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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
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一百三十號
修頓中心廿八樓

22 December 2022

By Registered Post & Fax

Leisure and Cultural Services Department

Environmental Impact Assessment (EIA) Ordinance, Cap.499

Application for Further Environmental Permit

**Project Title: DP2 - Road P2 and other roads which are classified as
primary/district distributor roads
(Application No. FEP-214/2022)**

I refer to your above application received on 7 December 2022 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-05/376/2009) 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. T.S. SO at 2835 1128.

Yours sincerely,

(Sunny C.W. CHEUNG)

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

FURTHER ENVIRONMENTAL PERMIT TO OPERATE
PART OF A DESIGNATED PROJECT

營辦指定工程項目其中部分的新的環境許可證

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 Leisure and Cultural Services Department (hereinafter referred to as the "Permit Holder") to operate part of 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其中部分，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	FEP-214/2022
Document in the Register : 登記冊上的文件:	<ol style="list-style-type: none">1. Wan Chai Development Phase II and Central-Wan Chai Bypass (Register No.: AEIAR-125/2008)<ul style="list-style-type: none">- Environmental Impact Assessment Report (December 2007) [Hereinafter referred to as "the WDII&CWB EIA Report"]- Environmental Monitoring and Audit Manual- Executive Summary- Further information received from the Civil Engineering and Development Department on 11 March 2008, 9 April 2008 and 14 November 2008 under Section 8(1) of the EIAO2. The Director's letter of approval of the WDII&CWB EIA Report dated 11 December 2008 referenced (85) in EP2/H4/S3/15 Pt.2.3. Central Reclamation Phase III – Studies, Site Investigation, Design and Construction (Register No.: AEIAR-040/2001)<ul style="list-style-type: none">- Environmental Impact Assessment Report (July 2001) [Hereinafter referred to as "the CRIII EIA Report"]- Environmental Monitoring and Audit Manual- Executive Summary4. The Director's letter of approval of the CRIII EIA Report dated 31 August 2001 referenced (19) in Ax(4) to EP2/H4/C/09 II.

5. Environmental Permit Issued – Permit No.: EP-356/2009 issued to Civil Engineering and Development Department on 30 July 2009 for construction of the following designated projects:
 - (i) Permanent and temporary reclamation works including associated dredging works in Wan Chai Development Phase II (WDII) area (referred to as “DP3” in the WDII&CWB EIA Report);
 - (ii) Wan Chai East Sewage Outfall (referred to as “DP5” in the WDII&CWB EIA Report); and
 - (iii) Dredging for the Cross-harbour Water Mains from Wan Chai to Tsim Sha Tsui (referred to as “DP6” in the WDII&CWB EIA Report).
6. Environmental Permit Issued – Permit No.: EP-364/2009 issued to Highways Department on 17 August 2009 for construction of the “Central-Wan Chai Bypass” (CWB) including its Road Tunnel and Slip Roads (referred to as “DP1” in the WDII&CWB EIA Report).
7. Application for Environmental Permit and attachments submitted by the Permit Holder on 20 October 2009 (Application No.: AEP-376/2009)
8. Environmental Permit Issued – Permit No.: EP-376/2009 issued on 13 November 2009
9. Application for Further Environmental Permit including all attachments submitted on 7 December 2022 (Application No.: FEP-214/2022)

1. 灣仔發展計劃第二期及中環灣仔繞道 (登記冊編號: AEIAR-125/2008)
 - 環境影響評估報告 (2007年12月) [下稱「WDII&CWB環評報告」]
 - 環境監察審核手冊
 - 行政摘要
 - 土木工程拓展署根據條例第8.(1)條於2008年3月11日、2008年4月9日及2008年11月14日所提交的一步資料
2. 署長於2008年12月11日發出批准WDII&CWB環評報告的信件, 檔案編號: (85) in EP2/H4/S3/15 Pt. 2
3. 中環填海計劃第三期 - 研究、實地堪測、設計與建築(登記冊編號: AEIAR-040/2001)
 - 環境影響評估報告 (2001年7月)[下稱「CRIII環評報告」]
 - 環境監察審核手冊
 - 行政摘要
4. 署長於2001年8月31日發出CRIII環評報告的批准信, 檔案編號: (19) in Ax(4) to EP2/H4/C/09 II
5. 已簽發的環境許可證- 許可證編號EP-356/2009; 於2009年7月30日簽發與土木工程拓展署以建造以下指定工程項目:
 - (i) 在灣仔發展計劃第二期的永久及臨時填海工程(包括相聯挖泥工程(WDII&CWB環評報告內稱“DP3”))
 - (ii) 灣仔東污水排水口(WDII&CWB環評報告內稱“DP5”);及
 - (iii) 灣仔至尖沙咀海底輸水管的挖泥工程(WDII&CWB環評報告內稱“DP6”)。



	<ol style="list-style-type: none">6. 已簽發的環境許可證- 許可證編號EP-364/2009; 於2009年8月17日簽發與路政署以建造“中環灣仔繞道, 包括其行車隧道及連接路”(WDII&CWB環評報告內稱“DP1”);7. 許可證持有人於2009年10月20日提交的環境許可證申請文件及附件(申請書編號: AEP-376/2009)8. 已簽發的環境許可證 - 許可證編號EP-376/2009 於2009年11月13日簽發9. 於2022年12月7日提交的新的環境許可證申請 (申請書編號: FEP-214/2022)
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22 December 2022
2022年12月22日

Date
日期



(Sunny C.W. CHEUNG)
Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(首席環境保護主任張展華代行)



PART B (DESCRIPTION OF PART OF DESIGNATED PROJECT)

B部 (指定工程項目其中部分的說明)

Hereunder is the description of the part 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其中部分的說明:

Title of Designated Project 指定工程項目的名稱	Road P2 and other roads which are classified as primary/district distributor roads (referred to as “DP2” in the WDII&CWB EIA Report) (This designated project is hereafter referred to as “the Project”) P2路及其他分類為主要幹路或地區幹路的道路(WDII&CWB環評報告內稱“DP2”) (本指定工程項目下稱“工程項目”)
Nature of the Designated Project 指定工程項目的性質	The Project will involve operation of primary and district distributor roads. 此工程項目涉及營辦主要幹路及地區幹路道路。
Location of the Designated Project 指定工程項目的地點	Wan Chai harbourfront area, Hong Kong. The location of the Project is shown in <u>Figure 1</u> of this Permit. 香港灣仔海旁。 工程項目的地點展示於本許可證 <u>圖1</u> 內。
Scale and Scope of the Part of Designated Project under this Permit 本許可證指定工程項目其中部分的規模和範圍	The scope includes maintenance of the landscape areas of the Project 範圍包括工程項目園景美化區的維修保養。



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 part of 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), Water Pollution Control Ordinance (Cap. 358), Noise Control Ordinance (Cap. 400), and Waste Disposal Ordinance (Cap. 354). 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.
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)、《水污染管制條例》(第358章)、《噪音管制條例》(第400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，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 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 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 operation of the part 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工程項目工地的負責人，並確保這些人士完全明白本許可證的所有條件與規定。工地是指營辦工程項目其中部分的工地，下文所提及的工地亦屬同一意思。
- 1.5 The Permit Holder shall operate the part of 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 的說明，營辦本工程項目的其中部分。
- 1.6 The Permit Holder shall ensure that the part of the Project is operated in accordance with the relevant information and recommendations described in the approved WDII&CWB EIA Report (Register No. AEIAR-125/2008), the approved CRIII EIA Report (Register No. AEIAR-040/2001) and other relevant documents in the Register. 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：核准的WDII&CWB環評報告（登記冊編號：AEIAR-125/2008）、核准的CRIII環評報告（登記冊編號：AEIAR-040/2001）及登記冊內的其他相關文件。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 Permit Holder shall maintain the landscape area in accordance with the operation landscape plan(s) deposited under Condition 2.11 of Environmental Permit No.: EP-376/2009. Any major changes to the landscape planting shall be determined by the manager referred to in Condition 2.2 below as conforming to the relevant information and recommendations in the EIA Reports (Register nos. AEIAR-040/2001 and AEIAR-125/2008), in regard to comparable types and sizes of proposed plants for the landscape mitigation measures.
許可證持有人須按照環境許可證(EP-376/2009)條件2.11向署長存放的營辦期景觀美化計劃維護園景美化區。園景種植如有任何重大更改，須由下文條件第2.2項所述的經理確定為符合環評報告（登記冊編號：AEIAR-040/2001及AEIAR-125/2008）所載的相關資料及建議，相當於景觀影響緩解措施所建議種植樹木的類別及大小。

2.2 The Permit Holder shall employ a manager to maintain the landscape area of the operation landscape plan(s). This manager shall be:-
許可證持有人須聘請一名經理負責維護營辦期景觀美化計劃的園景美化區。該名經理須為:-

- (i) a Leisure Services Manager of the Leisure and Cultural Services Department; or
康樂及文化事務署的康樂事務經理；或
- (ii) a qualified/certified landscape architect, arborist, forester or horticulturist; or
合資格／註冊的園境師、樹藝師、林業學家或園藝師；或
- (iii) a person with at least two years relevant managerial experience together with
具備至少兩年有關方面的管理經驗和以下資歷的人士：
 - National Certification in Horticulture or Arboriculture or equivalent, or
取得英國園藝或樹藝證書或同等學歷；或
 - a relevant horticultural certificate issued by a training/educational institute for example the Institute of Horticulture (Hong Kong), the Hong Kong Productivity Council, the Vocational Training Council and an institute under the Skills Upgrading Scheme of the Education Bureau of the Hong Kong Special Administrative Region Government.
由培訓／教育機構（例如香港園藝學會、香港生產力促進局、職業訓練局和香港特別行政區政府教育局的技能提升計劃參與機構）所頒發的有關園藝證書。

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 Ordinance, 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。

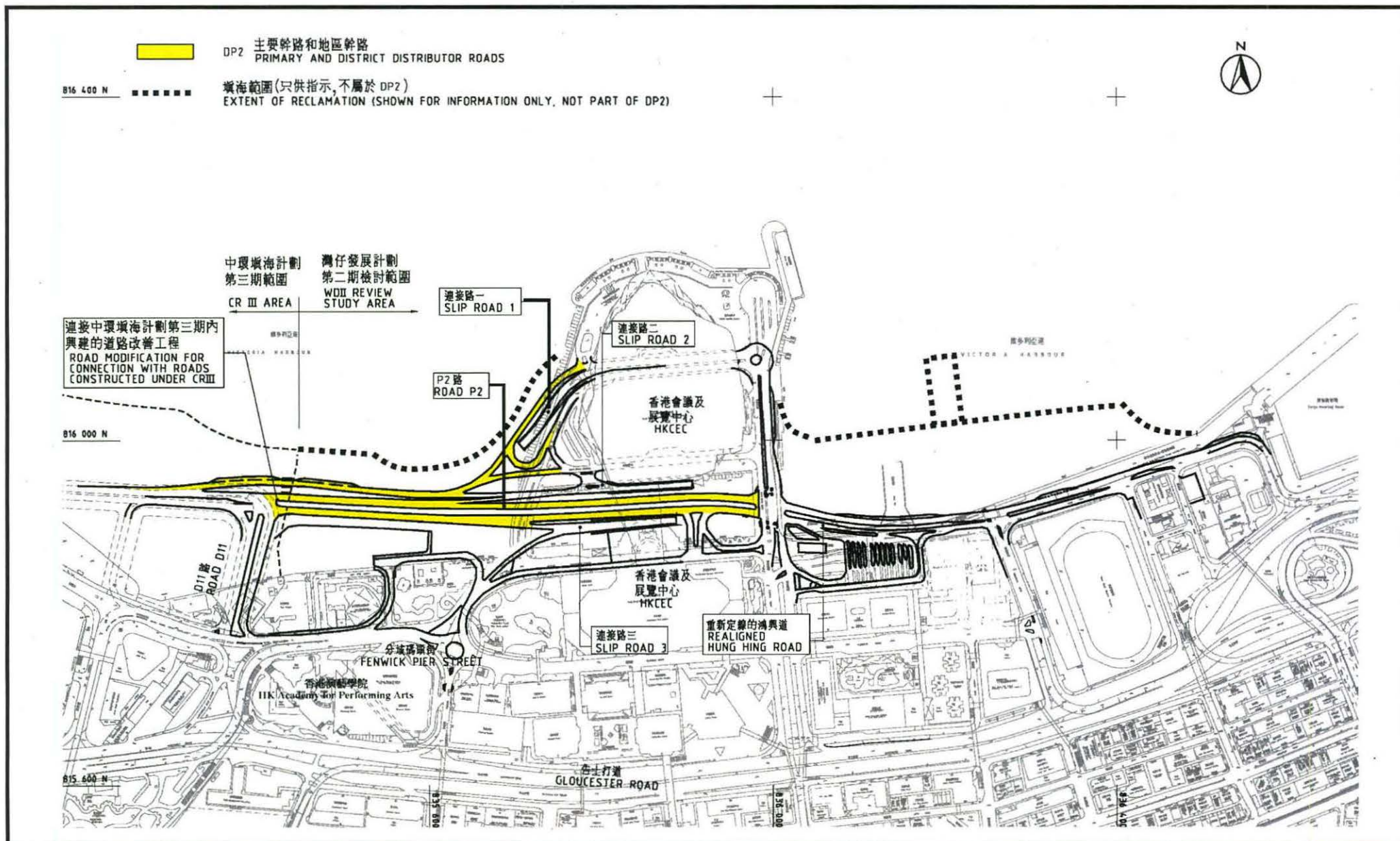
2. If there is a breach of any conditions of this Permit, the Director or his authorized officer may, with the consent of the Secretary for the Environment and Ecology, order the cessation of associated work until the remedial action is taken in respect of the resultant environmental damage, and in that 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 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環境許可證的條件。許可證持有人須把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(s) may, before he assumes responsibility of the designated project(s), apply under Section 12 of the Ordinance to the Director for a further environmental permit.
承擔工程項目整項或部分指定工程項目的責任的人，在承擔責任之前，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 and Ecology, suspend, vary or cancel this Permit.
根據條例第 14 條的規定，署長可在環境及生態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 operation of the Project, another environmental permit must be obtained under the Ordinance 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，必須先根據條例規定取得另一份環境許可證。根據條例第 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 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 EIA Ordinance 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-05/376/2009
環境許可證編號 FEP-05/376/2009





Project Title : DP2-Road P2 and other roads which are classified as primary / district distributor roads

Environmental Permit No. : FEP-05/376/2009

工程項目名稱 : DP2-P2路及其他分類為主要幹路或地區幹路的道路

環境許可證編號 : FEP-05/376/2009

Figure 1 : Project Location Plan

圖 1 : 工程項目位置圖



