

**APPLICATION FOR PERMISSION UNDER SECTION 16
OF THE TOWN PLANNING ORDINANCE (CAP. 131)**

**RENEWAL OF PLANNING APPROVAL FOR TEMPORARY CONCRETE BATCHING PLANT
FOR A PERIOD OF 5 YEARS
AT TSING YI TOWN LOT NO. 108 RP (PART), SAI TSO WAN ROAD, TSING YI, NEW TERRITORIES
ON THE APPROVED TSING YI OUTLINE ZONING PLAN NO. S/TY/32**

SUPPORTING PLANNING STATEMENT

MAY 2024

Executive Summary

This Application is submitted to the Town Planning Board (“TPB”) under Section 16 of the Town Planning Ordinance by the Applicant who seeks renewal of planning approval for the current ‘Concrete Batching Plant’ use (“the Use”) at Tsing Yi Town Lot No. 108RP (Part), Sai Tso Wan Road, Tsing Yi, New Territories (“the Application Site”) for a period of five years. The Application Site is about 4,200m² in size and currently zoned “Industrial” (“I”) on the approved Tsing Yi Outline Zoning Plan (“OZP”) No. S/TY/32. According to the Notes of the OZP, ‘Concrete Batching Plant’ is a Column 2 use within the “I” zone, thus planning permission is required from TPB.

The Application Site is subject to a previous planning application No. A/TY/139 for the same use which was approved on 6 September 2019 for a period of five years until 6 September 2024. All approval conditions under the previous planning approval have been complied with. The continuance of the Use will not cause changes to the development parameters of the Application Site.

The Use under this Application supports the local construction sector to meet the growing demand for concrete products arising from the upcoming large-scale infrastructure projects. The Application Site is located at a remote area of Tsing Yi West industrial area and the range of high hills at the central part of Tsing Yi Island would serve as a partition to block off concrete batching plant’s potential environmental impacts and disturbances to the residential areas in the north-eastern part of Tsing Yi. As the Use has commenced operation since 2014, assessments of surrounding planned / committed developments subsequent to the Use should have been taken into account its existence. The required technical assessments concluded that no adverse impacts would be induced to the surrounding area since the previous approval.

In view of above, favorable consideration by the TPB is hereby sought to approve this Application.

內容摘要

申請人按<<城市規劃條例>>第 16 條向城市規劃委員會(『城規會』)提交規劃許可申請將新界青衣西草灣路青衣市地段第 108 號餘段(部分)(『申請地點』)為期五年的臨時混凝土配料廠規劃許可續期(『有關用途』)。申請地點地盤面積約 4,200 平方米及位於青衣分區計劃大綱核准圖編號 S/TY/32 (『大綱圖』)上的『工業』用途地帶內。根據大綱圖，在『工業』用途地帶內，「混凝土配料廠」屬於第二欄用途，因此有需要獲得城規會的規劃許可。

申請地點的先前規劃申請 (No. A/TY/139) 作相同用途於 2019 年 9 月 6 日獲批，為期五年，至 2024 年 9 月 6 日。所有先前的規劃許可附帶條件均已履行。申請地點繼續用作本用途將不會對現有混凝土配料廠的發展參數有任何改動。

本申請將支援本地建築行業，以滿足將來大型基礎設施項目落成對混凝土產品不斷增長的需求。申請地點位於青衣西工業區較偏遠的區域，青衣島中部的山脊可阻擋混凝土配料廠潛在的環境影響及對青衣東北部住宅區域的滋擾。有關的混凝土配料廠自 2014 年開始營運，附近一帶隨後開展的擬議發展的技術評估應已考慮到有關用途。本申請附屬的技術評估斷定混凝土配料廠自先前規劃許可以來不會為周邊環境帶來負面影響。

基於上述情況，以及規劃綱領內的詳細規劃理據，申請人懇請城規會給予考慮批准是次規劃申請。

(中英文版如有差異，皆以英文版本為準。)

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1 Introduction

1.1 Background

This Application is submitted under section 16 of the Town Planning Ordinance (Cap.131) on behalf of Hongkong United Dockyards Limited (“the Applicant”) to seek renewal of planning approval (No. A/TY/139) from the Town Planning Board (“TPB”) for temporary concrete batching plant for a period of 5 years at Tsing Yi Town Lot No. 108RP (Part), Sai Tso Wan Road, Tsing Yi, New Territories (“the Application Site”). The Applicant is intended to continue the operation of the current temporary concrete batching plant under application no. A/TY/139 at the Application Site. The Application Site falls within an area currently zoned “Industrial” (“I”) on the approved Tsing Yi Outline Zoning Plan (“OZP”) No. S/TY/32 (“the OZP”). According to the Notes of the OZP, ‘Concrete Batching Plant’ use (‘the Use’) is a Column 2 use under the “I” zone which requires planning permission from TPB.

1.2 Statement Structure

This Supporting Planning Statement consists of six sections. Following the introduction, **Section 2** will cover the descriptions of the Application Site and its surrounding context. **Section 3** will elaborate on the respective planning context within which this Application is subject to. The current use will be presented in **Section 4**, which is followed by the relevant justifications in **Section 5**. The Statement will be concluded in **Section 6**. The following technical assessments and supplementary materials are attached along with the Statement in supporting this Application:-

- Schematic Drawings (**Appendix I**)
- Location Plan of the Marshalling Area (**Appendix II**)
- Traffic Impact Assessment (“TIA”) Report (**Appendix III**)
- Traffic Management Plan (**Appendix IV**)
- Approval Letter of Planning Application No. A/TY/139 (**Appendix V**)
- Approval Letters regarding Compliance of Approval Condition and Advisory Clause (**Appendix VI**)
- Certificate of FS 251 (**Appendix VII**)

2 The Application Site and its Surroundings

2.1 Application Site

The Application Site is a piece of flat land at the north-western portion of TYTL 108 RP, which is situated in the western part of Tsing Yi. It has an area of about 4,200m². The Application Site is currently occupied by an existing concrete batching plant under approved Application No. A/TY/139. The Application Site is mainly accessible from a private road of TYTL 108 RP which extends from the end of Sai Tso Wan Road and shares a common access with the adjacent existing concrete batching plant and asphalt plant under Application No. A/TY/143 and A/TY/144 respectively. It has a sea frontage to its south (**Figure 1**).

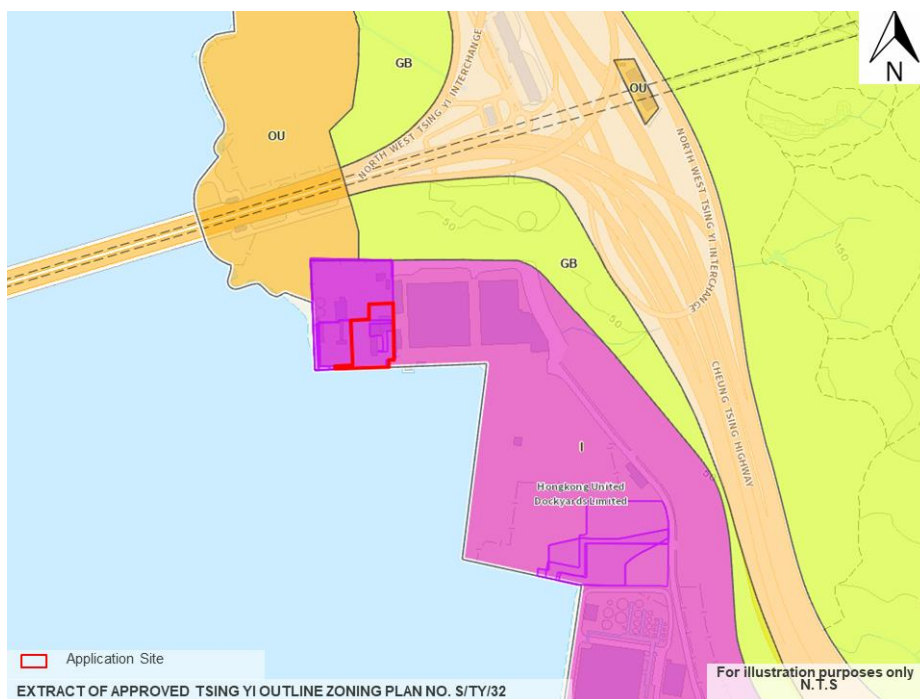


Figure 1: Location Plan of the Application Site

2.2 Land Status

The Application Site forms part of TYTL No. 108 RP held under Conditions of Exchange New Grant No. 6647. According to the land grant, the Application Site is restricted, inter alia, to ship building, ship repairing and ancillary uses, such heavy engineering uses as may be approved by Lands Department ("LandsD"), cargo handling, and storage and repair of containers. Upon development or redevelopment, the subject lot is restricted to a maximum plot ratio of 2.5. Any building or structure to be erected on the subject lot shall not exceed a height of 335mPD, or such height affecting the lot as may be prescribed under Section 3 of the Hong Kong Airport (control of Obstructions) Ordinance, whichever is the lower.

The Applicant has already obtained temporary waiver dated 19 January 2022 (memorial No. 22041400910020) from the LandsD for the implementation of the Use.

2.3 Surrounding Environment

The surrounding areas have the following characteristics:

- a) mainly a special industrial area with shipyards, oil depots, warehouses, open vehicle parks and container-related uses;
- b) to its east and southeast is the Hongkong United Dockyards; to its further east and northeast is the Cheung Tsing Highway and Northwest Tsing Yi Interchange 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 24 September 2021 under Application No. A/TY/145;
- d) to its south is the Ma Wan Channel;
- e) to its immediate west also forming part of TYTL 108 RP is an existing asphalt plant approved by the Committee on a temporary basis of five years on 1 September 2020 under Application No. A/TY/144; and
- f) to its immediate north and northwest adjoining the Site also forming part of TYTL 108 RP is an existing concrete batching plant approved by the Committee on a temporary basis of five years on 1 September 2020 under Application No. A/TY/143.

2.4 Previous Planning Applications

There are seven previous planning applications for temporary concrete batching plants covering the Site / part of the Site (Application No. A/TY/101, A/TY/102, A/TY/106, A/TY/110, A/TY/117, A/TY/126 and A/TY/139). All the approval conditions of the latest previous planning Application No. A/TY/139 have been complied with. The approval letters regarding the compliance with relevant approval condition and advisory clause from the Planning Department are attached at **Appendix VI**.

Application No.	Applied Use / Development	Decision
A/TY/101	Concrete Batching Plant	Rejected on 28.9.2007
A/TY/102	Temporary Concrete Batching Plant for a Period of 3 Years	Approved with Conditions until 22.2.2011
A/TY/106	Temporary Asphalt Plant for a Period of 3 Years	Approved with Conditions until 29.1.2013

A/TY/110	Renewal of Planning Approval for Temporary Concrete Batching Plant Use for a Period of 3 Years	Approved with Conditions until 22.2.2014
A/TY/117	Proposed Temporary Concrete Batching Plant for a Period of 3 Years	Approved with Conditions until 6.7.2015 *revoked on 6.10.2014
A/TY/126	Proposed Temporary Concrete Batching Plant for a Period of 5 Years	Approved with Conditions until 28.11.2019
A/TY/139	Temporary Concrete Batching Plant for a Period of 5 Years	Approved with Conditions until 6.9.2024

**A/TY/117 revoked due to non-compliance with an approval condition regarding the implementation of water supplies for fire fighting and fire service installations proposals*

Figure 2: Details of Previous Applications

2.5 Similar Planning Applications

There are 13 similar planning applications (No. A/TY/32, A/TY/58, A/TY/59, A/TY/85, A/TY/112, A/TY/119, A/TY/123, A/TY/128, A/TY/132, A/TY/136, A/TY/143, A/TY/145, and A/TY/147) for concrete batching plant use within the “I” zone on the Tsing Yi OZP. Among all applications, four applications (No. A/TY/32, A/TY/58, A/TY/59 and A/TY/85) approved on a permanent basis between January 1995 and October 2003 were subsequently not implemented and the planning permissions were lapsed.

The rest of the applications, except application no. A/TY/147, were approved with conditions by TPB for a period of 3 years or 5 years between September 2010 and September 2021. In general, the approvals were granted on the grounds that developments were generally in line with the planning intention of the “I” zone; considered not incompatible with the surrounding industrial related development; and no adverse comments from relevant government departments were received.

While application No. A/TY/147 for renewal of planning approval for temporary concrete batching plant for a period of five years at the same site of application no. A/TY/136 submitted by the same applicant is currently under processing, which will be considered by the Committee on 7 June 2024 tentatively.

Application No.	Applied Use / Development	Decision
A/TY/32	Cement Manufacturing and Concrete Batching Plant	Approved with Conditions
A/TY/58	Proposed Asphalt Concrete Batching and Cement Manufacturing Plant	Approved with Conditions

A/TY/59	Proposed Asphalt Concrete Batching and Cement Manufacturing Plant	Approved with Conditions
A/TY/85	Redevelopment of an Existing Concrete Batching Plant	Approved with Conditions
A/TY/112	Temporary Concrete Batching Plant for a period of 3 years	Approved with Conditions until 24.9.2013 *revoked on 24.6.2012
A/TY/119	Temporary Concrete Batching Plant for a Period of 3 Years	Approved with Conditions until 6.7.2015
A/TY/123	Proposed Temporary Concrete Batching Plant for a Period of 3 Years	Approved with Conditions until 28.11.2017
A/TY/128	Temporary Concrete Batching Plant for a Period of 5 Years	Approved with Conditions until 7.8.2020
A/TY/132	Proposed Temporary Concrete Batching Plant for a Period of 5 Years	Approved with Conditions until 14.10.2021
A/TY/136	Proposed Temporary Concrete Batching Plant for a Period of 5 Years	Approved with Conditions until 2.8.2024
A/TY/143	Renewal of Planning Approval for Temporary Concrete Batching Plant for a Period of Five Years	Approved with Conditions until 1.9.2025
A/TY/145	Renewal of Planning Approval for Temporary Concrete Batching Plant for a Period of Five Years	Approved with Conditions until 14.10.2026
A/TY/147	Renewal of Planning Approval for Temporary Concrete Batching Plant for a Period of 5 Years	To Be Considered by the Committee Tentatively on 7.6.2024

**A/TY/112 revoked due to non-compliance with approval conditions in relation to the implementation of the operation control and traffic management measures, landscape proposal, and provision of emergency vehicular access, water supplies for fire fighting and fire service installations proposals.*

Figure 3: Details of Similar Applications

3 Planning Context

3.1 Planning Intention

The planning context has largely remained unchanged since the previous approved application No. A/TY/139. According to the OZP, the planning intention of the subject “I” 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.

3.2 Statutory Planning Control

According to the OZP, within the subject “I” zone, no new development, or addition, alteration and / or modification to or redevelopment of an existing building shall result in a total development and / or redevelopment in excess of a maximum plot ratio of 9.5, or the plot ratio of the existing building, whichever is the greater.

3.3 Town Planning Board Guideline No. 34D (“TPB PG-No.34D”)

With reference to the TPB PG-No. 34D on Renewal of Planning Approval, a streamlined approach could be adopted in which no new technical assessments will be required to support the application. The guideline also sets out the criteria in assessing the planning renewal application 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 consideration.

3.4 Hong Kong Planning Standard and Guidelines

According to the Chapter 5 of Hong Kong Planning Standards and Guidelines (“HKPSG”), ‘Concrete Batching Plant’ could be classified as a special industrial activity. It mainly engages in heavy industries and the handling bulky commodities, raw materials and/or dangerous goods. Special industries are generally capital intensive, land intensive and often have special infrastructure and locational requirements. Subject to functional requirements, the location of special industries should be: (a) land extensive; (b) remote from residential areas; (c) preferably in the western quadrant of residential areas; (d) preferably in areas with good air dispersion capacities and where pollution is not serious; (e) sites with deep water frontage; and (f) directly assessed to sea transport and a safe navigational approach route for ships must be available.

According to Chapter 9 of the HKPSG, concrete batching plants are considered sources of dusty air pollution. It is suggested that air polluting industries should be located to the west or southwest of the main urban centres and new towns. These industries should preferably not be located in topographically-confined areas. Adequate buffer areas should be given between the air-polluting uses and sensitive receivers.

3.5 Territorial Context

To unleash the development potential of Hong Kong, a number of large-scale public infrastructures and developments have been/ will be commenced, including the Tsing Yi – Lantau Link, Northern Metropolis (including New Territories North, Kwu Tung North, Fanling North, San Tin Technopole, Yuen Long South), Tseung Kwan O Area 137, Kai Tak Development, and Kau Yi Chau Artificial Island etc. These major public projects will significantly increase demand for concrete in the coming years.

With reference to the Long-Term Housing Strategy (“LTHS”) Annual Progress Report 2023, the total housing supply target for the next decade will be 440,000 units. Since concrete mix is one of the main construction materials used for buildings, a stable concrete supply is essential to meet the increasing housing need. According to the Civil Engineering and Development Department’s (CEDD) “Study on Land Requirements for Construction Industry”, the demand for concrete would increase 20% by 2030. In longer terms, the reclamation projects outside the Victoria Harbour as well as Kau Yi Chau Artificial Islands will also require abundant supply of concrete.

Additionally, the Government aims to play an active role in the development of the Guangdong-Hong Kong-Macao Greater Bay Area and hence there will be a strong demand for professional and infrastructure services including the construction sector for various projects.

4 The Current Use

The Applicant is intended to continue the operation of the Use at the Application Site, which has a site area of about 4,200m², on a temporary basis for further 5 years. There will be no changes in the development parameters, e.g. site coverage or building height, in relation to the continuation of the Use at the Application Site as compared to the last planning approval under application no. A/TY/139, as listed in the table below.

Development Parameters	Last Approval Scheme A/TY/139	Current Application
Site Area	About 4,200m ²	No Changes
Site Coverage	Not more than 39%	
Gross Floor Area	Not more than 1,817m ²	
Plot Ratio	Not more than 0.44	
Maximum Building Height of	Not more than 39.4mPD	

the Structure(s)	(Not more than 34.2m)	
No. of Private Car Parking Spaces	5	
No. of Loading / Unloading Bays (3.5m x 11m)	4	

Figure 4: Development Parameters of the Use

There will not be any changes in the development parameters and operation scale of the plant as compared with that under Application No. A/TY/139.

According to the applicant, the concrete batching plant comprises of cement silos, aggregate silos, mixing towers, counter weight towers, aggregate overhead bins, ice bucket elevator platform, conveyor belts, slump inspection platform, filter and press machine, control room, plant office, etc. There are three production lines with a total production capacity of 250m³ per hour. The plant operates from 7:00am to 7:00pm from Mondays to Saturdays, and occasionally during night time and on Sundays / public holidays, if required. The number of workers at the plant is limited to 10.

The barging operation arrangement will remain the same as that under the approved Application No. A/TY/139. The majority of the raw materials required for the operation of the plant would be delivered by sea with a maximum of one cement barge and one aggregate barge per day. The remaining raw materials are delivered by trucks during off-peak. Five private car parking spaces and four loading / unloading bays (3.5m x 11m) will be provided at the Site. The applicant also uses part of the Government land currently held under Short Term Tenancy (STT) 3194 KT for marshalling of vehicles in relation to the operation of the plant in case of emergency (**Appendix II**).

The updated traffic impact assessment and traffic management plan outlined in **Appendix III** and **IV** have concluded that no adverse impacts would be induced in the surrounding area. Proper design layout, traffic arrangement, environmental measures, and fire services installations will continue to be provided to ensure that no insurmountable impacts occur and to prevent fire risks.

5 Justifications

5.1 No Material Change Since Previous Approval

The development parameters of the current concrete batching plant at the Application Site will remain unchanged. There is no significant change in planning circumstances since the latest temporary approval granted in 2019 such as land use zoning, planning policy and the land use in the vicinity. Approval of this Application is in line with the TPB's previous decisions.

5.2 Compliance with Planning Conditions

The plant has been well-managed and has received no complaints in past years. The Applicant has complied with all the approval conditions of the latest previous application No. A/TY/139, including but not limited to the approval conditions related to the traffic management plan, as well as the advisory clause in relation to the submission of Revised Environmental Assessment Report.

5.3 Adoption of Streamline Approach for the Application

The Use at the Application Premises has been operating since 2014. According to TPB PG-No. 34D for renewal of planning approval, a streamlined approach (i.e. no need to undertake new technical assessments to support the s.16 application) could be adopted provided that there are no material changes in planning circumstances, adverse planning implications or non-compliance with planning conditions of previous approval. As such, updated technical assessments are considered suffice to support the subject renewal planning application.

5.4 In Line with the Planning Intention and Compatible with Surrounding Area

The Application Site is zoned “I” on the OZP and the Use falls under Column 2 which may be permitted with or without conditions on application to TPB. The subject “I” zone is intended primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. In this connection, the Use is generally in line with the planning intention.

Although the Application Site is situated within the rezoning application area (i.e. Y/TY/2) for the proposed comprehensive private residential and public housing development, along with the provision of a marina and supporting community facilities at Tsing Yi Town Lot 80 and 108 RP and adjoining Government Land, the rezoning application is currently undergoing public inspection, and the implementation of the proposed development remains uncertain. Furthermore, the Tsing Yi – Lantau Link (“TYLL”), which encompasses the Application Site to the northeast according to the proposed alignment, is currently under study. The TYLL, along with other relevant major roads, is tentatively scheduled to be commissioned in phases by 2033. Overall, the temporary nature of the Use will not impact the long-term planning for the area.

Moreover, the Application Site is situated in an industrial area that includes a cluster of concrete batching plants and asphalt plants. It is separated from any sensitive receivers by a range of hills, located over 1000m from the residential development. As a result, the likelihood of any adverse environmental impact arising from the Use is unlikely.

5.5 Meeting the Demand of Local Construction Industry

The Use provides a timely delivery of ready-mixed concrete in Hong Kong, which is crucial to the construction industry. There will be an increasing demand for construction materials, including concrete, due to the implementation of large-scale projects in Hong Kong, such as the Tsing Yi – Lantau Link, Northern Metropolis (including New Territories North, Kwu Tung North, Fanling North, San Tin Technopole and Yuen Long South), Tseung Kwan O Area 137, Kai Tak Development and Kau Yi Chau Artificial Island, etc. Given the strong demand for concrete mix, the planning permission for the current batching operation should be renewed to ensure a steady supply that supports the local construction industry.

5.6 Strategic location of the Application Site for the Proposed Development

The Application Site is strategically located at the centre of Hong Kong, with marine access for the delivery of raw materials for concrete production. The Application Site is 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. Also, the convenient access provided by the strategic road network in Tsing Yi is considered desirable for the concrete batching plant development and will enhance the efficiency to distribute ready mixed concrete to various areas of Hong Kong.

According to Chapter 5 and 9 of the HKPSG, a concrete batching plant can be classified as a 'special industrial activity' and is recognized as a source of dusty air pollution. The Application Site meets all the locational requirements for the current use. It is situated at a remoting area of Tsing Yi West industrial area and in the western quadrant in relation to the residential area of Tsing Yi, thereby satisfying the downwind requirement for most of the year.

The Application Site is not positioned in an area that is susceptible to severe air pollution and is not within a topographically confined airshed. The range of high hills at the centre part of Tsing Yi Island serves as a partition to block off potential environmental impacts and disturbances to the residential areas in the north-eastern part of Tsing Yi.

5.7 Approved Planning Applications for Concrete Batching Plants Nearby

Since 2008, all the previous and similar planning applications for concrete batching plants within the same Site and other "I" zone within the same OZP have been approved based on the grounds that the developments were generally in line with the planning intention of the "I" zone; considered not incompatible with the surrounding industrial related developments; and no adverse comments were received from relevant Government departments. The approval of this planning application is in line with TPB's previous decisions.

5.8 No Adverse Impacts

Since there have been no changes to the development parameters compared to the previously approved scheme No. A/TY/139, the current development is not expected to generate any adverse impacts in terms of traffic, air, water, and waste. The updated traffic impact assessment and traffic management plan have confirmed that there will not be insurmountable impacts on traffic conditions in the vicinity of the site.

In terms of the environment, there is an adequate buffer distance between the emission sources of the concrete batching plant and the nearby sensitive receivers. Furthermore, no wastewater will be discharged from the plant during operation and that all wastewater will be recycled.

6 Conclusion

The subject Application is submitted to seek TPB's permission for renewal of the planning approval for a period of 5 years at TYTL No. 108RP (Part), Sai Tso Wan Road, Tsing Yi, New Territories, to continue the operation of the Use under the previously approved planning application No. A/TY/139, which will be valid until 6 September 2024. There is no material change to the development parameters of the Application Site. Besides, all the planning conditions under previous approval have been complied with. The Use under this Application supports the local construction sector in order to meet the growing demand for concrete products. It is of temporary nature and compatible with its surrounding environment in terms of land use, traffic, and environmental aspects. Moreover, the Use at the Application Site is also supported by previous applications and similar applications. In view of above, favourable consideration by the TPB is hereby sought to approve this Application.

7 Appendices

Appendix I	Schematic Drawings
Appendix II	Location Plan of the Marshalling Area
Appendix III	Traffic Impact Assessment ("TIA") Report
Appendix IV	Traffic Management Plan
Appendix V	Approval Letter of Planning Application No. A/TY/139
Appendix VI	Approval Letters regarding Compliance of Approval Condition and Advisory Clause
Appendix VII	Certificate of FS 251