

Appendix 11.2 Environmental Permit of Development of SkyCity Golf Course

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 **Airport Management Services Limited** (hereinafter referred to as the "Permit Holder") to construct and operate 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機場管理服務有限公司(下稱“許可證持有人”)，以建造及營辦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	AEP-229/2005
Document in the Register : 登記冊上的文件：	<ol style="list-style-type: none"> Project Profile – “Development of SkyCity Golf Course” (Register No.: PP-256/2005) 工程項目簡介 — “航天城高爾夫球場項目發展” (登記冊編號：PP-256/2005) The Director’s letter of permission to apply directly for environmental permit dated 13 September 2005 referenced EP2/N9/0/110 II 環境保護署署長於二〇〇五年九月十三日發出准許直接申請環境許可證的信件檔案編號 EP2/N9/0/110 II Application for Environmental Permit submitted by the Permit Holder on 24 September 2005 (Application No. AEP-229/2005) 許可證持有人於二〇〇五年九月二十四日提交的環境許可證申請 (申請書編號：AEP-229/2005)

17 October 2005

Date
日期

(Simon Y.M. HUI)
Principal Environmental Protection Officer
for Director of Environmental Protection
環境保護署署長
(首席環境保護主任 許一鳴代行)

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部所提述的指定工程項目的說明：

Title of Designated Project 指定工程項目的名稱	Interim Ancillary Recreation and Golf Facility Development, North Commercial District, Hong Kong International Airport (SkyCity Golf Course) (This designated project is hereafter referred to as “the Project”) 香港國際機場北部商業區高爾夫球設施及娛樂配套設施臨時發展項目(航天城高爾夫球場) (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	The Project involves the construction and operation of a 9-hole outdoor golf course and all manage turf areas. 工程項目包括在建造及營辦9洞戶外高爾夫球場及全部受管理的草地範圍 -
Location of Designated Project 指定工程項目的地點	North-eastern part of the Airport Island, North Lantau Island The location of the Project is shown in Figure 1 of this Permit. 北大嶼山之機場島東北面 工程項目的地點展示於本許可證圖1內 -
Scale and Scope of Designated Project 指定工程項目的規模和範圍	The proposed work involves the construction and operation of a 9-hole temporary golf facility of about 11.56 hectares in size. The golf facility comprises: - A 9-hole golf course including greens, tees, fairways, rough, bunkers, artificial lakes and streams); - a clubhouse; - refreshment counters; - maintenance building and yard; - car parks; and - associated infrastructure. 建議工程包括建造及營辦面積約11.56公頃的9洞臨時高爾夫球設施。設施包括： - 一個九個洞的高爾夫球場（包括果嶺、開球球座、球道、深草區、沙池、人工湖及河流）； - 會所； - 茶點站； - 維修大樓及庭園； - 停車場及 - 相關設施。

PART C (PERMIT CONDITIONS)

1. General Conditions

- 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 (Cap.499) and may become the subject of appropriate action being taken under the Ordinance.

- 1.2 The Permit Holder 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.
- 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.
- 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 refers to site of construction and operation of the Project and shall mean the same hereafter.
- 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 notice 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).
- 1.6 The Permit Holder shall construct and operate the Project in accordance with the project descriptions in [Part B](#) of this Permit.
- 1.7 The Permit Holder shall ensure that the Project is designed, constructed and operated in accordance with the information and recommendations described in the Project Profile (Register No. PP-256/2005), 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.
- 1.8 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.
- 1.9 All submissions approved by the Director, all submissions deposited without comments by the Director, or 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).
- 1.10 The Permit Holder shall release all finalized submissions as required under this Permit, to the public by depositing copies in the Environmental Impact Assessment Ordinance Register Office, or in any other places, or any internet websites as specified by the Director, or by any other means as specified by the Director for public inspection. For this purpose, the Permit Holder shall provide sufficient copies of the submissions.
- 1.11 All submissions to the Director required under this Permit shall be delivered either in person or by registered mail to the Environmental Impact Assessment Ordinance Register Office (currently at 27/F, Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong). Electronic copies of all finalized 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 4.0 or later), unless otherwise agreed by the Director and shall be submitted at the same time as the hard copies.

- 1.12 The Permit Holder shall notify the Director in writing the commencement date of construction of the Project 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.
- 1.13 For the purpose of this Permit, “commencement of construction” does not include works related to site clearance and preparations, or other works as agreed by the Director.

2. Specific Conditions

- 2.1 No artificial chemical fertilizers shall be used on the golf course and turf area.
- 2.2 No artificial chemical pesticides shall be used on the golf course and turf area.
- 2.3 A continuous earth bund, of at least 1.5m high, shall be formed along the perimeter of the golf course to contain surface runoff.
- 2.4 The Project shall be constructed with a subsurface drainage system to direct the rainfall and irrigation water inwards to the artificial lakes as indicated in [Figure 2](#).
- 2.5 The artificial lakes and the stream system of the Project shall be constructed with an impermeable liner system as indicated in [Figure 3](#) to retain water and to prevent any leakage downwards into the ground.
- 2.6 The Permit Holder shall submit an Environmental Monitoring and Audit (EM&A) Manual to the Director for approval no later than two weeks before commencement of construction of the Project. The EM&A Manual shall cover details of the water quality monitoring programme for construction and operation of the Project. The Permit Holder shall fully implement the EM&A programme in accordance with the requirements set out in the approved EM&A Manual for construction and operation of the Project.
- 2.7 The Permit Holder shall submit a turfgrass management plan (TMP) to the Director for approval no later than two weeks before laying of turfgrass for the Project. The plan shall be prepared by a competent personnel trained in the theory and practice of turfgrass management and maintenance. The TMP shall cover in sufficient detail on, but not limiting to, the following aspects: -
- (i) Turfgrass species (including name, type and origin);
 - (ii) Fertilizers usage (including the type, dosage, frequency of application of fertilizers);
 - (iii) Integrated pest management methodology (including a monitoring and record-keeping programme on pest occurrence, defining pest response threshold levels, recording the control methods including the type, dosage, frequency of application of biological pest control agents);
 - (iv) Review calculations on worst-case nutrient loading of the golf course during turfgrass establishment and operation; and
 - (v) Reporting schedule to the Director.
- 2.8 No overflows from the artificial lakes of the golf course shall be allowed, via Outfall No.8 as indicated in [Figure 4](#) or any other outfalls, if the water quality of the lake fails to meet the criteria for discharge as stipulated in EM&A Manual approved under Condition 2.6. The proposed golf course shall be designed to be a self-containing structure to retain rainwater and to prevent any overflow from the artificial lakes to the surrounding marine water if required.
- 2.9 Floodlights shall be installed at an angle downwards away from the sensitive receivers including air traffic controllers in the Airport Traffic Control Tower.
- 2.10 To prevent attraction of birds, the golf course shall be designed with the following measures: -

- (i) The area of water surface shall not be more than 10% of the total site area;
- (ii) The lake edge shall be profiled to prevent birds from wading; and
- (iii) Plant species which will discourage foraging, perching or nesting of birds shall be selected and planted in the Project.

2.11 The Permit Holder shall conduct a regular soil sampling and testing before operation, during operation and before expiry of operation of the Project to confirm and verify that there is no land contamination caused as a result of the operation of the golf course. The Permit Holder shall deposit the following submissions to the Director:

- (i) A soil sampling and monitoring plan no later than two weeks before commencement of construction of the Project to include details of sampling plan, parameters to be analysed, necessary remedial measures and reporting requirements;
- (ii) A baseline monitoring report no later than two weeks before operation of the Project to confirm the baseline condition of the soil;
- (iii) A soil contamination assessment report no later than four weeks after expiry of operation of the Project to include all soil monitoring and testing results and interpretations and if any remedial measures are required.

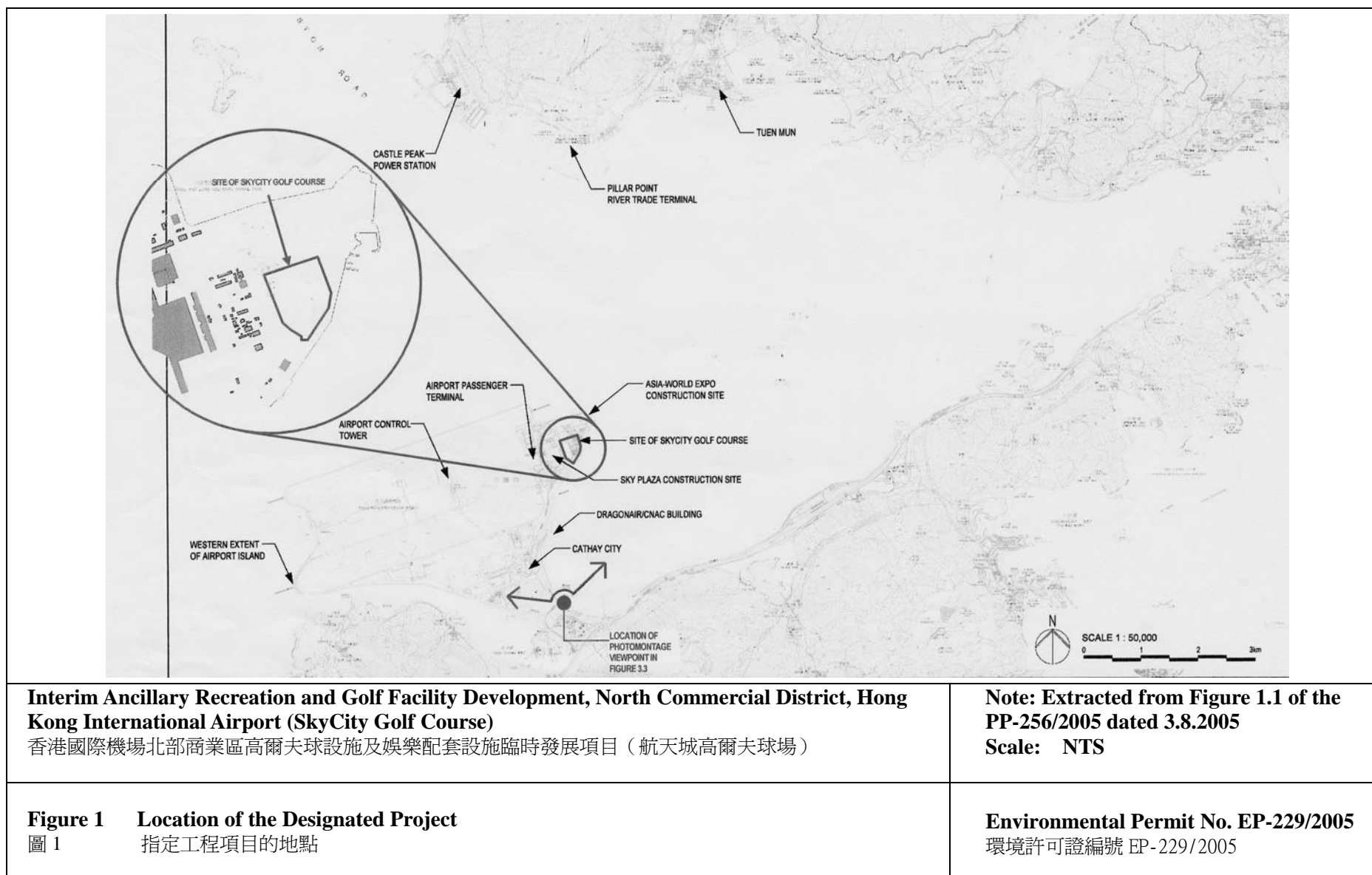
Notes :

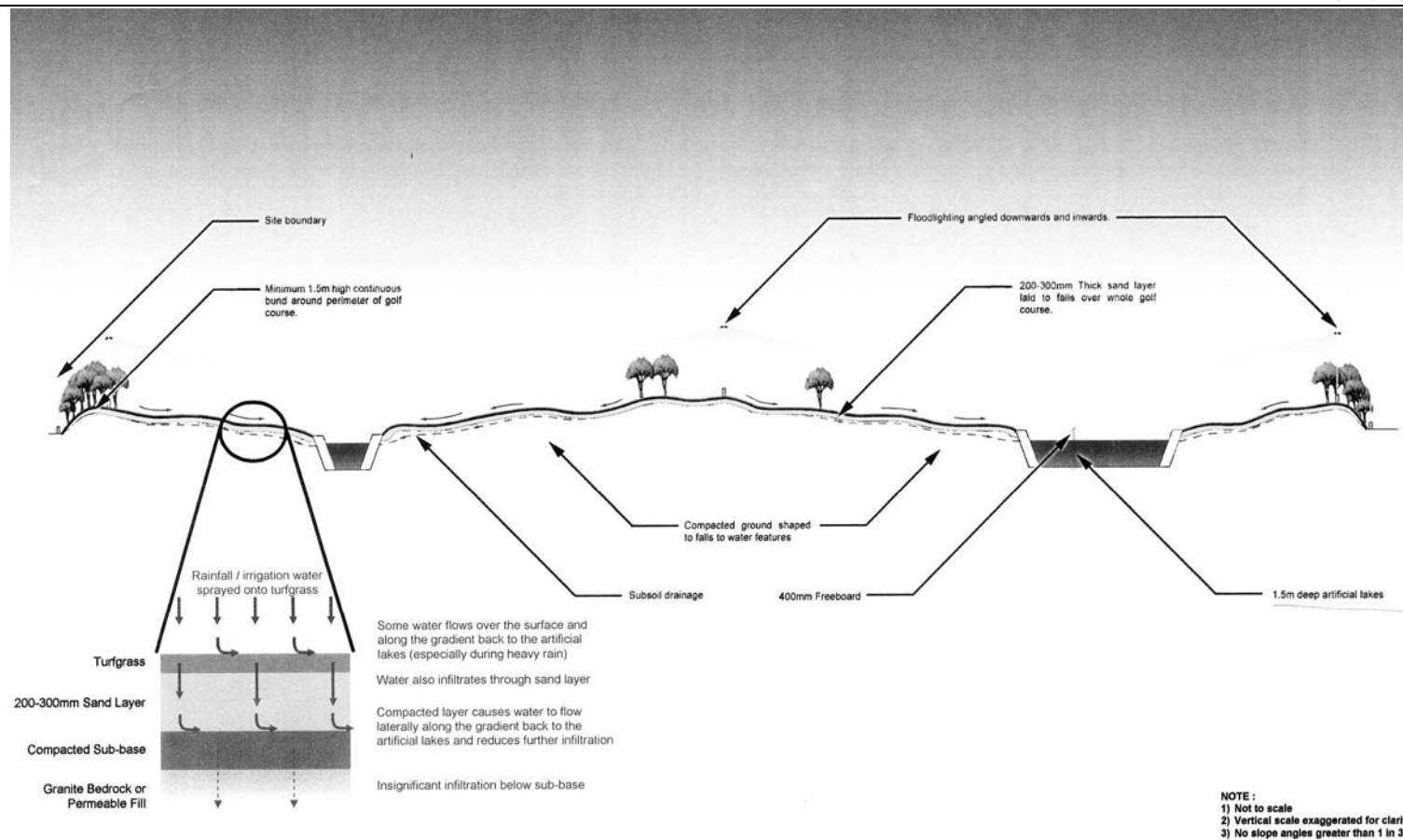
1. This Permit consists of three parts, namely, [Part A](#) (Main Permit), [Part B](#) (Description of Designated Project) and [Part C](#) (Permit Conditions). Any person relying on this permit should obtain independent legal advice on the legal implications under the Ordinance, and the following notes are for general information only.
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, Transport and Works, 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.
3. The Permit Holder may apply under Section 13 of the Environmental Impact Assessment Ordinance (the “Ordinance”) 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.
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 Ordinance to the Director for a further environmental permit.
5. Under Section 14 of the Ordinance, the Director may with the consent of the Secretary for the Environment, Transport and Works, suspend, vary or cancel this Permit. The suspended, varied or cancelled Permit shall be removed from display at the Project site.
6. If this Permit is cancelled or surrendered during construction or 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 construct or operate a designated project listed in Schedule 2 of the Ordinance without a valid environmental permit.
7. Any person who constructs or operates the Project contrary to the conditions in the Permit, and is convicted of an offence under the Ordinance, is liable:
 - (i) on a first conviction on indictment to a fine of \$2 million and to imprisonment for 6 months;

- (ii) on a second or subsequent conviction on indictment to a fine of \$5 million and to imprisonment for 2 years;
 - (iii) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
 - (iv) on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for 1 year; and
 - (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.
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.
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.

| [Figure 1](#) | | [Figure 2](#) | | [Figure 3](#) | | [Figure 4](#) |

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Interim Ancillary Recreation and Golf Facility Development, North Commercial District, Hong Kong International Airport (SkyCity Golf Course)

香港國際機場北部商業區高爾夫球設施及娛樂配套設施臨時發展項目（航天城高爾夫球場）

Note: Extracted from Figure 1.3 of the PP-256/2005 dated 3.8.2005

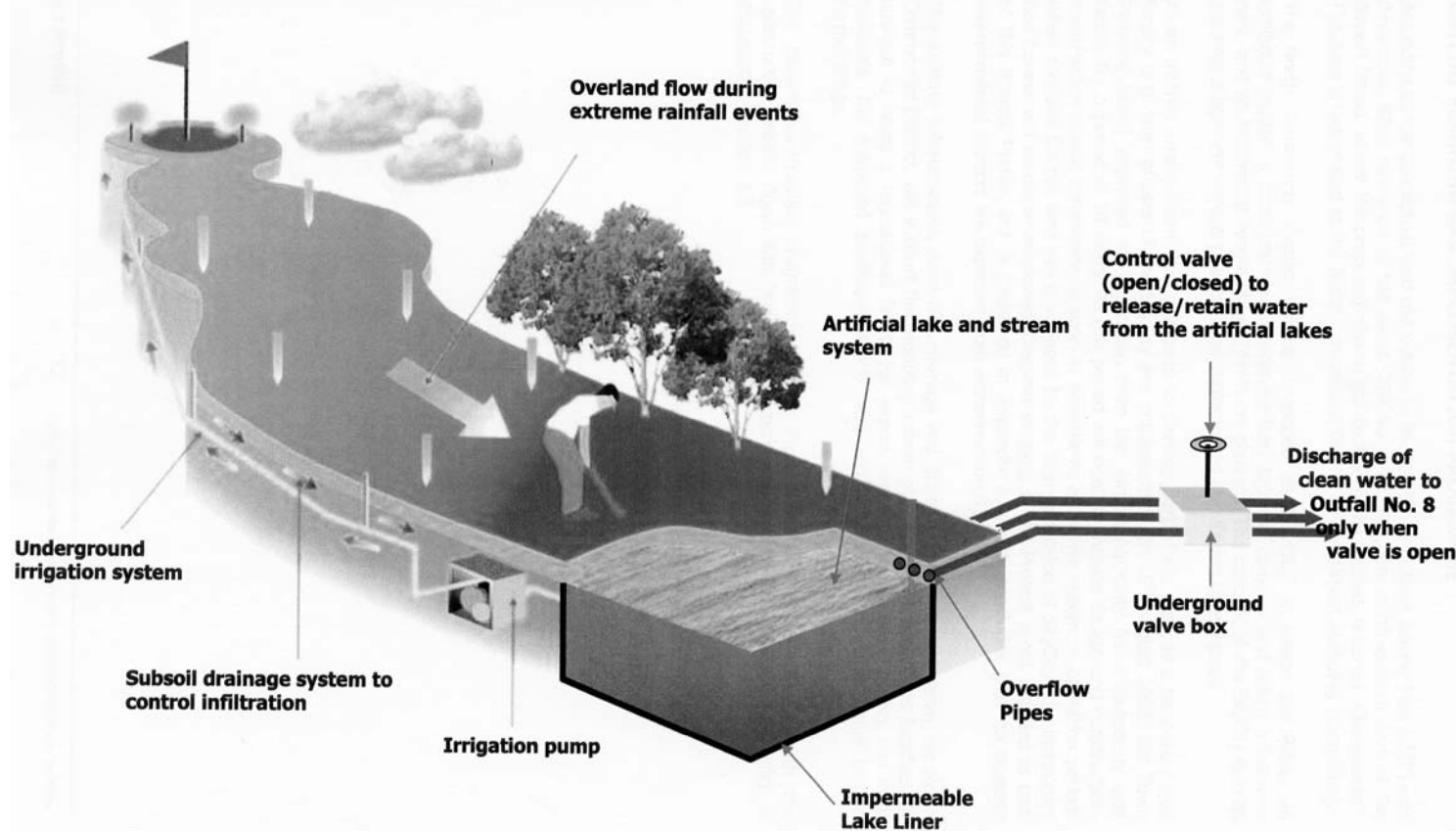
Scale: NTS

Figure 2 Cross-section of the subsurface drainage system of the Project

圖二 工程項目的地下排水系統橫切面圖

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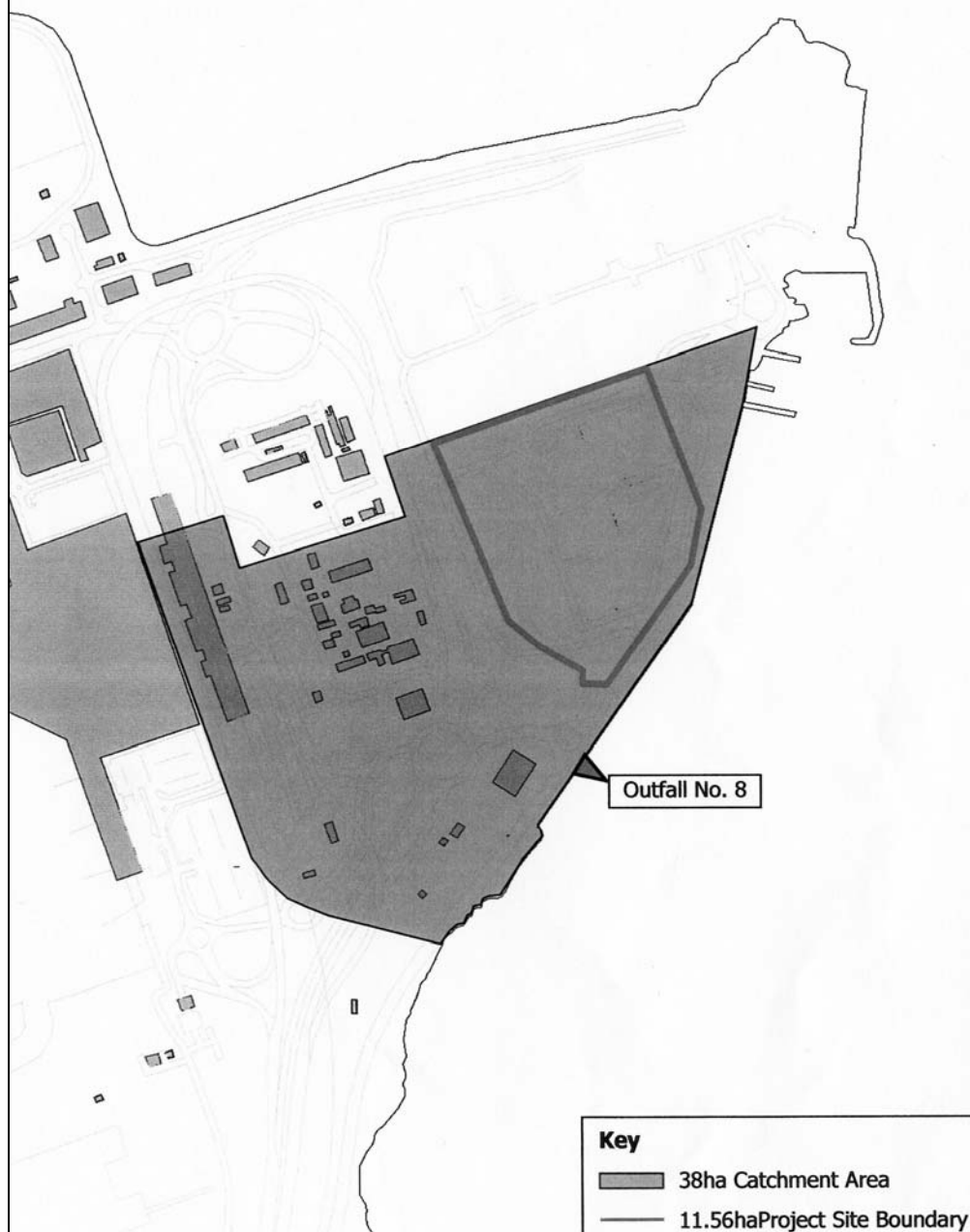


Interim Ancillary Recreation and Golf Facility Development, North Commercial District, Hong Kong International Airport (SkyCity Golf Course)
 香港國際機場北部商業區高爾夫球設施及娛樂配套設施臨時發展項目（航天城高爾夫球場）

Note: Extracted from Figure 1.5 of the PP-256/2005 dated 3.8.2005
Scale: NTS

Figure 3 Drainage scheme of the Project with the impermeable liner of the artificial lake and stream system
 圖三 工程項目的排水計劃和人工湖及河流的防滲漏膜

Environmental Permit No. EP-229/2005
 環境許可證編號 EP-229/2005



Interim Ancillary Recreation and Golf Facility Development, North Commercial District, Hong Kong International Airport (SkyCity Golf Course)

香港國際機場北部商業區高爾夫球設施及娛樂配套設施臨時發展項目（航天城高爾夫球場）

Note: Extracted from Figure 3.1 of the PP-256/2005 dated 3.8.2005

Scale: NTS

Figure 4 Location of Outfall No. 8

圖四 8 號排水口位置

Environmental Permit No. EP-229/2005

環境許可證編號 EP-229/2005