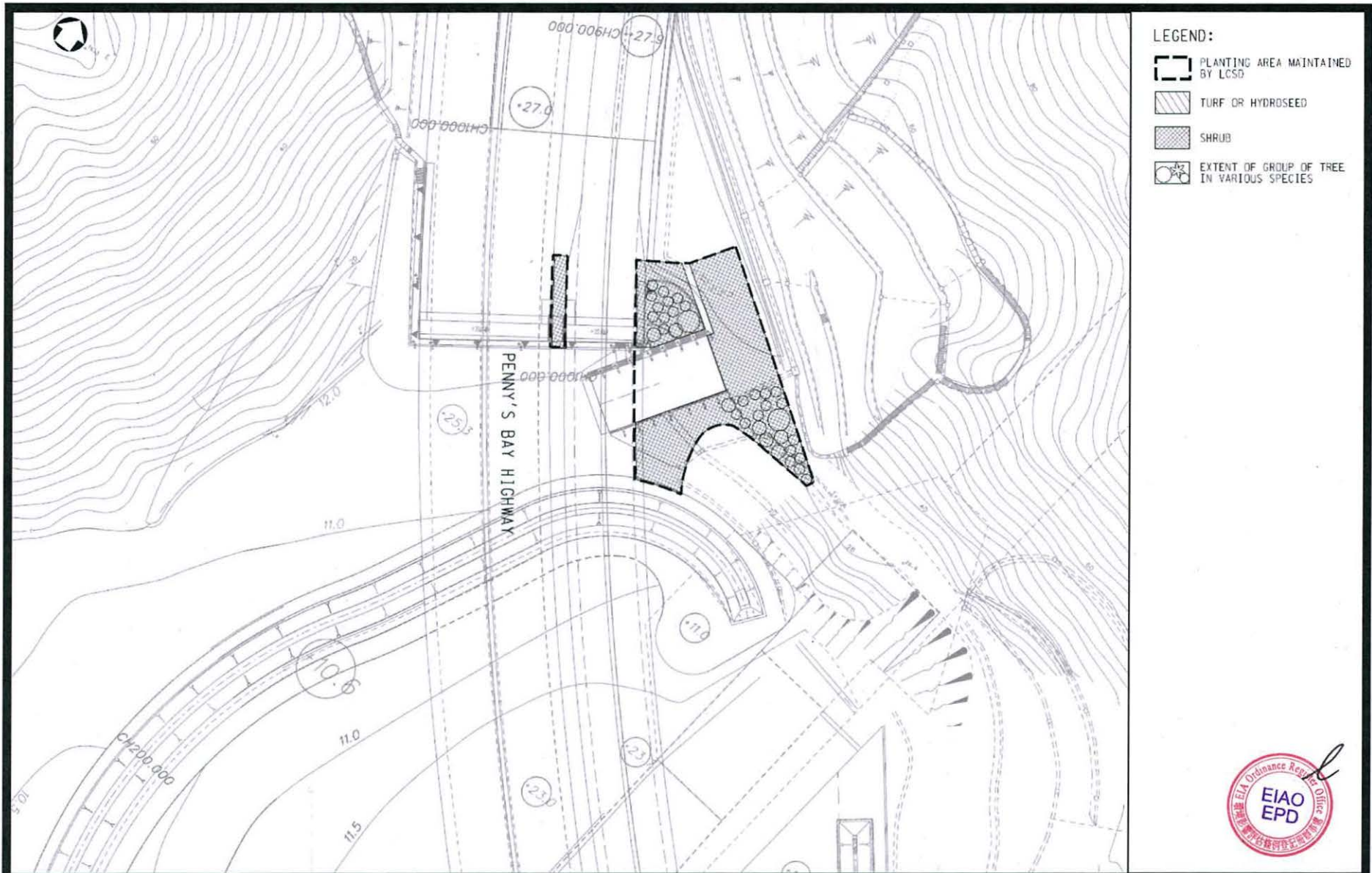


Figure R2: Chok Ko Wan Link Road (remaining part)
 Road P2 - Yam O to Penny's Bay (remaining part)
 圖 R2 : 竹篙灣連接路 (餘下部份)
 P2 公路 - 陰澳至竹篙灣 (餘下部份)

Environmental Permit No.: FEP-01/138/2002/C
 環境許可證編號 : FEP-01/138/2002/C



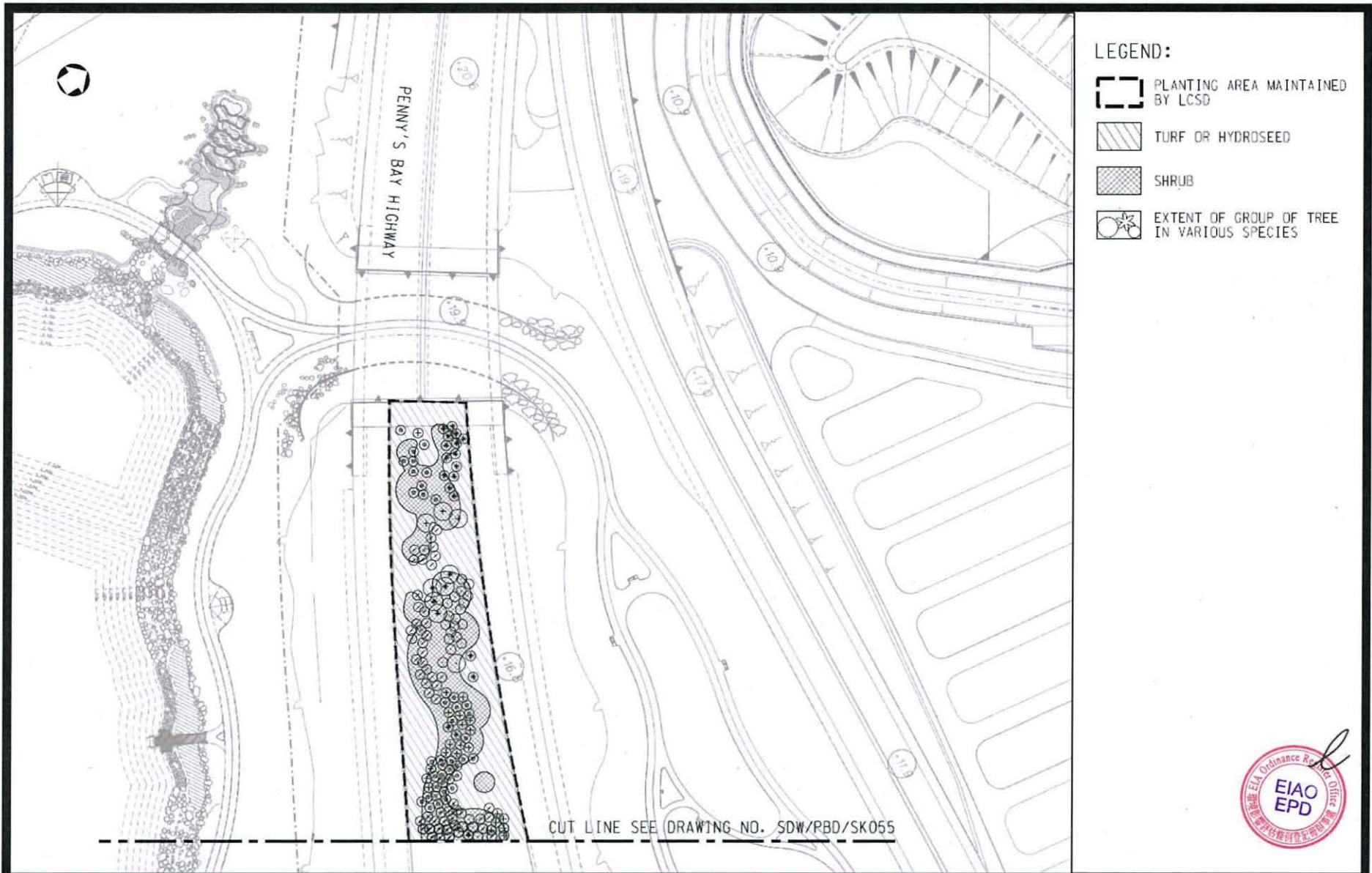


Figure R3: Chok Ko Wan Link Road (remaining part)
 Road P2 - Yam O to Penny's Bay (remaining part)
 圖 R3 : 竹篙灣連接路 (餘下部份)
 P2 公路 - 陰澳至竹篙灣 (餘下部份)

Environmental Permit No.: FEP-01/138/2002/C
 環境許可證編號 : FEP-01/138/2002/C



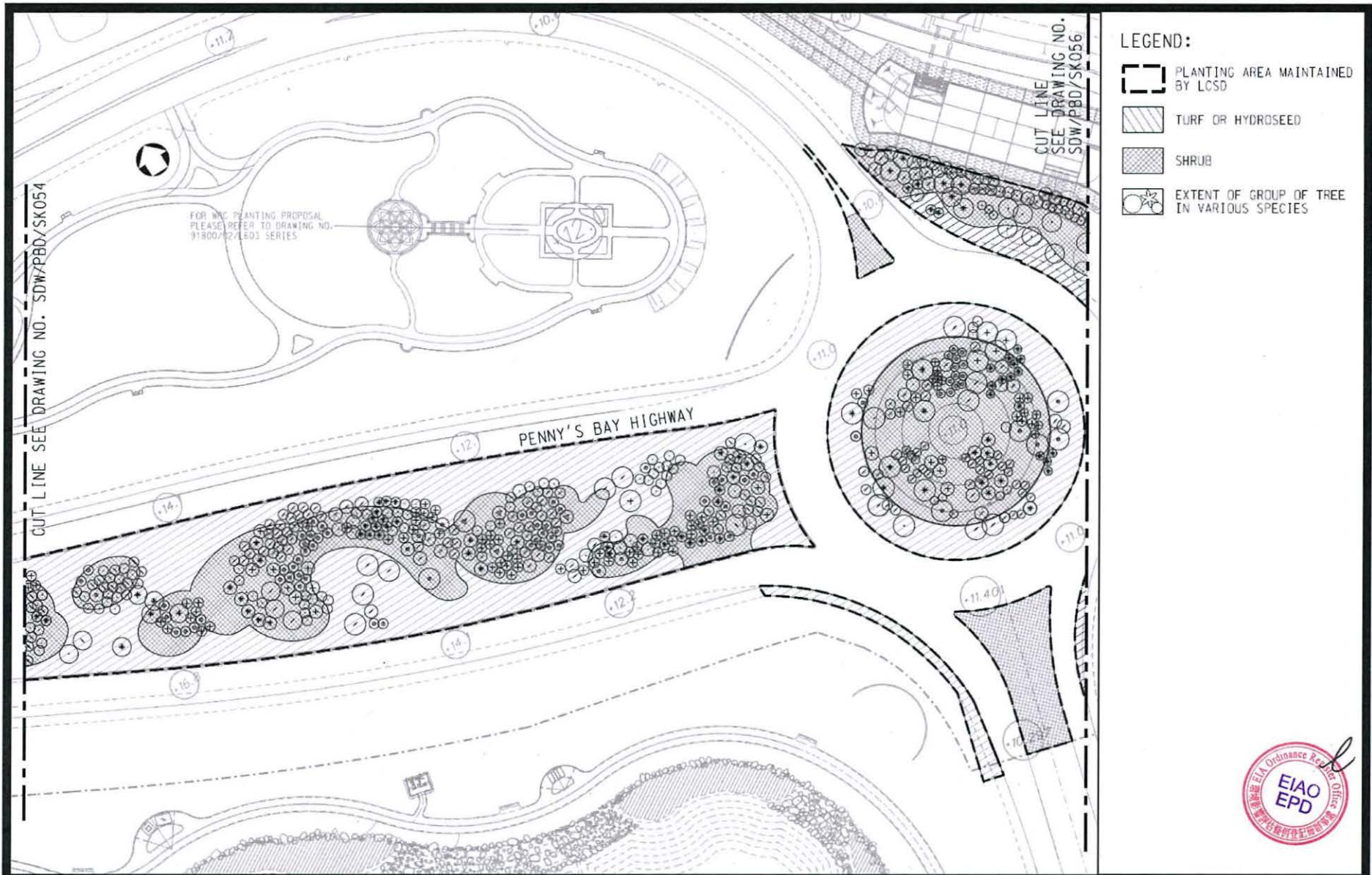


Figure R4: Chok Ko Wan Link Road (remaining part)
Road P2 - Yam O to Penny's Bay (remaining part)
圖 R4 : 竹篙灣連接路 (餘下部份)
P2 公路 - 陰澳至竹篙灣 (餘下部份)

Environmental Permit No.: FEP-01/138/2002/C
環境許可證編號: FEP-01/138/2002/C



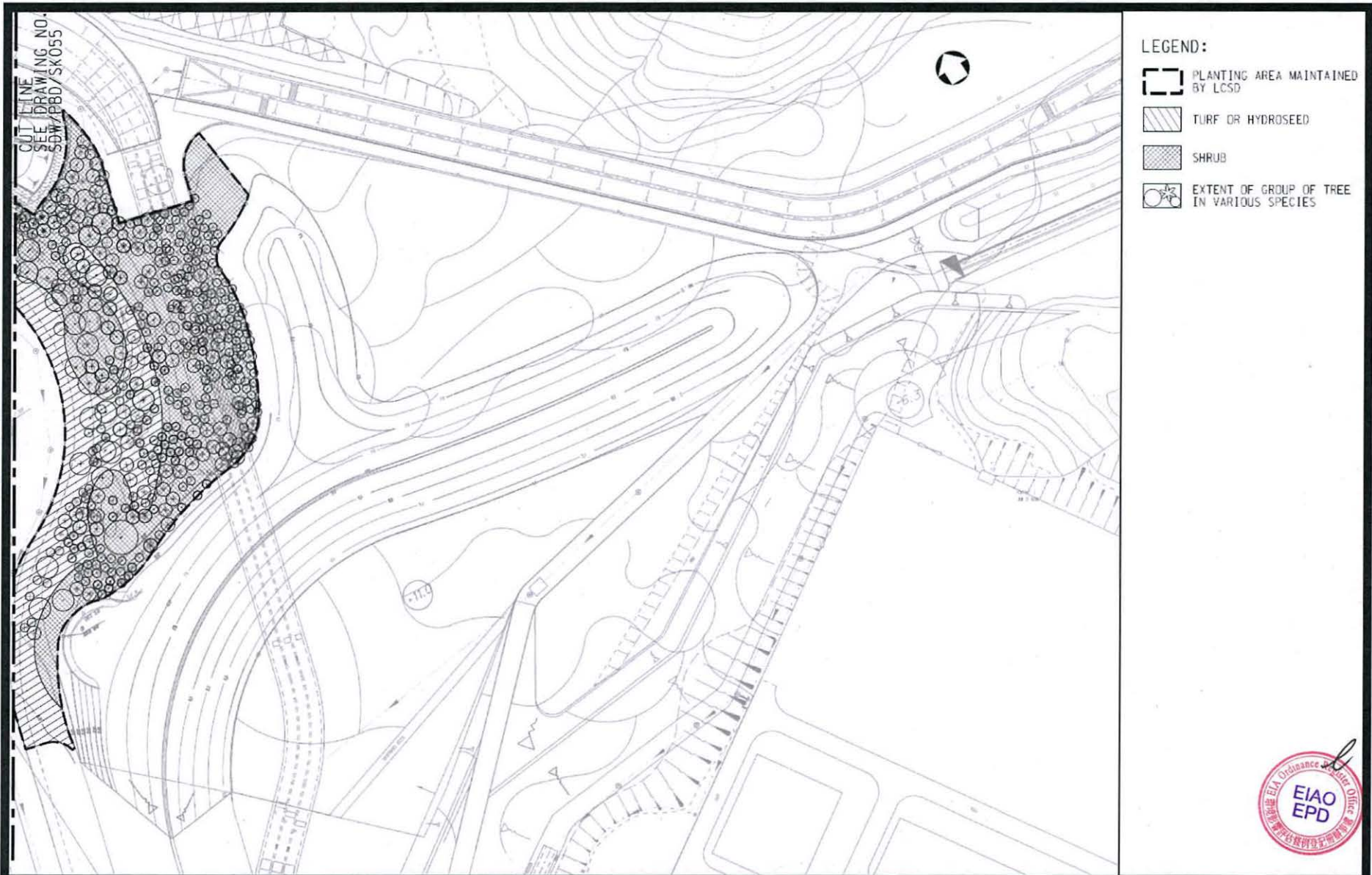


Figure R5: Chok Ko Wan Link Road (remaining part)
Road P2 - Yam O to Penny's Bay (remaining part)
圖 R5 : 竹篙灣連接路 (餘下部份)
P2 公路 - 陰澳至竹篙灣 (餘下部份)

Environmental Permit No.: FEP-01/138/2002/C
環境許可證編號：FEP-01/138/2002/C

