RNTPC Paper No. A/NE-TKL/795 For Consideration by the Rural and New Town Planning Committee on 23.5.2025

<u>APPLICATION FOR PERMISSION</u> <u>UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE</u>

APPLICATION NO. A/NE-TKL/795

<u>Applicant</u>	:	Doran (Hong Kong) Limited represented by R-riches Property Consultants Limited
<u>Site</u>	:	Lot 153 (Part) in D.D. 77, Ping Che, New Territories
<u>Site Area</u>	:	About 6,957m ²
Lease	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14
Zoning	:	 "Industrial (Group D)" ("I(D)") Subject to a maximum plot ratio of 1.0, a maximum site coverage of 60% and a maximum building height of 13m
Application	:	Proposed Temporary Concrete Batching Plant for a Period of Five Years

1. <u>The Proposal</u>

- 1.1 The applicant seeks planning permission for a proposed temporary concrete batching plant (CBP) for a period of five years at the application site (the Site) which falls within an area zoned "I(D)" on the OZP (**Plan A-1**). According to the Notes of the OZP, 'Concrete Batching Plant' is a Column 2 use within the "I(D)" zone requiring planning permission from the Town Planning Board (the Board). The central part of the Site is currently used as a CBP¹ and the remaining part is largely vacant.
- 1.2 According to the applicant, the current application is intended for a new CBP for lowcarbon and environmental value-added manufacturing processes. The proposed CBP mainly consists of nine silos for storage of materials for concrete production with a total capacity of not more than 800 tonnes and supporting facilities including concrete mixer, water tanks, conveyor structures, aggregate storage area, aggregate bins and hoppers, etc.² with a gross floor area (GFA) of about 2,776m² and maximum building height (BH) of not more than 13m. The proposed use will accommodate one production line with a maximum concrete production capacity of about 100m³/hour. Three private car parking spaces, 14 heavy goods vehicle (HGV) waiting spaces, one loading/unloading (L/UL) space for light

¹ According to the applicant, the Site forms part of a Short Term Waiver (STW) No. 863 for "factory for manufacturing concrete products" approved by the Lands Department (LandsD) in 1987. The Site was subsequently transformed into the current CBP.

² Other supporting facilities include tube ice maker/storage, vehicle cleaning facilities, repairing shed, control room, generator room, slump stand, equipment storage area and ancillary office.

goods vehicles (LGV), three L/UL spaces for HGV and one L/UL space for container vehicles will be provided within the Site. A new vehicular access to the Site via the adjoining Lots 154, 155 RP, 157 RP and 158 RP in D.D. 77^3 leading from the local access road is proposed, which connects to Ping Yuen Road and Ping Che Road (**Drawing A-4** and **Plans A-1** and **A-2**)⁴. The operation hours are between 7 a.m. and 11 p.m. daily. According to the applicant, there will be no delivery of raw materials or use of aggregate trucks between 7 p.m. and 11 p.m. The anticipated commencement year of operation of the proposed use is 2025.

To avoid interrupting the current concrete production at the Site, the applicant proposes to 1.3 implement the proposed use by two phases, i.e. Phase 1 (the northern, eastern and southern portion of the Site) and Phase 2 (the central portion of the Site) (the layout and elevation plans for Phases 1 and 2 submitted by the applicant are shown in Drawings A-1 and A-2). Upon approval of the current application, the applicant will demolish all existing temporary structures within the Phase 1 area and implement the Phase 1 proposal, including the facilities for concrete production and parking, waiting and L/UL spaces. The existing CBP at the central part of the Site will continue to operate. Upon completion of the Phase 1 development which will be ready for concrete production, the existing CBP at the central part of the Site will be demolished for implementation of the Phase 2 development, which involves the provision of L/UL space of LGV and some of the private car parking spaces and HGV waiting spaces which are relocated from Phase 1, as well as provision of aggregate storages and vehicle cleaning facilities. The vacated area in Phase 1 (after relocation of the parking, L/UL and waiting spaces to Phase 2) will be converted to an office, a repairing shed and equipment storage. The major development parameters are summarised below:

	Total	Phase 1	Phase 2
	(Phases 1 and 2)		
Site Area (about)	6,957m ²	5,197m ²	$1,760m^{2(1)}$
GFA (about)	2,776m ²	1,506m ²	$1,270m^{2}$ (2)
Plot Ratio (PR) (about)	0.4	0.29	See remark
Site Coverage (SC) (about)	35%	22%	(3)
BH	Not more than 13m	Same	Same
Parking and L/UL Provision			
• No. of Private Car Parking	3		
Spaces			
• No. of HGV Waiting Spaces	14		
• No. of L/UL Spaces for	1		
LGV		Same	Same
• No. of L/UL Spaces for	3		
HGV			
• No. of L/UL Spaces for	1		
Container Vehicles			

Remarks:

(1) The site area of Phase 2 refers to the central part of the Site only.

(2) The GFA of Phase 2 includes the aggregate storages and vehicle cleaning facilities in Phase 2, as well as the office, repairing shed and equipment storage at the vacated area in Phase 1.

(3) Since the GFA of Phase 2 involves structures in Phase 2 and part of Phase 1, the PR and SC for Phase 2 only are not applicable.

³ According to the applicant, he is the sole lot owner of Lots 155 RP, 157 RP and 158 RP in D.D. 77, while consent of right of way of Lot 154 in D.D. 77 has been obtained.

⁴ The Site is currently connected to the local access road via a track to the northwest of the Site.

1.4 The Site is the subject of a previous application No. A/NE-TKL/681 submitted by the same applicant for the same use as the current application which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 10.6.2022 with planning approval valid until 10.6.2027. Details of the previous application are set out in paragraph 5 below. Compared with the previous application, there are changes in the site area, layout and development parameters under the current application. Besides, while the maximum concrete production rate remains the same (i.e. 100m³/hr), the proposed total silo capacity is increased from 450 tonnes to 800 tonnes to meet the operational need. A comparison of the major development parameters between the current and previous applications is summarised below:

Major	Previous Application	Current Application	Difference
Development	(A/NE-TKL/681)	(A/NE-TKL/795)	(b) – (a)
Parameters	(a)	(b)	
Proposed Use	Proposed Temporary	Proposed Temporary	-
	Concrete Batching	Concrete Batching	
	Plant for a Period of	Plant for a Period of	
	Five Years	Five Years	
Site Area (about) ⁽¹⁾	$7,044m^2$	6,957m ²	-87m ²
			(-1.2%)
GFA (about)	$2,414m^2$	2,776m ²	$+362m^{2}$
			(+15.0%)
PR (about)	0.34	0.4	+0.06
			(+17.6%)
SC (about)	34%	35%	+1%
BH	Not exceeding 13m	Not exceeding 13m	-

Remark:

1.5 The applicant has submitted Traffic Impact Assessment (TIA), Environmental Assessment (EA), Sewerage Impact Assessment (SIA) and Drainage Proposal in support of the application.

Traffic Aspect

1.6 According to the TIA, it is estimated that the maximum traffic generation of the proposed use will be 16 vehicles per hour for one-way direction. The applicant proposes a road improvement scheme including the provision of a new development access connecting the local access road and the Site, provision of road markings along Ping Yuen Road, proposed works for passing bays (extension and repaving) and provision of a new 2m wide footpath along the local access road to address vehicular and pedestrian safety concerns (**Drawing A-4**)⁵. Staff will also be deployed within the Site and near the site accesses to facilitate vehicular circulation and maneuvering as well as to ensure traffic safety. The traffic management measures including the proposed road improvement scheme will be carried

⁽¹⁾ According to the applicant, the site boundary of Application No. A/NE-TKL/681 was indicative without precise survey. Land survey was subsequently conducted by an Authorised Land Surveyor and the site boundary of the current application has been amended. The Site falls solely on private lot and the land status plan submitted by the applicant is at **Drawing A-3**.

⁵ Similar road improvement works were proposed in the previous application No. A/NE-TKL/681, including widening of Ping Yuen Road, provision of a passing bay at the local access road between the Site and Ping Yuen Road, and provision of a 2m wide footpath along the southern side of the local access road, which have not been implemented.

out by the applicant. The TIA concludes that the proposed use will not cause adverse traffic impact.

Environmental Aspect

Air Quality

1.7 According to the EA, mitigation measures including the installation of dust collectors on the silos, enclosure/semi-enclosure of relevant facilities, provision of wheel cleaning facilities and paving and wetting access roads, etc. within the Site during construction and operation stages are proposed. It is concluded that with the implementation of mitigation measures, the proposed use will not cause unacceptable air quality impact. Impact on the air quality arising from the proposed CBP will be reduced compared with the existing one at the Site. The applicant will apply to the Environmental Protection Department (EPD) for the Specified Process (Cement Works) License under the Air Pollution Control Ordinance upon approval of the current application.

Noise

1.8 Relevant mitigation measures during construction and operation stages of the proposed use will be adopted, including erecting a 4m high barrier along the site boundary (except for the ingress and egress), semi-enclosing concrete mixing plant with acoustic panels, following EPD's "Recommended Pollution Control Clauses for Construction Contracts" and implementing mitigation measures recommended in EPD's Practice Note for Professional Persons Practice Notes 1/24 "Minimizing Noise from Construction Activities", etc. With the implementation of the mitigation measures, adverse noise impact is not anticipated. Noise arising from the proposed CBP will be reduced compared with the existing one at the Site.

Water Quality, Land Contamination and Waste Management

1.9 The applicant proposes relevant measures to ensure that there will be no adverse water quality impact. The contractor will also apply to EPD for a Discharge Licence under the Water Pollution Control Ordinance. On land contamination aspect, a Contamination Assessment Plan (CAP) was submitted for compliance with the relevant approval condition under the previously approved application No. A/NE-TKL/681. The CAP concluded that no land contamination was identified. The relevant approval condition was complied with in 2023. On waste aspect, relevant regulations and good site practices will be observed and adopted such that no adverse impact would be resulted.

Sewerage and Drainage Aspects

- 1.10 According to the SIA submitted by the applicant, there will be no unacceptable impact on the existing municipal sewerage system and no upgrading works will be required for the proposed use. The Drainage Proposal also concludes that with the proposed drainage facilities at the Site, no adverse drainage impact is anticipated.
- 1.11 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 26.3.2025
 - (b) Supplementary Information (SI) received on 7.4.2025
 - (c) Further Information (FI) received on 19.5.2025
- (Appendix I) (Appendix Ia) (Appendix Ib)

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FI at **Appendices I** to **Ib**, as summarised below:

- (a) the proposed use will cater for the increasing demand for ready-made concrete arising from planned infrastructural and residential development projects, help stabilising the supply of high-quality concrete and delivering steady housing supply in Hong Kong;
- (b) the Site is a suitable location for the proposed use as it is far from residential development and sensitive receivers. Besides, it is located close to convenient road networks which connect to other parts of the New Territories and the urban area of Hong Kong;
- (c) the proposed new CBP at the Site will include measures such as environmentally sustainable materials and upgraded equipment for dust prevention and sound insulation to ensure an environmental-friendly operation, enhancing Environmental, Social, and Governance performance and promoting technological development of the construction material industry;
- (d) the proposed use is in line with the planning intention of "I(D)" zone and is compatible with the surrounding areas mainly comprising industrial activities including warehouses, workshops and open storage yards, etc. The site of application No. A/NE-TKL/728 for a temporary CBP approved with conditions by the Committee in 2024 is located on the immediate west of the Site;
- (e) no adverse traffic, environmental, sewerage and drainage impacts are anticipated. The applicant undertakes that the operation of the proposed use will only commence after the implementation of the road improvement scheme proposed under the current application; and
- (f) the current application is similar to the previously approved application No. A/NE-TKL/681, with the development parameters slightly amended to cope with the actual operation of the proposed CBP. While the applicant has complied with the approval conditions in relation to the submission of drainage and fire service installations (FSIs) proposals, CAP, and design of ingress and egress of the Site, other approval conditions in relation to the implementation of drainage and FSIs proposals, provision of ingress and egress and traffic management measures are yet to be complied with. The applicant explains that the amendments to the approved General Building Plan and modification of STW covering the Site are still under processing by the Buildings Department (BD) and LandsD, which are required before commencing building works and erecting structures at the Site. There is insufficient time to implement the relevant works within the time period as specified in the approval conditions. A fresh application for the proposed use is therefore needed. The applicant commits to comply with the approval conditions upon obtaining planning permission under the current application.

3. <u>Compliance with the "Owner's Consent/Notification" Requirements</u>

The applicant is the sole "current land owner" of the Site. Detailed information would be deposited at the meeting for Members' inspection.

4. <u>Background</u>

The Site is not subject to any planning enforcement action.

5. <u>Previous Application</u>

- 5.1 The Site is the subject of a previous application No. A/NE-TKL/681 submitted by the same applicant for the same use as the current application. It was approved with conditions by the Committee on 10.6.2022 mainly on the considerations that the proposed use was generally in line with the planning intention of the "I(D)" zone; it was not incompatible with the surrounding areas; no adverse departmental comment on the application was received; and concerns of the relevant departments could be addressed through implementation of approval conditions. The planning permission is valid until 10.6.2027.
- 5.2 Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. <u>Similar Application</u>

- 6.1 There was a similar application in the same "I(D)" zone in the vicinity of the Site in the past five years. Application No. A/NE-TKL/728 located on the immediate west of the Site for proposed temporary CBP for five years was approved with conditions by the Committee on 16.8.2024 mainly on the considerations similar to those detailed in paragraph 5.1 above.
- 6.2 Details of the similar application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. <u>The Site and Its Surrounding Areas</u> (Plans A-1 to A-4)

- 7.1 The Site is:
 - (a) occupied with a CBP at the central part and the remaining part is largely vacant; and
 - (b) accessible via a local access road leading to Ping Yuen Road.
- 7.2 The surrounding area mainly comprises warehouses, a workshop, open storage yards and fallow agricultural land. Some domestic structures are located to the southeast and east of the Site (the nearest one is about 40m to the southeast). To the immediate west is an approved application No. A/NE-TKL/728 for a temporary CBP. To the further south of the Site is the "Village Type Development" zone of Ping Che Kat Tin (**Plan A-1**).

8. <u>Planning Intention</u>

The planning intention of the "I(D)" zone is primarily for industrial uses that cannot be accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements. It is also intended for the redevelopment of existing informal industrial uses,

which are operated in workshop premises in rural area, to properly designed permanent industrial buildings.

9. <u>Comments from Relevant Government Departments</u>

All government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV** and **V** respectively.

10. Public Comments Received During Statutory Publication Period

- 10.1 On 8.4.2025, the application was published for public inspection. During the statutory public inspection period, a total of 116 public comments were received, including 11 supporting comments (**Appendix VIa**), 104 objecting comments (**Appendix VIb**) and one comment from a member of the North District Council expressing no comment on the application (**Appendix VIc**). The views of the supporting and objecting public comments received are summarised as follows:
- 10.2 11 comments from individuals support the application mainly on the considerations that the proposed use supports the upcoming infrastructure developments, housing projects and development of new development areas (NDAs); the Site is away from major residential area and is compatible with the surrounding land uses; the proposed use is in line with the planning intention of "I(D)" zone; it will promote synergy among the nearby workshops, logistics centres and industrial uses to form a more connected production line; the short transport distance from the Site to the NDAs will reduce environmental pollution; the Site is subject to previous approval for the same use and submitted by same applicant as the current application; the applicant has the relevant experience of operating a CBP and the proposed use will not cause adverse environmental impact; and the proposed traffic improvement measures would improve pedestrian and drivers' safety.
- 10.3 104 comments from individuals (including 101 comments with the same content) object to the application mainly on the grounds that the approval period of the proposed use should be shortened to three years to protect the interests of the community; the proposed use will pollute the air, water and food, posing health risks to the people; heavy vehicles that pass through Ping Che Road, Ping Yuen Road and other roads in the vicinity as well as the illegal parking of heavy vehicles near the Site will threaten the safety of pedestrian and road users; the proposed road improvement scheme only relies on the existing passing bays with little enhancement; the proposed use will add traffic burden to Heung Yuen Wai Highway, Ping Yuen Road and Ping Che Road; the proposed use together with other existing obnoxious land uses in the vicinity will cause cumulative adverse environmental and traffic impacts; the trees along the local access road leading to the Site will block the access; and the proposed use will result in vehicle queue outside the Site during operation and cause obstruction.

11. Planning Considerations and Assessments

11.1 The application is for a proposed temporary CBP for a period of five years at the Site zoned "I(D)" on the OZP. The proposed use is generally in line with the planning intention of the "I(D)" zone, which is primarily for industrial uses that cannot be

accommodated in conventional flatted factories due to extensive land and/or high ceiling requirements. The proposed PR of 0.4, SC of 35% and BH of not more than 13m of the proposed use comply with the development restrictions stipulated under the "I(D)" zone. The proposed use is considered not incompatible with the surrounding areas mainly comprising warehouses, workshop, open storage yards and fallow agricultural land.

- 11.2 In support of the application, the applicant has submitted a TIA and proposed traffic management measures including a road improvement scheme to enhance vehicular and pedestrian safety. The applicant undertakes that the operation of the proposed use will only commence after the implementation of the road improvement scheme proposed under the current application. Having considered the applicant's submission, the Commissioner for Transport (C for T) has no comment on the application from traffic engineering point of view and advises that approval condition on the implementation of traffic management measures, as proposed by the applicant, before the commencement of operation of the proposed use shall be imposed.
- 11.3 While there are some residential dwellings in to the southeast and east of the Site (**Plan** A-2), the applicant has proposed environmental mitigation measures, including enclosing/semi-enclosing relevant facilities and erecting a 4m high barrier along the site boundary, during construction and operation stages as detailed in paragraphs 1.7 to 1.9 above to mitigate potential environmental impacts, and advises that relevant guidelines and regulations would be complied with and to apply relevant licences including Specified Process Licence and Discharge Licence as appropriate. The EA submitted by the applicant concludes that no adverse environmental impact is anticipated. Having reviewed the information submitted by the applicant, Director of Environmental Protection (DEP) has no in-principle objection to the application and advises that approval conditions on the submission and implementation of revised Air Quality Impact Assessment and Sewerage Impact Assessment before the commencement of operation of the proposed use shall be imposed.
- 11.4 Other relevant government departments consulted, including the Chief Engineer/Mainland North, Drainage Services Department and the Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below.
- 11.5 The Site is the subject of a previous application No. A/NE-TKL/681 submitted by the same applicant for the same use as the current application, which was approved with conditions by the Committee on 10.6.2022 mainly on the considerations as detailed in paragraph 5.1 above. The planning permission is valid until 10.6.2027. According to the applicant, as there is insufficient time to implement the accepted proposals within the specified time period under the relevant approval conditions, a fresh planning application is submitted. The current application is largely the same as the previous application except for some adjustments in the development parameters. There was also a similar application No. A/NE-TKL/728 for proposed temporary CBP for five years to the immediate west of the Site, which was approved with conditions by the Committee in 2024 mainly on the considerations as detailed in paragraph 6.1 above. The planning circumstances and considerations. As such, approval of the current application is in line with the Committee's previous decision.

11.6 Regarding the public comments as detailed in paragraph 10 above, the government departments' comments and the planning assessments above are relevant. In particular, the TIA and EA submitted by the applicant have demonstrated that with the proposed mitigation measures, no unacceptable traffic and environmental impacts on the surrounding areas are anticipated. C for T and DEP have no objection/ no comment on to the application.

12. <u>Planning Department's Views</u>

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments in paragraph 10 above, the Planning Department has <u>no objection</u> to the application.
- 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 up to 23.5.2030. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation of the proposed use to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) in relation to (a) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (c) the submission of a drainage proposal before the commencement of any operation of the proposed use to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) in relation to (c) above, the provision of drainage facilities before the commencement of any operation of the proposed use to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (f) the submission of a revised Air Quality Impact Assessment before the commencement of any operation of the proposed use to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (g) in relation to (f) above, the implementation of the mitigation measures identified in the revised Air Quality Impact Assessment before the commencement of any operation of the proposed use to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (h) in relation to (g) above, the implemented mitigation measures identified in the revised Air Quality Impact Assessment shall be maintained at all times during the planning approval period;

- (i) the submission of a revised Sewerage Impact Assessment before the commencement of any operation of the proposed use to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (j) in relation to (i) above, the implementation of mitigation measures identified in the revised Sewerage Impact Assessment before the commencement of any operation of the proposed use to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (k) in relation to (j) above, the implemented mitigation measures identified in the revised Sewerage Impact Assessment shall be maintained at all times during the planning approval period;
- (l) if any of the above planning condition (a), (c), (d), (f), (g), (i) or (j) is not complied with before the commencement of any operation of the proposed use, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning condition (b), (e), (h) or (k) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediate without further notice.
- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applicant fails to demonstrate that the development would have no adverse traffic and environmental impacts on the surrounding areas.

Advisory Clauses

The Recommended Advisory Clauses are at Appendix V.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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 Appendix Ia	Application Form with Attachments received on 26.3.2025 SI received on 7.4.2025
Appendix Ib	FI received on 19.5.2025
Appendix II	Previous Application

Appendix III	Similar Application
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendices VIa-VIc	Public Comments
Drawing A-1	Layout and Elevation Plan (Phase 1)
Drawing A-2	Layout and Elevation Plan (Phases 1 and 2)
Drawing A-3	Land Status Plan
Drawing A-4	Proposed Road Improvement Scheme
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT MAY 2025