

Further Information

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Annex 1	Revised Environmental Assessment

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Response-to-Comments table

Responses-to-Comments Table

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17.10.2024	Lands Department	<p>1. The application site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. No right of access via Government land (GL) is granted to the application site.</p>	<p>Noted. The planning application is subject to two previous planning approvals (No. A/NE-FTA/148 and A/NE-FTA/192) for the same use. The Applicant submits the current renewal application in order to renew the latest planning permission under Planning Application No. A/NE-FTA/192 from the Board which will be expired on 12 December 2024.</p>
		<p>2. Short Term Waiver (STW) No. 883 was issued for Lot No. 20 RP, 21 and 23 RP in D.D. 88 for the purpose of a concrete production plant and open storage of machinery and equipment. For Unauthorized Building Works, please refer to paragraph 5 below.</p>	<p>Noted.</p>
		<p>3. The GL in the application site is covered by Short Term Tenancy (STT) No. 641 for the purpose of a concrete/ asphalt batching plant; manufacturing of concrete products; and open storage of machinery and equipment.</p>	<p>Noted.</p>
		<p>4. The application site is already being used for the uses under the application. The total site coverage of the existing structures erected on site far exceeded the 1,012.34m² permitted under the STW/STT.</p> <p>No application is received from the lot owners and tenant for variation of STT/STW to regularize the built-over-area and height restriction after last planning permission in November 2019. This office reserved the rights to take enforcement action for the breach of STW/STT.</p>	<p>The Applicants had submitted an application to District Lands Office /North on 13 March 2015 for amending the Short Term Waiver (STW) and the Short Term Tenancy (STT) for the proposed Temporary Asphalt Batching Plant (ABP) after obtaining the first planning approval granted for the planning application (No. A/NE-FTA/148) by Town Planning Board (TPB) dated 12 December 2014 (“the approved planning application”).</p>

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		<p>5. The following irregularity not covered by the subject planning application has been detected by this office:</p> <p>Unauthorised structures within the said private lots not covered by the planning application. There are unauthorised structures within the said private lots not covered by the subject planning application. The lot owners should immediately rectify the lease breaches and this office reserves the rights to take necessary lease enforcement action against the breaches without further notice.</p> <p>6. The lot owners/applicant shall either (i) remove the unauthorised structures not covered by the subject planning application immediately; or (ii) include the unauthorised structures in the subject planning application for the further consideration by the relevant departments and, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to this office for modification of the STW and STT to permit the structures erected/to be erected and occupation of GL. The modification for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW/STT, if approved, will be considered on whole lot basis and subject to such terms and conditions including the payment of back-</p>	<p>Due to technical reasons, the site area / boundary of the application site were amended by excluding two pieces of land near the entrance to the ABP and the piece of land occupied by the existing CLP transformer / ESS from the original STW application. According to the Planning Department's letter dated 28 July 2015, Planning Department had no adverse comment on the then planning consultant's submission that the change in site area and boundary were Class A amendments. With that, the Applicants then submitted the revised STW and STT applications to District Lands Office/ North on 31 August 2015 for processing.</p> <p>Please take note that the original and the revised STW applications were submitted on behalf of the Landlord, the administratrix of the concerned lots at the time of applications.</p> <p>District Lands Office / North has all along been processing the revised STW and STT applications over the time. The structures being considered as unauthorised by District Lands Office / North were not under the revised STW application and <u>fall outside</u> the current planning application (No. A/NE-FTA/254). Notwithstanding this, the Applicants would closely liaise with the owner concerned for carving out the concerned land with existing structures from the</p>

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		<p>dated of waiver fee/rent from the first date the unauthorized structures were erected/occupation of GL and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owners for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of Government land. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered.</p> <p>7. Unless and until the unauthorised structures are duly rectified by the lot owners/applicant or entirely included in the subject planning application; and irregularities of the STW/STT are rectified, please take it as this office's objection to the application which must be brought to the attention of the Town Planning Board when they consider the application.</p>	<p>relevant Lot to enable District Lands Office / North to continue processing the revised STW and STT applications for the ABP.</p> <p>Furthermore, the Applicants will continue to assist the owner to liaise and resolve the issues on unauthorized structures with the occupier as a separate matter once the current planning application is approved.</p>
		<p>8. Please notify the applicant of our comments/requirements as stated above.</p>	<p>Noted.</p>

Comment	Responses
From Environmental Protection Department (Contact Person: Ms. Maureen CHANG, tel.: 2835 1867)	
Air Quality	
<p>1. No quantitative AQIA was submitted. We consider a quantitative AQIA is required to support this planning application. In addition, for Section 4.4, please remove Table 7, and briefly illustrate effluent discharged will comply with standards stipulated in the TM-DSS.</p>	<p>As mentioned in the EA Report dated August 2024 enclosed in Appendix 11 of the Planning Statement, quantitative AQIA was already conducted and summarised in the Air Pollution Control Plan (“2024 APCP”) supporting the Specified Process (“SP”) Licence Renewal.</p> <p>The final version, version 3 dated September 2024, of the Air Pollution Control Plan (“2024 APCP”) was submitted to the EPD and received with no comment. On 17 October 2024, EPD provided a letter regarding completion of the assessment for the SP Licence renewal application. The conclusion of the 2024 APCP includes:</p> <ul style="list-style-type: none"> a) The Plant is operated by the Licence Holder capable of providing and maintaining the best practicable means for the prevention of the emission from the premises of any air pollutant. b) The Plant operation would not affect the attainment and maintenance of the prevailing AQOs. c) No emission noxious or offensive emission would be, or be likely to be, prejudicial to health due to the Plant operation. <p>The cover letter from EPD on 17 October 2024 has been enclosed in Appendix C for reference.</p> <p>Please refer to the revised Table 2-1, paras. 1.2.2, 1.4.4, 2.2.11 and 2.2.12, and Section 3.2, the updated Schematic Diagram enclosed in Appendix B and EPD’s cover letter enclosed in Appendix C of the EA Report for details. Table 2-2 of the EA Report has also been amended with reference to Version 3 of the APCP dated September 2024.</p>

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	Regarding effluent, as mentioned in para. 2.4.2 of the EA Report, all the water for vehicle washing is treated and reused, and no wastewater from vehicle washing is generated. For sewage from site staff, the sewage is collected and tankered away as mentioned in para. 2.4.3. Therefore, there is no treated effluent from the Temporary Asphalt Plant being discharged to the nearby water body.
Noise	
<p>1. It is noted from the submission that no assessment was conducted except referring to 2019 EA Report. We consider an updated noise impact assessment to support the subject application. Detail assessment and justification is required to demonstrate no adverse noise impact would be caused by the project and compliance of relevant criteria. The consultant is strongly recommended to follow the methodology and format similar to those in the 2019 EA Report with our technical comments on A/NE-FTA/192 ((See attached file: <i>20241014 FTA 254 EPD Comments on Noise for FTA_192.docx</i>)) incorporated. Details shall be included, e.g. relevant criteria, information of the fixed noise sources including validity of the measurement results from 2019, status quo of the existing NSRs identified in the vicinity, planned / committed NSRs, traffic data, mitigation measures, etc. Site survey details shall be documented for completeness and future reference, e.g. date, time, personnel, equipment, calibration, weather, field observations, etc.</p>	The noise section of EA has been revised to incorporate the comprehensive review of potential noise impact to the NSRs.
<p>2. The Environmental Assessment (EA) identified several noise impact associated with the operation of the temporary asphalt plant, which include off-site traffic, loading/unloading activities, vehicle movement and operation of equipment. Quantitative assessment has been carried out to address these identified noise impact. However, some</p>	Noted. The noise section of EA has been revised.

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<p>assumptions adopted in the assessment are not clearly presented while some assessment methodologies are found inappropriate, the proponent/consultant should critically review the assessment such that it can reflect the actual situation of the operating asphalt plant in future. Our major comments on the noise assessment are given below, we reserve further comments on the assessment findings and the conclusion stated in the report.</p>	
<p>3. The presented method in determining the Sound Power Level of the equipment in Appendix C using backward calculation is incorrect and could not represent the actual Sound Power Level of the equipment, the consultant should follow the methodology detailed in relevant standards to determine the Sound Power Level of the equipment for noise assessment purpose.</p>	<p>Please be clarified that the Sound Power Levels (SWLs) of the exhaust fan, rotary dryer drum and RAP Processing Depot were calculated based on the measured Sound Pressure Levels (SPLs) by standard acoustic principle. A measurement has been conducted to validate the SWL adopted in EA 2019 is applicable in this renewal application. Para. 2.3.13 has been added to summarise the findings. The SWLs estimated based on the SPLs measured on 17 October 2024 are generally lower than those in EA 2019. The noise impact on the NSRs in 2024 should not be higher than that on the NSRs in 2019. Therefore, similar to the EA 2019 it is concluded no adverse noise impact is anticipated.</p>
<p>4. 10 dB(A) reduction for barrier correction is only applicable for plant totally screened off by <u>substantial barrier with proper sound absorptive lining</u> such that none of the plant is visible to the concerned NSR, structures which are lightweight and/or incomplete are not considered as effective barrier for screening. The use of steel plate alone is not considered as effective barrier in providing noise screening for NSRs. The present of reflecting surfaces behind the noise source to the NSRs would also reduce the magnitude of the barrier correction. Please review the claimed correction and justify the adopted barrier correction by providing relevant details of the barrier and photographs of the site.</p>	<p>Please refer to the revised noise section of the EA Report.</p>

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<p>5. The reduction of more than 10 dB(A) for correction in adopting noise enclosure is only applicable for plant <u>fully enclosed with proper sound absorptive lining</u>. Providing enclosure on three sides with top by cladding is not an effective measure in claiming such noise reduction. Please review the claimed correction and justify the adopted correction by providing relevant details and photographs.</p>	<p>Same response as comment #4.</p>
<p>6. The proponent/consultant should review and confirm with the responsible Project Engineer whether the adopted % on time for all plants and equipment are practicable. Please also state in the report if the adopted % on time has been confirmed with the Project Engineer to be practicable. In particular, it is doubtful whether the loading and unloading of wheel loader can be completed in 5 seconds, which gives the % on time of 0.28% per 30 mins. The manoeuvring of wheel loader to desired spot for loading and unloading activity, idling of wheel loader with its engine operating before/after loading and unloading activities would also give rise to noise impact. Please supplement relevant details on the operation of the wheel loader for our consideration.</p>	<p>Para. 2.3.11 has been supplemented. The utilisation of each PME as list in EA 2019 will remain unchanged and has been confirmed by the Plant operator.</p>
<p>7. The addition of screening correction to noise sources which have applied corrections for mitigation measures (i.e. enclosure) is not justified and gives underestimation of predicted noise levels at NSRs. Please review and rectify.</p>	<p>Please refer to the revised noise section of the EA Report.</p>
<p>8. The area for setting up "Screw conveyor / Slant belt conveyor / Belt conveyor " and "Bucket elevator / Filler elevator" are not shown in the report and their locations cannot be determined. In addition, using notional noise source position to assess the noise impact at the NSRs is not justified, the worst case scenario should be adopted by assuming that these noise sources are positioned at the nearest</p>	<p>Please refer to the revised noise section of the EA Report.</p>

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location to the NSR. Please rectify the relevant figures and the assessment accordingly.	
9. S.1.5.9 - As revealed in the assessment presented in S.2, only some of the on-site noise sources are determined based on noise measurements, while the sound level of some equipment are made reference to the GW-TM or "Sound Power Levels of other commonly used PME". Please revise this section to avoid confusion.	Para. 2.3.13, 2.3.15 and 2.3.16 have been revised to supplement that the noise impact assessed in the EA 2019 was based on actual noise measurements at the Temporary Asphalt Plant during operation and GW-TM or "Sound Power Levels of other commonly used PME".
10. S.2.1.2 - ASR should read as "Area Sensitivity Rating"	The Area Sensitivity Rating has been reviewed in para. 2.3.6.
11. S.2.1.3 - The noise standard for planned fixed noise sources should be (a) 5 dB(A) below the appropriate ANLs as shown in Table 2 of IND-TM, or (b) the prevailing background noise level if the background noise level is 5 dB(A) lower than the ANLs. Please rectify	The noise standard has been reviewed in para. 2.3.2 and 2.3.3.
12. S.2.2.3 - Please review if there is any planned NSR within 300m from the site. Please state in this section whether any planned NSR is identified.	There is no planned NSR is identified within 300m from the Site Boundary.
13. S.2.2.5 - Please state in this section which year of Annual Traffic Census published by TD is referred in reaching the conclusion that "No major roads with annual average daily traffic flow in excess of 30,000 are found"	The traffic flow in 2019 has been discussed in the EA 2019 which received no comment on in 2019. The EA report – Noise Chapter has been provided in Appendix F for reference.
14. S.2.3 - Please state in this section the hourly maximum number of vehicles induced due to the operation of the asphalt plant. Although the noise contribution of off-site traffic will not increase, please also demonstrate in this section that there would not be adverse off-site traffic noise impact by comparing the induced traffic against the projected traffic at adjacent roads	Noted.

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15. S.2.3.2 and Appendix B - Please provide TD's endorsement on the traffic forecast data. Should TD only expresses no comment on the methodology for the traffic forecast, the consultant should provide confirmation from respective competent party (e.g. traffic consultant) that TD's endorsed methodology has been strictly adopted in preparing the traffic forecast data	The traffic flow in 2019 has been discussed in the EA 2019 which received no comment on in 2019. The EA report – Noise Chapter has been provided in Appendix F for reference.
16. S.2.3 - Please state each noise source identified on site, including the equipment enclosed in plant rooms, split-type air conditioners and the proposed RAP as mentioned in S.2.4.1, 2.4.2 and 2.4.4 respectively	The M&E installed inside the plant room and small/low-power windows type and split-type air conditioners have been stated in para. 2.3.12.
17. S.2.3.6 - This section discusses the on-site noise measurements for establishing the sound level data of the equipment for assessment purpose and should be moved to S.2.4 which details the assessment methodology	The report structure has been discussed/ reviewed in the EA 2019 which received no comment on in 2019. The EA report – Noise Chapter has been provided in Appendix F for reference. The noise measurement methodology and result has been discussed in para. 2.3.14.
18. S.2.4.2 - Please consider to revise the 2nd sentence to "... of these small-air conditioners is <u>insignificant</u> minimal ."	Para. 2.3.12 has been discussed the noise impact of low-power split-type air-conditioners and considered as insignificant.
19. S.2.4.3 - According to the previous approved EA report, vehicle repair pit is proposed in the site, please clarify if the vehicle repair pit is offered on-site. If it is, the noise impact from its operation should also be addressed	In para. 1.2.2 of the EA 2019, several car repairing workshops are located to the south and southwest of the Site. Such car repairing workshops are outside the Site boundary and not provided for the Temporary Asphalt Plant.
20. S.2.4.5 and Appendix C - Please provide the measured sound spectrum obtained from each measured plant/equipment with an aim to justify if correction for tonality is required. Please also supplement in S.2.4.5 whether the correction for tonality, intermittency and impulsiveness are applicable.	The details of noise measures have been provided in Appendix E.
21. S.2.4.6 - The formula in calculating distance correction is incorrect, please rectify.	Please refer to the revised noise section of the EA Report.

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<ul style="list-style-type: none"> i. Should the first sentence read as "... other than those mentioned in Section 2.4.5 listed in Table 2.3 were ..." ii. Please present the % on time per 30 min in Table 2.3, and iii. supplement in section 2.4 on how the % on time and time correction is determined. 	
<p>22. S.2.4.8 and Appendix D - By cursory check, it is observed that the barrier correction is still applied for some of the NSRs which would have line of sight to the concerned plant. For example, the barrier for bitumen pump seems failed to screen off the line of sight between NSR IN3 and the pump as shown in Figure 2.2, but barrier correction is applied. Please review the applied corrections at all NSRs.</p>	Please refer to the revised noise section of the EA Report.
<p>23. S.2.4.13 and Appendix D -</p> <ul style="list-style-type: none"> i. Please review if there will be idling of trucks with operating engine before/after loading and unloading activities, and conduct revision to the calculation of predicted noise levels if found necessary. ii. Appendix E presented in the EA report is nowhere mentioned. 	No idling is expected of trucks with operating engine before/after loading and unloading activities. Para. 2.3.15 has been supplemented.
<p>24. S.2.5 and 2.6 - These sections are related to the determination of noise criteria and should be discussed under S.2.1.</p>	Review of Noise Standard has been provided in paras. 2.3.2 and 2.3.3. Review of Noise Criteria of all NSRs has been provided in para. 2.3.19.
<p>25. Appendix D -</p> <ul style="list-style-type: none"> i. SWL of 105 dB(A) is adopted for trucks, please state clearly which PME under "Sound power levels of other commonly used PME" is adopted. Please note that the SWL of 105 dB(A) is only applicable for truck with gross vehicle weight lower than or equal to 38 tonne. Please confirm if the trucks adopted is applicable to this SWL. 	SWL for truck with gross vehicle weight lower than or equal to 38 tonne has been adopted. Clarification has been provided in para. 2.3.16.

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ii. The discussion and justification on the number of trips for "On-site Movement of Trucks" can no where be found in the report, nor be able to deduce from Table 2.4. Please supplement in the main text.	
iii. Footnote * - Should the SWL of wheel loader refer to Appendix E?	