

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TY/143

- Applicant** : Hongkong United Dockyards Limited represented by Knight Frank Petty Limited
- Site** : Tsing Yi Town Lot (TYTL) No. 108 RP (Part)
- Site Area** : About 8,465 m²
- Lease** : (a) Restricted for ship building, ship repairing and ancillary uses, such heavy engineering uses as may be approved in writing by the Director of Lands, cargo handling, and storage and repair of containers
(b) Subject to a temporary waiver dated 2.10.2015 granted to the owner of the subject lot to waive the above user restriction so as to permit concrete production use at the Site for a term from 23.2.2014 to 6.7.2015 and thereafter quarterly
- Plan** : Approved Tsing Yi Outline Zoning Plan (OZP) No. S/TY/30
- Zoning** : “Industrial” (“I”)

[Restricted to a maximum plot ratio (PR) of 9.5, or the PR of the existing building, whichever is the greater]
- Application** : Renewal of Planning Approval for Temporary Concrete Batching Plant for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks renewal of the planning approval under Application No. A/TY/128 for temporary concrete batching plant for a period of five years at part of Tsing Yi Town Lot (TYTL) No. 108 RP (the Site). The Site falls within an area zoned “Industrial” (“I”) on the approved Tsing Yi OZP No. S/TY/30 (**Plan A-1**). According to the Notes of the OZP for “I” zone, ‘Concrete Batching Plant’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is the subject of six previous planning applications. The last Application No. A/TY/128 submitted by the same applicant for a temporary concrete batching plant for a period of five years up to 7.8.2020 was approved with conditions by the

Metro Planning Committee (the Committee) of the Board on 7.8.2015. All the approval conditions have been complied with and the Site is currently occupied by the subject temporary concrete batching plant.

- 1.3 The concrete batching plant is comprised of silos, weigh bridges, transfer towers, control rooms, water tanks, washroom, mobile slurry separator, mobile shelter truck washing facility, etc. (**Drawing A-1**). The maximum daily production capacity of the plant is 2,880m³, and the operation hour is from 7:00am to 7:00pm from Mondays to Saturdays and occasionally on Sundays/public holidays.
- 1.4 According to the applicant, most of the raw materials required for the plant will be delivered by sea where there will be one to two barges per day, same as that proposed under the previous Application No. A/TY/128. The Site is also accessible via a private road through Sai Tso Wan Road (**Plan A-2**) and shares a common access with the adjacent existing temporary asphalt plant and concrete batching plant (approved under Application Nos. A/TY/129 and A/TY/139 respectively), where the entrance is at the north-eastern part of the Site (**Drawing A-2**). A total number of 35 lorry parking spaces and six loading/unloading bays will be provided within the Site (**Drawing A-2**). To avoid illegal parking and queuing of trucks, a marshalling area providing 19 spaces (where 12 of them will be reserved for the subject plant) will also be provided within TYTL No. 108 RP owned by the applicant (**Drawings A-3 and A-4**).
- 1.5 As compared with Application No. A/TY/128, there is no change in the development parameters and layout, except minor adjustment in the internal layout of the car parking and loading/unloading facilities and emergency vehicular access (EVA); and location of the proposed marshalling area. The major development parameters of the subject plant are as follows:

Site Area	About 8,465 m ²
Covered Area	About 1,816.87 m ²
Site Coverage	About 21.46%
Plot Ratio	About 0.285
Gross Floor Area	About 2,415.58 m ²
Building Height	Not exceeding 34mPD
Car Parking & Loading/Unloading Facilities	
- <i>Lorry Parking Spaces</i>	35
- <i>Loading/Unloading Spaces</i>	6

- 1.6 The layout plan, carpark layout plan and plans showing the proposed marshalling area submitted by the applicant are shown on **Drawings A-1 to A-4**.
- 1.7 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 11.5.2020 with letters dated 13.5.2020 and 15.5.2020 enclosing a Traffic Impact Assessment (TIA)[#] and revised layout plans (**Appendix I**)
 - (b) Planning Statement attached to the Application Form received on 11.5.2020 (**Appendix Ia**)

- (c) Further information dated 19.6.2020 enclosing tables of responses to departmental and public comments and a revised TIA* (Appendix Ib)
- (d) Further information dated 22.7.2020 enclosing a table of responses to departmental comments^ (Appendix Ic)

Remarks:

* Further information accepted but not exempted from publication and recounting requirement.

^ Further information accepted and exempted from publication and recounting requirement.

The applicant has submitted a revised TIA report on 19.6.2020 (Appendix Ib) superseding previous TIA report. Hence, the superseded TIA report is not included in the Appendix.

1.8 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 7.8.2020 (the previous planning approval was valid up to 7.8.2020) for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application. The application is now scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendices I to Ic**, and summarised as follows:

Meeting the demand of local construction industry

- (a) There is an increasing demand for construction materials including concrete for the large-scale projects to be implemented in Hong Kong. Sufficient and steady supply of concrete is essential to control the development programme and construction cost. The subject plant provides timely delivery of ready mixed concrete which is crucial to the construction industry, and should be renewed to ensure steady supply of concrete to support the local construction industry.

Strategic location of the Site

- (b) The Site is strategically located at the centre of Hong Kong with marine access for delivery of raw materials. The Site is also located at the centre of the territory with relatively equidistance to major construction sites in Kowloon East, North District, North Lantau and Northern Hong Kong Island. Convenient access brought by the strategic road network in Tsing Yi is considered desirable for the subject plant, which can enable timely and cost-effective delivery of concrete products to various areas of Hong Kong and lower the carbon footprint.
- (c) The Site is located at a remote industrial area in the western part of Tsing Yi. The range of high hills at the centre part of Tsing Yi will serve as a partition to block off potential environmental impacts and disturbances to the residential areas in the north-eastern part of Tsing Yi.

In line with planning intention and compatible with surrounding area

- (d) The Site is situated in an industrial area with a cluster of concrete batching plants and asphalt plants. The subject plant is generally in line with the planning intention of the “I” zone, and is considered compatible with the surrounding area on a temporary basis.

No material change since previous approval

- (e) The development parameters of the subject plant will remain unchanged, and there are no significant changes in planning circumstances since the last temporary approval granted. Approval of the current renewal application is in line with the Board’s previous decision.

Compliance with planning conditions

- (f) The subject plant has been well managed and no complaints have been received in past years. All approval conditions of the previously approved application (No. A/TY/128) have been complied with.

No insurmountable impacts

- (g) The subject plant is in operation since 2003. As there is no change in development parameters as compared with the previously approved application, no adverse impact in respect to traffic, air, water and waste will be generated from the subject plant.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is the sole ‘current land owner’ for TYTL No. 108 RP. Detailed information will be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use for Development (TPB PG-No. 34C) (**Appendix II**) is relevant to the application. The relevant assessment criteria are extracted as follows:

- (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
- (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);

- (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
- (d) whether the approval period sought is reasonable; and
- (e) any other relevant considerations.

5. **Previous Applications (Plan A-1)**

- 5.1 There are six previous planning applications covering the Site/part of the Site (Nos. A/TY/101, A/TY/102, A/TY/106, A/TY/110, A/TY/119 and A/TY/128). Details of the applications are summarised in **Appendix III**.
- 5.2 Application No. A/TY/101 for a permanent concrete batching plant covering a majority of the Site was rejected by the Committee on 28.9.2007 on the grounds that the development was not compatible with the adjacent proposed recreation and tourism-related uses to the northwest of the site, and that the TIA was not considered acceptable.
- 5.3 Application No. A/TY/102 for a temporary concrete batching plant for three years covering the same site of Application No. A/TY/101 was approved with conditions by the Committee on 22.2.2008. The approval was granted mainly on the considerations that a temporary period of three years could be tolerated as there was no known development programme at the adjacent site planned for proposed recreation and tourism-related uses, and that the concerned departments had no objection to the application.
- 5.4 Application No. A/TY/106 for a temporary asphalt plant for three years covering a minor portion of the Site was approved with conditions by the Committee on 29.1.2010. The approval was granted mainly on the considerations that it was considered not incompatible with the surrounding industrial-related uses, and that there were no adverse comments from the concerned departments.
- 5.5 Application No. A/TY/110 for the renewal of planning approval under Application No. A/TY/102 for another three years was approved by the Committee on 23.12.2010. The approval was granted mainly on the considerations that there had been no material change in planning circumstances since the approval of Application No. A/TY/102, and that the concerned departments had no objection to the application.
- 5.6 Application No. A/TY/119 for a temporary concrete batching plant for three years was approved with conditions by the Committee on 6.7.2012. The approval was granted mainly on the considerations that it was considered not incompatible with the surrounding industrial-related uses, and that there were no adverse comments from the concerned departments.
- 5.7 Application No. A/TY/128 for a temporary concrete batching plant for five years covering the same site of Application No. A/TY/119 was approved with conditions

by the Committee on 7.8.2015 on similar considerations as Application No. A/TY/119. All the approval conditions have been complied with.

6. **Similar Applications (Plan A-1)**

- 6.1 There are 11 similar planning applications (Nos. A/TY/32, A/TY/58, A/TY/59, A/TY/85, A/TY/112, A/TY/117, A/TY/123, A/TY/126, A/TY/132, A/TY/136 and A/TY/139) for concrete batching plant use within the “I” zone on the Tsing Yi OZP. Details of the applications are summarised in **Appendix IV**. Three of them (Nos. A/TY/32, A/TY/58 and A/TY/59)¹ approved before 2003 on a permanent basis were subsequently not implemented and the planning permissions lapsed.
- 6.2 Applications No. A/TY/85, A/TY/123 and A/TY/132 cover a same site. Application No. A/TY/85 for the redevelopment of an existing concrete batching plant on a permanent basis was approved with conditions by the Committee on 24.10.2003. The approval was granted mainly on the considerations that the proposal was in line with the planning intention of “I” zone, the applicant undertook to submit transport arrangement plan and there were no adverse comments from the local residents. The proposal had not been implemented and the planning permission lapsed on 24.10.2007. Subsequent Applications No. A/TY/123 and A/TY/132 for a temporary concrete batching plant for three years and five years respectively were approved by the Committee on 28.11.2014 and 14.10.2016. The approvals were granted mainly on the considerations that they were considered not incompatible with the surrounding industrial-related developments and there were no adverse comments from the concerned departments. The subject plant is in operation.
- 6.3 Application No. A/TY/112 for a temporary concrete batching plant for three years was approved with conditions by the Committee on 24.9.2010. The approval was granted mainly on the considerations that it was considered not incompatible with the surrounding industrial-related developments, and that concerned departments had no objection to the application. The planning approval was subsequently revoked on 24.6.2012 since the applicant failed to comply with the approval conditions in relation to the implementation of the operation control and traffic management measures, landscape and fire service installations proposals.
- 6.4 Applications No. A/TY/117, A/TY/126 and A/TY/139 cover a same site. Application No. A/TY/117 for a temporary concrete batching plant for three years was approved with conditions by the Committee on 6.7.2012. The approval was granted mainly on the considerations that it was considered not incompatible with the surrounding industrial-related uses, and that the concerned departments had no adverse comments on the application. Yet, the planning permission was revoked on 6.10.2014 due to non-compliance with approval condition relating to the implementation of water supplies for fire-fighting and fire service installations proposals. Subsequent Application Nos. A/TY/126 and A/TY/139 for temporary concrete batching plants for five years were approved by the Committee on

¹ Application Nos. A/TY/32, A/TY/58 and A/TY/59 were for the development of both the concrete and asphalt plants.

28.11.2014 and 6.9.2019 respectively on similar considerations as Application No. A/TY/117. The subject plant is in operation.

- 6.5 Application No. A/TY/136 for a temporary concrete batching plant for a period of five years was approved with conditions by the Committee on 2.8.2019. The approval was granted mainly on the considerations that it was considered not incompatible with the planning intention for the site from land use point of view, and that the concerned departments had no adverse comments on the application. The proposed plant has yet to commence operation.

7. **The Site and Its Surrounding Areas** (Plans A-1 to A-3 and photos on Plan A-4)

7.1 The Site:

- (a) is a piece of flat land located at the western part of Tsing Yi;
- (b) is currently occupied by an existing concrete batching plant approved under Application No. A/TY/128 (**Plan A-4**);
- (c) is mainly accessible from a private road which extends from the end of Sai Tso Wan Road, and shares a common access with the adjacent existing temporary asphalt plant and concrete batching plant approved under Application Nos. A/TY/129 and A/TY/139 respectively (**Plan A-2**); and
- (d) has a sea frontage to its south.

7.2 The surrounding areas have the following characteristics:

- (a) to its east and southeast is the Hongkong United Dockyard. Part of the dockyard in its south-eastern portion is currently used for open storage, and is subject to a proposed temporary concrete batching plant and a proposed temporary asphalt plant both approved by the Committee on a temporary basis of five years on 2.8.2019 under Application Nos. A/TY/136 and A/TY/135 respectively (**Plan A-2**);
- (b) to its further east is the Cheung Tsing Highway located above a steep slope;
- (c) to its further southeast is the Shell Oil Depot. There is also an existing concrete batching plant approved by the Committee on a temporary basis of five years on 14.10.2016 under Application No. A/TY/132 (**Plan A-2**);
- (d) to its immediate south adjoining the Site is an existing temporary concrete batching plant (approved under Application No. A/TY/139 on 6.9.2019 for five years) and an existing temporary asphalt plant (approved under Application No. A/TY/129 on 7.8.2015 for five years and its renewal is to be considered at the same meeting under Application No. A/TY/144) (**Plans A-2 and A-4**);
- (e) to its west and further south is the Ma Wan Channel; and

(f) to its north is the Lantau Link.

8. Planning Intention

The “T” zone is intended primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Information technology and telecommunications industries and office related to industrial use are also always permitted in this zone.

9. Comments from Relevant Government Departments

9.1 The following Government bureaux/departments have been consulted and their views on the application are summarised as follows:

Land Administration

9.1.1 Comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD):

- (a) TYTL No. 108 RP (the Lot) is restricted under lease for ship building, ship repairing and ancillary uses, such heavy engineering uses as may be approved in writing by the Director of Lands, cargo handling, and storage and repair of containers. The subject concrete batching plant at the Site and the proposed marshalling area of about 2,000m² (**Drawings A-3 and A-4**) within the Lot are in breach of the lease conditions;
- (b) a temporary waiver dated 2.10.2015 has been granted to the owner of the Lot to waive the above user restriction so as to permit concrete production use at the Site for a term from 23.2.2014 to 6.7.2015 and thereafter quarterly. Pursuant to the relevant waiver conditions, in the event that the owner fails to obtain planning approval for the subject plant under the current application, her office will revoke the temporary waiver;
- (c) the owner shall apply to her office for a temporary waiver to permit the marshalling area and any other parking, loading and unloading area within the Lot as required or approved by the Board to be used ancillary to the subject plant under the current application;
- (d) the marshalling area proposed under the current application is different from that proposed under previous Application No. A/TY/128. The previous marshalling area under Application No. A/TY/128 to accommodate the vehicles ancillary to the subject plant is in breach of the lease conditions and is outside the Site not covered by the temporary waiver. The owner’s application to permit the previously proposed marshalling area is still under processing; and

- (e) there is no guarantee that any new temporary waiver application or renewal of the existing temporary waiver will be approved. Any new temporary waiver application or renewal of the existing temporary waiver will be considered by the LandsD acting in the capacity as landlord at its sole discretion. Any approval, if given, will be subject to such terms and conditions, inter alia, payment of waiver fee and administrative fees, as may be approved by LandsD.

Traffic

9.1.2 Comments of the Commissioner for Transport (C for T):

- (a) he has no objection to the application; and
- (b) should the application be approved, the following approval conditions should be imposed:
 - (i) no queuing on public roads in the vicinity of the application site resulting from the operation of the plant shall be allowed at any time during the planning approval period;
 - (ii) the submission of a traffic management plan including contingency plan and associated mitigation measures and traffic facilities; and
 - (iii) the implementation of the approved traffic management plan.

Environment

9.1.3 Comments of the Director of Environmental Protection (DEP):

- (a) the current application is to seek renewal of the planning approval for the subject plant approved under Application No. A/TY/128 for another five years at the Site, which needs to be operated with a Specified Process Licence complying with requirements as stipulated in the Best Practice Means for Cement Works (Concrete Batching Plant) BPM 3/2;
- (b) given that there is no change on the layout, development parameters and emission parameters to the existing concrete batching plant under the current application, and that findings from the latest air quality impact assessments under the application process of the Specified Process Licence are still valid, she has no in-principle objection to the application; and
- (c) in relation to public comments regarding the possible air quality impact, the subject plant is controlled by licence under Air Pollution Control (Specified Processes) Regulations. Through the terms and conditions of the licence, the owner of the premises used for the conduct of the specified processes is required to provide and

maintain the best practicable means for the prevention of the emission from his premises of any air pollutant, to attain and maintain any relevant air quality objective, and to cause the emission of noxious or offensive emissions not be, or likely not to be, prejudicial to health.

Marine Safety

9.1.4 Comments of the Director of Marine (D of Marine):

- (a) from marine traffic point of view, he has no objection to the application subject to the implementation of the approved barging operation plan (BOP) under Application No. A/TY/128 and the maintenance of the proposed measures to his satisfaction; and
- (b) should there be any changes in the barging operation and/or arrangement, the applicant should submit an updated BOP to his satisfaction. The updated BOP should include but not limited to the followings:
 - (i) no ocean-going-vessel shall be allowed or permitted to use the sea access or berth at the designated seafrontage of the Site;
 - (ii) not more than two vessel/barging activities shall be allowed to use the sea access and berth at the designated seafrontage of the Site per day;
 - (iii) only one tier of vessel or barge shall be allowed to berth at the designated seafrontage of the Site and no off-shore anchoring shall be permitted in the vicinity;
 - (iv) any vessel / barging activity operating near or at the seafrontage of the Site shall not cause any obstruction to the through traffic of the Site nor affect the operation of other sites in the vicinity;
 - (v) the route of vessel / barge and the Marine Traffic Impact Assessment Report; and
 - (vi) any vessel or barge employed / engaged / involved for loading / unloading at the Site shall comply with local legislation. Sufficient manning shall be maintained on board the vessel / barge at all times.

Health

9.1.5 Comments of the Director of Health (D of Health):

- (a) she is not aware of any particular human health issue; and

- (b) it is understood that a licence should be issued by the DEP for operating the subject plant. She trusts that DEP has conducted checking and monitoring of the plant through the current licensing mechanism and taken reference to the guidance notes on the technical, management and monitoring requirements, including those for air pollution monitoring.

Fire Safety

9.1.6 Comments of the Director of Fire Services (D of FS):

- (a) he has no in-principle objection to the application subject to the fire service installations (FSIs) and equipment installed at the Site are properly maintained to his satisfaction; and
- (b) as no details of the EVA are provided, no comments could be offered at this stage. The applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the “Code of Practice for Fire Safety in Building 2011” which is administered by the Buildings Department.

Building Matters

9.1.7 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) he has no in-principle objection to the application under the Buildings Ordinance;
- (b) according to his office record, the Site is currently occupied by a concrete batching plant covered under Temporary Occupation Permits (TOP) No. NT 13/2003 and No. NT 22/2003 (TOP) issued by the Building Authority. The said TOPs has been expired on 7.8.2020; and
- (c) in relation to a public comment concerning whether the subject plant complies with requirements of the Buildings Department, the plant has been issued with TOP and Temporary Building Permit (TBP) and has complied with the Buildings Ordinance subject to the renewal of TOP and TBP.

Urban Design and Landscape

9.1.8 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

Urban Design

- (a) the applicant seeks planning approval for continuing the operation of a temporary concrete batching plant at the Site which falls within an

area zoned "I". According to the applicant's submission, the proposed development parameters are the same as those previously approved under Application No. A/TY/128. As there is generally no change in circumstances for different urban design consideration, he has no particular comments on the application from urban design and visual perspectives;

Landscaping

- (b) with reference to the aerial photo of 2019, there is no significant landscape resource within the Site. As the Site does not fall within any landscape sensitive zonings, no significant adverse landscape impact arising from the application is envisaged; and
- (c) in view of that the continued use of temporary concrete batching plant is unlikely to cause significant adverse landscape impact, it is considered not necessary to impose any landscape condition should the application be approved.

District Officer's Comments

9.1.9 Comments of the District Officer (Kwai Tsing), Home Affairs Department (DO(K&T), HAD):

- (a) he has no comment on the application from the community point of view; and
- (b) his office has posted the application on their notice boards of their office and the Cheung Fat Estate Community Centre within the publication periods. No comment has been received.

9.2 The following Government departments have no objection/comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Engineer/Mainland South, Drainage Services Department;
- (c) Chief Engineer/Port Works, Civil Engineering and Development Department;
- (d) Chief Highway Engineer/New Territories West, Highways Department
- (e) Commissioner of Police;
- (f) Director of Electrical and Mechanical Services;
- (g) Director-General of Trade and Industry; and
- (h) Project Manager/West, Civil Engineering and Development Department.

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection periods, eight comments were received from individuals (**Appendix V**) mainly expressing concerns on the possible adverse impact on road traffic, traffic safety, environment and health aspects arising from the subject

concrete batching plant. There was also query on whether the subject plant complies with the requirements of the Buildings Department.

11. Planning Considerations and Assessments

- 11.1 The application is to seek renewal of the planning approval for using the Site for a temporary concrete batching plant for a period of five years. The latest approval under Application No. A/TY/128 is valid until 7.8.2020. All approval conditions have been complied with. As compared with the previous approved application, there is no change in the development parameters and layout, except minor adjustment in the internal layout of the car parking and loading/unloading facilities and EVA; and location of the proposed marshalling area.
- 11.2 The Site falls within an area zoned “T” which is intended primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. It is located within an established special industrial area in west Tsing Yi. An existing temporary concrete batching plant and an existing temporary asphalt plant are located to its immediate south, and an existing temporary concrete batching plant is also located to its further southeast (**Plan A-2**). The surrounding areas of the Site are occupied by various industrial-related operations, including shipyards, oil depots, works sites, open vehicle parks and container-related uses, etc. The renewal of the subject plant for another five years is considered not incompatible with the planning intention for the Site from land use point of view. Besides, there are also seven similar applications within the same “T” zone approved with conditions on a temporary basis for three / five years between 2010 and 2019. Approval of the application is consistent with the previous decisions of the Committee on similar applications.
- 11.3 In support of the current application, the applicant has submitted a TIA (**Appendix Ib**) which demonstrates that the renewal of the subject plant will not generate additional traffic to the surrounding road network and road junctions. In this regard, C for T has no objection to the application from traffic point of view. DEP also has no in-principle objection to the application given that there is no change on the layout, development parameters and emission parameters to the existing plant, which needs to be operated with a Specified Process Licence complying with requirements of the Best Practice Means for Cement Works (Concrete Batching Plant) BPM 3/2. As regards the concerns on fire safety and barging operation raised by D of FS and D of Marine, they could be addressed through incorporation of approval conditions.
- 11.4 The application also complies with the relevant assessment criteria on the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use for Development (TPB PG-No. 34C) in that there has been no material change in planning circumstances since the previous approval granted, no adverse planning implication arising from the renewal, the applicant has complied with all approval conditions of the latest planning approval, and that the approval period sought which is the same as the last approval granted by the Board is not unreasonable.

11.5 Regarding the public comments, the planning assessments above and the departmental comments in paragraph 9 are relevant.

12. **Planning Department's Views**

12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application for renewal of planning approval.

12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of five years until 1.9.2025. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no queuing on public roads in the vicinity of the application site resulting from the operation of the concrete batching plant shall be allowed at any time during the planning approval period to the satisfaction of the Commissioner of Transport or of the Town Planning Board;
- (b) the submission of a traffic management plan including contingency plan and associated mitigation measures and traffic facilities within six months from the date of the planning approval to the satisfaction of the Commissioner of Transport or of the Town Planning Board, by 1.3.2021;
- (c) in relation to (b) above, the implementation of the approved traffic management plan during the operation period of the concrete batching plant to the satisfaction of the Commissioner of Transport or of the Town Planning Board;
- (d) the existing fire service installations implemented at the application site shall be properly maintained in efficient working order at all times during the planning approval period to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (e) the implementation of the approved Barging Operation Plan and the maintenance of the proposed measures at all times during the planning approval period to the satisfaction of the Director of Marine or of the Town Planning Board; and
- (f) if the above planning conditions (a), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (g) if the above planning condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

The recommended advisory clauses are attached at **Appendix VI**.

12.3 There is no strong planning reason to recommend rejection of the application.

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning permission.

13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application Form received on 11.5.2020 with letters dated 13.5.2020 and 15.5.2020 enclosing a TIA and revised layout plans
Appendix Ia	Planning Statement attached to the Application Form received on 11.5.2020
Appendix Ib	Further information dated 19.6.2020 enclosing tables of responses to departmental and public comments and a revised TIA
Appendix Ic	Further information dated 22.7.2020 enclosing a table of responses to departmental comments
Appendix II	Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use for Development (TPB PG-No. 34C)
Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Public Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawing A-2	Carpark Layout Plan
Drawings A-3 and A-4	Proposed Marshalling Area

Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2020**