

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TY/150

<u>Applicant</u>	: Supreme Enterprises Limited represented by R-riches Planning Limited
<u>Site</u>	: Tsing Yi Town Lots (TYTL) Nos. 14 and 15 and Adjoining Government Land, Tam Kon Shan Road, Tsing Yi
<u>Site Area</u>	: About 4,335m ² (including Government Land (GL) of about 1,057m ² (about 24.4%))
<u>Lease</u>	: (i) <u>TYTL Nos. 14 and 15</u> - To expire on 30.6.2047 - Restricted to ship/boat building and repairing (ii) <u>Short Term Tenancy (STT) 538 K&T</u> - Restricted to open storage
<u>Plan</u>	: Approved Tsing Yi Outline Zoning Plan (OZP) No. S/TY/32
<u>Zoning</u>	: (i) “Other Specified Uses” annotated “Boatyard and Marine-oriented Industrial Uses” (“OU(BMIU)”) (about 2,213m ² or 51% of total site area) (ii) Area shown as ‘Road’ (about 29m ² or 1% of total site area) (iii) Outside the OZP Planning Scheme Boundary (about 2,093m ² or 48% of total site area)
<u>Application</u>	: Proposed Temporary Concrete Batching Plant (CBP) for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for a proposed temporary CBP for a period of five years. About 52% of the Site falls within the approved Tsing Yi OZP No. S/TY/32, which is largely within an area zoned “OU(BMIU)” (about 51%) with a minor portion shown as ‘Road’ (about 1%) (**Plan A-1**). The remaining 48% of the Site falls outside the OZP Planning Scheme Area. According to the Notes of the “OU(BMIU)” zone, ‘Concrete Batching Plant’ is a Column 2 use, which requires planning permission from the Town Planning Board (the Board). According to the covering Notes of the OZP, planning

permission is also required from the Board for the ‘Concrete Batching Plant’ use in area shown as ‘Road’.

- 1.2 The Site, covering TYTL Nos. 14 and 15 (the Lots) with a piece of GL in between (**Drawing A-3 and Plan A-2**), is situated in a cluster of various industrial operations, including mainly shipyards and workshops, at Tsing Yi North (**Plans A-1 to A-3**). It was previously used as a shipyard and is currently vacant (**Plans A-4 and A-7**). It is accessible via Tam Kon Shan Road and has a marine frontage (**Plans A-1 and A-2**).
- 1.3 The proposed CBP comprises aggregate storage, cementitious materials silos, enclosed conveyor belt, loading and waiting spaces for concrete mixer trucks and other ancillary facilities, such as waste and recycling facilities (e.g. for re-using of waste water/aggregates) and private car parking spaces, with building heights (BH) of not exceeding 31m (about 35mPD). Its operations include receiving raw materials, weighing and mixing of materials, and distribution of concrete product (**Drawings A-1 to A-2**). According to the applicant, the CBP consists of three production lines having a maximum daily production capacity of 4,200m³, and its operation hours will be from 7:00 a.m. to 9:00 p.m. daily, including public holidays¹. The applicant is required to apply for a Specified Process Licence (SPL) issued by the Environmental Protection Department (EPD) to govern the operation of the CBP. The existing structures on the Site will be demolished to facilitate the construction of the CBP and the existing jetty in the west will be converted into a safety platform for mooring stability and serving as a working platform to facilitate unloading of raw materials from the barge onto the storage facilities of the CBP (**Drawing A-4**). The major development parameters of the proposed scheme are as follows, and the drawings submitted by the applicant including preliminary layout plan, schematic drawings and vehicular ingress/egress arrangement are shown in **Drawings A-1 to A-6**:

Development Parameters	
Site Area including: - TYTL Nos. 14 and 15 - GL	about 4,335m ² (total) about 3,278m ² about 1,057m ²
Gross Floor Area	Not more than 1,463 m ²
Building Height	Not exceeding 31m (about 35mPD)
Car Parking & Loading/Unloading Facilities	
- Private car parking spaces	2
- Motorcycle parking spaces	2
- Concrete Mixer truck waiting spaces	12
- Loading/unloading bays	3

¹ For reference, the maximum daily production capacity and operation hours of the proposed CBP under the previously rejected planning application No. A/TY/134 (see paragraph 4.4 below) are 700m³ and from 7:00 a.m. to 6:00 p.m. from Mondays to Saturdays (no operation on Sundays and public holidays) respectively.

- 1.4 The applicant submits a Barging Operation Plan (BOP) to demonstrate the barge delivery route, mooring and barging process and associated mitigation measures including forming a batching supervision team to oversee the operation, communication protocols, operation requirements, safety practices and emergency response measures for approval by the Marine Department (MD). According to the BOP, raw materials will be delivered through marine transportation, while limited quantities of raw materials may also be delivered by road transportation. Barges are moored in about 20m off the quay, stabled by anchors and mooring ropes². The unloading operation will be carried out directly from the barge through a conveyor belt system onto the storage facility of the CBP or via the pumping system installed on the safety platform to transfer the materials onto the storage facilities to ensure a controlled materials flow (**Drawing A-4**). Batched concrete will be loaded onto concrete mixer trucks for delivery to construction sites by road. There would be a maximum of three rounds of barges per day, and will be scheduled to arrive at the Site by sea taking into account real-time conditions (including wind, tidal, sea level, current, etc.). To ensure a safe barging operation, dredging of the seabed (area of approximately 3,000m² to 5,000m² subject to detailed design, falling outside the OZP Planning Scheme Area³) is required to maintain a depth of 3.8m at the barging point for vessel navigation (**Drawing No. A-3**). All requirements related to the maintenance dredging works will be strictly followed by the applicant in accordance with relevant government regulations and procedures. According to the applicant, a Marine Traffic Impact Assessment (MTIA) will be submitted for MD's approval before commencement of any proposed works.
- 1.5 The applicant proposes an ingress/egress of about 7.3m wide at the southern part of the Site abutting Tam Kon Shan Road with a new structure connecting the Site to the road in view of level difference and an existing drainage box-culvert thereat (**Drawing A-1** and photo 8 on **Plan A-7**). The applicant will bear the costs of the proposed ingress/egress and the associated pedestrian facilities. According to the submitted Traffic Impact Assessment (TIA) which includes a traffic management plan (**Appendix Ia**), it is estimated that the proposed CBP would generate a traffic volume of 123 passenger car units (pcus) per hour during peak hour periods, i.e. a one-way traffic of about 44 concrete mixer trucks per hour in total, mainly via the slip roads connecting to Tsing Yi North Coastal Road directly without passing through the residential areas to the further east of the Site (**Drawings A-5** and **A-6**). The TIA concludes that such proposal will not impose adverse traffic impact on the surrounding road network and junctions. The applicant will submit a review of the traffic management plan including information on ingress/egress arrangement, contingency plan and pedestrian safety for approval by the Transport Department (TD) before operation and for TD to monitor the traffic arrangement during the approval period.
- 1.6 According to the submitted Environmental Assessment (EA) (**Appendix Ic**), no adverse environmental impacts on the surroundings are anticipated with

² Under the previously rejected application (No. A/TY/134), the barge would be pulled onshore through a slipway so as to unload the raw materials to the storage facilities directly from the barge. MD considered it not feasible, practicable and safe (details the previous application in paragraph 4.4 below).

³ The northern part of the Site and the water body to its north require dredging.

implementation of appropriate mitigation and control measures (e.g. incorporation of fabric filters, recycling of waste water, providing washing facilities for the concrete mixer trucks before leaving the Site, etc.). The applicant will also submit a Contamination Assessment Plan before commencement of works for EPD's approval.

1.7 In support of the application, the applicant has submitted the following documents:

- | | |
|--|---------------|
| (a) Application Form received on 7.5.2025 | (Appendix I) |
| (b) Supporting Planning Statement (SPS) received on 7.5.2025 | (Appendix Ia) |
| (c) Further information (FI) received on 18.6.2025* (1 st FI) | (Appendix Ib) |
| (d) FI received on 23.6.2025 and 25.6.2025 and 27.6.2025* (2 nd FI) | (Appendix Ic) |

Remarks:

* exempted from publication and recounting requirements

2. **Justifications from the Applicant**

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

- (a) The proposed CBP will contribute to the supply of ready-mixed concrete to meet the increasing concrete demand arising from the infrastructure works and development projects especially in the New Territories.
- (b) The proposed CBP is generally in line with the planning intention of the "OU (BMIU)" zone. Approval on a temporary basis of five years would not frustrate the long-term development of the area.
- (c) The Site is far away from the sensitive receivers, and the nearest residential development (namely Cheung On Estate) is about 450m away to the east. The proposed development is compatible with the surrounding land uses as it is surrounded by boatyard and marine-oriented industrial uses, and there are CBPs located about 400m west of the Site.
- (d) The Site is strategically located with easy access by sea and road network. It abuts Tam Kon Shan Road, which has direct linkage to Tsing Yi North Coastal Road leading to other districts via strategic road networks. The direct marine frontage of the Site also provides a direct marine access for delivering raw materials by maritime transportation.
- (e) The submitted EA and TIA demonstrate that no significant environmental or traffic impact would be generated from the proposed CBP. The proposed development will be designed to ensure safe and efficient marine logistics operations in accordance with the BOP (**Drawing A-4**). The applicant undertakes to prepare MTIA to address tidal currents, navigational constraints and interactions with existing marine users. In response to public comments, the applicant also provides

further clarification to demonstrate no adverse impacts on traffic, environmental and marine aspects based on findings from technical assessments including TIA, EA, Sewage Impact Assessment (SIA), Drainage Impact Assessment (DIA) and BOP (**Appendix Ib**).

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

The applicant is the sole ‘current land owner’ for TYTL Nos. 14 and 15. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, the concerned requirements are not applicable.

4. Previous Applications (Plan A-1)

- 4.1 There are three previous applications, all submitted by the same applicant as the current application, covering the Site or part of the Site. The details of the applications are summarised in **Appendix II**.
- 4.2 Application No. A/TY/105 covering a smaller site area for a proposed warehouse (godown for storage of steel plates and steel materials) was rejected on review by the Board on 24.4.2009 on the ground that there was insufficient information in the submission to demonstrate no adverse traffic impacts, which is not relevant to the current application.
- 4.3 Application No. A/TY/127 for a proposed temporary CBP for a period of five years covering the Site was rejected by the Committee on 18.12.2015 on the grounds that the applicant failed to demonstrate that the proposed barging operation by using private mooring facility for the CBP was feasible and the proposal would not have adverse impacts on road traffic, marine safety and the shipyards nearby.
- 4.4 Application No. A/TY/134 is also for a proposed temporary CBP for a period of five years at the Site. A barging operation was proposed. When the barge arrived, it would be berthed and grounded on a special cradle, and would then be pulled to the onshore by using the existing slipway. The application was rejected on review by the Board on 26.10.2018 on the grounds that the applicant failed to demonstrate that the proposed barging operation was feasible, practicable and safe and would not have adverse impact on marine safety and the shipyards nearby.

5. Similar Applications (Plan A-1)

There are four similar applications (No. A/TY/62, A/TY/91, A/TY/108 and A/TY/130) for a temporary CBP covering a same site located near the western end of Tam Kon Shan Road within the “OU(BMIU)” zone on the Tsing Yi OZP. All these applications were approved with conditions by the Committee for a period of five years between 2001 and 2016 on the similar grounds that the proposed CBP was not incompatible with the surrounding areas; no adverse traffic impact would be generated from the proposed development; and there were no objections on fire safety, environmental and marine

operation aspects from the concerned government departments. However, the proposed temporary CBP had never been implemented, and the planning permission of the last application No. A/TY/130 expired on 25.11.2021. The details of the applications are summarised in **Appendix II**.

6. The Site and Its Surrounding Areas (Plans A-1 to A-3 and photos on Plan A-4 and A-5)

6.1 The Site:

- (a) was previously occupied by a shipyard and is now vacant (**Plans A-4 and A-5**);
- (b) is bounded by Rambler Channel and Tam Kon Shan Road to the north and south respectively and sandwiched between shipyards to the east and west (**Plan A-1 to A-3**).
- (c) is accessible via Tam Kon Shan Road leading to Tsing Yi North Coastal Road which forms the strategic route between Lantau and other parts of Hong Kong (**Plans A-1 and A-2**).

6.2 The surrounding areas have the following characteristics (Plans A-1 and A-2**):**

- (a) is situated in a cluster of industrial operations in Tsing Yi North with sea frontage facing the Rambler Channel;
- (b) along Tam Kon Shan Road is a mix of boatyards and workshops. Hong Kong Cement Tsing Yi Plant zoned “OU(Cement Plant)” is located near the western end of Tam Kon Shan Road (**Plan A-1**);
- (c) to the south across Tam Kon Shan Road is another “OU(BMIU)” zone currently occupied by a temporary car park and EPD’s Portable Emission Measurement System (PEMS) Laboratory (**Plan A-2**);
- (d) to its further south across Tsing Yi North Coastal Road is a hillside zoned “Green Belt” (“GB”) with natural and man-made slopes; and
- (e) to its further east are public car parks and a community green station (CGS) in an area zoned “Government, Institution or Community” (“G/IC”) and Tsing Yi Northeast Park (about 150m to the east) (**Plans A-1 and A-2**). The nearest residential development, namely Cheung On Estate, is about 450m to the east of the Site (**Plan A-1**).

7. Planning Intentions

The “OU(BMIU)” zone is intended primarily for boatyard and marine-oriented industrial uses. The area shown as ‘Road’ is the existing Tam Kon Shan Road.

8. Comments from Relevant Government Bureaux/Departments

8.1 The following government bureaux/departments (B/Ds) have been consulted and their views on the application are summarised as follows:

Policy Perspective

8.1.1 Comments from the Secretary for Development (SDEV)

- (a) concrete is widely used in construction works in Hong Kong, so a continuous and reliable supply of concrete is very important. After the concrete materials are mixed, it will solidify in a short period of time and must be transported to the construction sites in various districts in time. Therefore, the location of CBP has geographical consideration;
- (b) there will be at least four CBPs in Tuen Mun and Yuen Long to be suspended in the next few years due to the land resumption under the Hung Shui Kiu / Ha Tsuen New Development Area (NDA) and Yuen Long South NDA projects. The closure of these CBPs will reduce the overall concrete supply in Hong Kong. On the other hand, as there will be many large scale infrastructures / developments (e.g. Northern Metropolis Development) in the pipeline, it is envisaged that there would be an increase in the demand for concrete;
- (c) as CBPs at Tsing Yi can deliver concrete to most parts of Hong Kong within an hour, they are crucial for reliable and stable concrete supply to the construction industry. Given the strategic importance of CBPs at Tsing Yi with respect to their geographical location in Hong Kong, DEVB has no objection to the application from the policy perspective of maintaining stable and sufficient concrete supply to Hong Kong;
- (d) as far as the dredging operation described in the BOP is concerned, the objective of the operation is said to be restoring adequate water depth for vessel navigation. The operation is not planned to be carried out for the purpose of or with a view to reclaiming land or construction of a permanent structure over or upon the foreshore or sea-bed on which the dredging operation is to be carried out. In contrast, the dredging operation is for maintaining the necessary water depth for safe navigation. In this connection, from a technical perspective, DEVB agrees that the nature of the dredging is maintenance in nature, and is unlikely to fall within the ambit of Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127) ("FS(R)O"); and
- (e) other detailed comments are in **Appendix III**.

Land Administration

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

- (a) the Site falls within TYTL Nos. 14, 15, a piece of GL currently let under STT No. 538 K&T and a small piece of unallocated and unleased GL. Salient points of the lease conditions governing TYTL Nos. 14 and 15, and the Tenancy Agreement (TA) of STT 538 K&T are as follows: -
 - (i) TYTL Nos. 14 and 15, are both restricted to ship/boat building and repairing purposes;
 - (ii) TYTL No. 15 is also subject to a temporary waiver dated 19.11.1998 to allow to erect and operate an existing jetty for use of TYTL No. 15 (i.e. ship/boat building and repairing purposes); and
 - (iii) the STT site is restricted for the purpose of open storage only and no underlet is allowed; and no structure other than boundary walls and fences shall be constructed or erected on the Premises;
- (b) in this regard, the proposed use for a CBP is not acceptable under both the lease conditions and the TA of STT;
- (c) it is noted that the Lots do not abut Tam Kon Shan Road due to the level difference of drainage channel. The ingress/egress arrangement over the adjoining GL and footpath shall be subject to the comment from TD and the Highways Department (HyD). In addition, there is an existing drainage box-culvert within STT 538 K&T. As such, the Drainage Services Department (DSD) should be consulted in due course;
- (d) if the planning approval is given, the lot owner/tenant should apply to LandsD for a temporary waiver for the amendments of the concerned lease conditions of TYTL Nos. 14 and 15 and a modification of STT 538 K&T subject to the support obtained from relevant policy bureau(x). The applications will be considered by LandsD acting in the capacity as landlord at its sole discretion. LandsD will consult the relevant policy bureau(x) whether policy support will be given in processing the application. There is no guarantee that any such application will be approved by the Government. Any approval if given will be subject to such terms and conditions including, inter alia, payment of waiver fee/rental and administration fee as may be approved by the Government; and

- (e) LandsD reserves comment on the proposed schematic design, which would only be examined in detail during the building plan submission stage upon completion of the said applications of waiver and modification of STT. There is no guarantee that the schematic design presented in the subject application will be acceptable under lease if it is so reflected in future building plan submission(s).

Road Traffic

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

- (a) C for T has no objection to the application;
- (b) the comments of the Commissioner of Police (C of P) concerning that concrete mixer trucks would affect the safety of road users are noted and the review of traffic management plan is required;
- (c) the comments of the HyD in relation to the vehicular access proposed by the applicant is noted; and
- (d) should the application be approved, the following approval conditions should be imposed:
 - (i) no vehicle is allowed to queue back or reverse onto/from public road at any time during the planning approval period;
 - (ii) the submission of a review of traffic management plan including information on the proposed maximum hourly concrete processing capacity, contingency plan and associated mitigation measures before commencement of the operation of the proposed development to the satisfaction of C for T;
 - (iii) the implementation of an approved traffic management plan, at the applicant's own costs, including maximum hourly concrete processing capacity, contingency plan and associated mitigation measures during the planning approval period of the proposed development to the satisfaction of C for T;
 - (iv) the design and implementation of road works and pedestrian facilities, as proposed by the applicant and at its own costs, before commencement of the operation of the proposed development to the satisfaction of C for T and the Director of Highways (D of Hy); and
 - (v) the management and maintenance of the approved road works and pedestrian facilities, at the applicant's own costs, during the planning approval period of the proposed development to the satisfaction of C for T and D of Hy.

8.1.4 Comments of the Commissioner of Police (C of P):

C of P has reservation on the application as it is in close proximity to the Tsing Yi Northeast Park, public toilet and Cheung On Estate and hence the concrete mixer trucks would affect the safety of road users.

8.1.5 Comments of the Chief Highway Engineer/New Territories West, CHE/NTW, HyD:

- (a) the applicant may need to construct a proper vehicular access from Tam Kon Shan Road to the Site; and
- (b) other detailed comments are in **Appendix III**.

Marine Traffic and Operation

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

- (a) the submitted BOP with the three-barge arrangement may be feasible. The applicant should be reminded that the barging operations must not impede the existing private mooring owners from using their moorings. Consent from the nearby private mooring owner(s) must be obtained for the barging operation. All statutory requirements must be followed for the proposed maintenance dredging of the seabed to a depth of 3.8m;
- (b) the proposed CBP will introduce new marine traffic to the concerned waters. Given the relatively strong tidal currents, the restricted manoeuvring space of vessels, and the presence of various nearby private mooring buoys and piers accommodating different types of vessels with frequent maritime activities, a MTIA should be conducted to detail the marine operations in both construction and operational stage, assess impact on existing marine traffic and finally to recommend mitigation measure to the risk. Addressing these aspects will be critical to ensuring the safe and efficient management of marine traffic during the implementation of the proposal;
- (c) there are widespread public concerns regarding the marine traffic arrangements in the vicinity, and the MTIA serves as an effective means to address and alleviate these concerns;
- (d) in view of the above, should the application be approved by the Board, the following approval conditions should be imposed:
 - (i) the submission of a MTIA to the satisfaction of D of Marine before the commencement of any works, including the construction works, dismantling of the berth, dredging activities, or any other related operations of the proposed CBP

that may result in increased vessel traffic in the area and the operation of the proposed development; and

- (ii) the submission of an updated BOP and implementation of the updated BOP and the maintenance of the adopted measures at all times during the planning approval period to the satisfaction of D of Marine; and

- (e) other detailed comments are at **Appendix III**.

Environment

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

- (a) DEP has no objection to the application;
- (b) the proposed CBP will need to be operated with a Specified Process Licence (SPL) complying with requirements as stipulated in Best Practicable Means for Specified Process – Cement Works (Concrete Batching Plant) BPM 3/2 (2025) (BPM); and
- (c) in view of the above, should the application be approved, the following approval conditions should be imposed:
 - (i) a full Site Inspection should be conducted in accordance with requirements in the ‘Practice Guide for Investigation and Remediation of Contamination Land’, including the submission of Contamination Assessment Plan, Contamination Assessment Report and, if deemed necessary, Remediation Action Plan and Remediation Report before the commencement of construction of the proposed CBP; and
 - (ii) the submission of silt curtain deployment plan before commencement of the dredging works and the implementation of the measures identified therein to the satisfaction of the DEP.

Building Matters

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

- (a) it is noted that a temporary CBP is proposed in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filing, etc.) are to be carried out on the Site, prior approval and consent of BA should be obtained: otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with BO;

- (b) the Site abuts on a specified street (Tam Kon Shan Road) of not less than 4.5m wide. Its permitted development intensity shall be determined under the First Schedule of the Building (Planning) Regulations (B(P)R) at the building plan submission stage; and
- (c) other detailed comments are in **Appendix III**.

Fire Safety

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

Detailed fire services requirements will be formulated upon receipt of formal submission of STT/Short Term Waiver, general building plans or referral of application via relevant licensing authority as appropriate. Furthermore, the emergency vehicular access provision in the captioned work shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by BD.

Urban Design and Landscape

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

Urban Design

- (a) the Site is located along Tam Kon Shan Road at the northern coast of Tsing Yi within an area intended for boatyard and marine-oriented industrial uses, with BHs of the surrounding existing developments ranging from about 7mPD to 23mPD. The proposed temporary CBP with a BH of not exceeding 31m at site level of about 4.3mPD may appear slightly taller than the surrounding developments. There is no BH restriction under the “OU(BMIU)” zone. Given the scale of the proposed temporary CBP and the industrial nature of the surroundings, it is unlikely that the temporary development would induce significant adverse effects on the visual character of the surrounding townscape;

Landscaping

- (b) the Site is currently fenced and partly vacant. There is a jetty within the Site. Given that the Site does not fall within landscape sensitive zonings, no significant adverse landscape impact arising from the application is envisaged; and
- (c) other detailed comments are in **Appendix III**.

Water Supplies

8.1.11 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD):

- (a) no objection to the application; and
- (b) other detailed comments are in **Appendix III**.

Electricity and Gas Safety

8.1.12 Comments of the Director of Electrical and Mechanical Service (DEMS):

- (a) DEMS has no particular comment on the application from electricity supply safety point of view; and
- (b) other detailed comments are in **Appendix III**.

District Officer's Comments

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

- (a) it is noted that shipyard operators and workers at Tam Kon Shan Road have raised objections to the subject planning application, and submitted their views to the Board; and
- (b) there is one existing CBP near the Site at Tam Kon Shan Road. At the meeting of the Traffic and Transport Committee of Kwai Tsing District Council in 2014, members raised concerns on whether the area along Tam Kon Shan Road was suitable for operating CBP and suggested that pollution issue to the surrounding environment should be taken into account when considering CBP use.

Harbourfront Planning

8.1.14 Comments of the Harbour Office (HO), DEVB)

The Site falls within the harbourfront area under the purview of Harbourfront Commission's Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing (KTF). The gist of the application was circulated to KTF Members for their information and comments. By the deadline, HO of DEVB has not received any comments from KTF Members, nor specific request from KTF Members on discussing the application concerned. That said, the applicant should, as far as practicable, take into account the Harbour Planning Principles and Guidelines, among others, when taking forward the proposed development.

Other Aspects

8.1.15 Comments of the Chief Engineer/Fill Management, Civil Engineering and Development Department (CE/FM, CEDD):

- (a) in view of minimising environmental impacts from the proposed dredging in seafront area in front of the Site to provide sufficient water depth for vessels, the applicant is advised to retain the sediment in place as much as possible while review their design in future; and
- (b) should the applicant propose that it is necessary to dispose of dredged materials into sediment disposal facilities, the rationale/justification for sediment removal must be submitted to the Secretary of the Marine Fill Committee for agreement as early as possible.

8.1.16 Comments of the Chief Engineer/Port Works (CE/PW) CEDD:

- (a) no objection to the application; and
- (b) other detailed comments are in **Appendix III**.

8.2 The following B/Ds have no objection to/comment on the application:

- (a) Secretary for Transport and Logistics (STL);
- (b) Director of Agriculture, Fisheries and Conservation Department (DAFC);
- (c) Chief Engineer/Mainland South (CE/MS), DSD;
- (d) Project Manager/West (PM/W), CEDD;
- (e) Head of Geotechnical Engineering Office H(GEO), CEDD;
- (f) Chief Architect/Advisory & Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD)
- (g) Director of Leisure and Cultural Services (DLCS); and
- (h) Director of Food and Environmental Hygiene (DFEH).

9. Public Comments Received During Statutory Publication Period

During the statutory publication period, 206 comments were received, comprising 17 supporting comments from individuals, 180 objecting comments and nine comments providing adverse views from a Legislative Council member, shipyard operators, a workers' concern group (with 31 signatures attached) and other individuals (including 148 comments in standard format). All public comments are in **Appendices IVa to IVc** and summarised below:

Supporting Views (17) (Appendix IVa)

Need for CBP

- (a) The proposed CBP could meet the concrete demand and help the development of construction industry in Hong Kong in the long run.

Location

- (b) The proposed CBP connects to highways immediately via Tam Kon Shan Road, without passing through the congested urban core area. The Site is convenient to support construction works and infrastructure developments in the New Territories.

Land Use Compatibility

- (c) The proposed CBP is generally in line with the planning intention of the “OU(BMIU)” zone, and compatible with the surrounding industrial and workshop uses. While the shipyard industry has declined, the Board should consider to allow other industrial uses in that zone to better utilise the land resources. The proposed CBP could have synergy effect with the industrial developments in the Kwai Tsing and Tsuen Wan Districts.

Technical Feasibility

- (d) The Site is located far away from the residential areas (e.g. Cheung On Estate). The applicant conducts relevant technical assessments and there would be limited environmental impact (e.g. air and noise pollutions) to the surrounding areas.
- (e) Comparing with the previously rejected application, the applicant has reviewed the BOP in terms of safety and feasibility. The proposed CBP would generate limited traffic impact on Tam Kon Shan Road. Also, the raw materials will be delivered by sea which would reduce road traffic impact on the surroundings.

Objection (180) (Appendix IVb) or Providing Adverse Views (9) (Appendix IVc)

Marine Traffic and Safety

- (a) There will be more vessels transporting raw materials for the proposed CBP which will induce marine traffic impact and safety. The proposed barging operation is at a shallow sea area which will induce marine safety issue. The concrete will be dropped into the sea which will affect the seabed level and frequent maintenance dredging is then required and should be monitored and regulated.

Environmental Impacts

- (b) The proposed CBP will induce air and noise pollutions. If a vessel transporting raw materials for the CBP is stranded, it will pollute the sea. The concrete mixer trucks will carry polluted water out of the Site. Currently, there is a cement plant at the western end of Tam Kon Shan Road. Additional CBP at the middle of Tam Kon Shan Road will further degrade the environment and generate more air pollution affecting the health of nearby workers, residents and park users. Also, the dust generated by the proposed CBP will affect the operation of nearby shipyards.

Traffic Impact and Road Safety

- (c) The proposed CBP generating at least 100 pcus per hour will further affect the traffic and the operation of nearby shipyards.
- (d) Substantial illegal parking along Tam Kon Shan Road has been observed and has

significantly affected emergency vehicles using Tam Kon Shan Road. There is a lack of waiting area for the concrete mixer trucks. Vehicles queuing back from the Site onto the public road is anticipated.

- (e) Tam Kon Shan Road is the only connection for workers of shipyards and workshops. The concrete mixer trucks will affect road and pedestrian safety. The dirt and debris dropping from the concrete mixer vehicles on the road surface will affect road safety.

Land Use Compatibility

- (f) The proposed CBP is not in line with the planning intention of the “OU(BMIU)” zone. The Site should be used as boatyard and maritime related industry. Change of land use will affect the operation of boatyard and workers’ employment opportunity.
- (g) The proposal is considered not compatible with the surroundings. The Site is close to Tsing Yi Northeast Park, residential developments and schools which are only a few hundred metres away to the east.
- (h) The Site is the subject of previously rejected applications for proposed CBP. The applicant does not respond to those rejection reasons.
- (i) There are CBPs in the district capable of meeting the concrete demand. There is no need to have additional CBP in this area to support developments in the New Territories as cross-district concrete supply is not efficient.

10. Planning Considerations and Assessments

- 10.1 The application is to seek planning permission to use the Site for a temporary CBP for a period of five years. The Site falls within an area partly zoned “OU(BMIU)” with a minor portion on an area shown as ‘Road’ within the Tsing Yi OZP, and is partly outside the OZP. According to the Notes for the “OU(BMIU)” zone of the OZP, ‘Concrete Batching Plant’ is a Column 2 use, which requires planning permission from the Board. According to the covering Notes of the OZP, the proposed use in the area shown as ‘Road’ also requires permission from the Board. Although part of the Site is outside the OZP, the proposed CBP should be assessed as a whole for consideration of the application. The Site is accessible via Tam Kon Shan Road and have sea frontage in the north for marine access.

Policy Perspective

- 10.2 DEVB considers that a continuous and reliable supply of concrete is very important and that there is strategic importance of CBPs on Tsing Yi with respect to their geographical location in Hong Kong for delivery of concrete to various districts in a short period of time. It is envisaged that there would be an increase in the demand for concrete as detailed in paragraph 8.1.1. DEVB has no objection to the application from the policy perspective of maintaining stable and sufficient concrete supply to Hong Kong.

Land Use Compatibility

The Site is situated in the cluster of industrial operations in Tsing Yi North with a mix of shipyards and workshops in areas zoned “OU(BMIU)”, which is intended primarily for boatyard and marine-oriented industrial uses. An existing CBP is near the western end of Tam Kon Shan Road which is zoned “OU(Cement Plant)” (**Plans A-1 and A-2**). The proposed temporary CBP is considered not in conflict with the surrounding industrial uses. The Tsing Yi Northeast Park and the nearest residential cluster are about 150m and 450m to the east respectively (**Plan A-1**). The public car parks, CGS and the hillside with natural and man-made slope to its east and south could provide a buffer to the open space and residential developments to the further east and south of the Site.

Technical Aspects

- 10.3 The applicant has submitted TIA and EA in support of the current application. The TIA concludes that with the restriction of concrete mixer trucks to use the western section of Tam Kon Shan Road with slip roads leading to Tsing Yi North Coastal Road direct, without passing through the town centre, no adverse traffic impact arising from the proposed CBP is anticipated (**Drawings A-5 and A-6**). Notwithstanding this, C of P has reservation on the application as it is in close proximity to the Tsing Yi Northeast Park, public toilet and Cheung On Estate and that the concrete mixer trucks would affect the safety of road users. In this regard, C for T has no objection to the application from traffic and road safety points of view subject to imposition of relevant approval conditions as per paragraphs 11.2(a) to 11.2(e) below in relation to no queuing of vehicles on public roads and submission/implementation of review of the traffic management plan which includes information on the proposed maximum hourly concrete processing capacity, contingency plan, road safety and other associated mitigation measures as appropriate before commencement of the operation of the proposed development.
- 10.4 The EA submitted by the applicant (**Appendix Ic**) concludes that no adverse environmental impacts are anticipated with implementation of appropriate mitigation and control measures (e.g. incorporation of fabric filters, recycling of waste water, providing washing facilities for the concrete mixer trucks before leaving the Site, etc.). In this regard, DEP has no objection to the application subject to imposition of approval conditions as per paragraphs 11.2(i) and 11.2(j) below to address land contamination and water quality issues. Also, the proposed CBP needs to be operated with a SPL complying with requirements of the BPM, which would address the local concerns on possible adverse environmental impacts.
- 10.5 Regarding the marine side, the applicant has proposed a barging operation method different from that of the previously rejected application. The submitted BOP has included barge delivery route, mooring and barging process, associated mitigation measures including the formulation of comprehensive management, batching supervision and plant operation teams, communication protocols, operation requirements, safety practices and emergency response measures. According to

the submitted BOP, a stable mooring of barges will be allowed and barges will be able to approach closer to the quay as detailed in paragraph 1.4 above. The unloading operation will be carried out either from the barge directly to the storage facilities or via the pumping system installed on the safety platform, and delivered onward to the plant ensuring a controlled materials flow. D of Marine advises that the proposed three-barge arrangement (i.e. a maximum of three rounds of barges per day) may be feasible. As the proposed CBP will introduce new marine traffic to the concerned waters, D of Marine considers that prior to the commencement of any works, a MTIA should be conducted to detail the marine operations in both construction and operational stages, assess impact on existing marine traffic and finally to recommend mitigation measures as necessary to ensure the safe and efficient management of marine traffic during the implementation of the proposal. Relevant approval conditions proposed by D of Marine are incorporated as per paragraphs 11.2(f) to 11.2(h) below to address marine issue.

- 10.6 Other relevant government departments consulted including CTP/UD&L of PlanD, D of FS, CBS/NTW of BD and DEMS have no objection to/no adverse comments on the application.
- 10.7 There are four similar applications at a same site within the subject “OU(BMIU)” zone approved with conditions by the Committee for a period of five years between 2001 and 2016, though the approved use has not been implemented. Approval of the application is generally consistent with the previous decisions of the Committee on similar applications.
- 10.8 Regarding the public comments concerning land use compatibility, road and marine traffic impacts and safety, and environmental impacts, the planning assessments above and departmental comments in paragraph 8 above are relevant.

11. Planning Department’s Views

- 11.1 Based on the assessments made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9 above, the Planning Department has no objection to the application.
- 11.2 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 4.7.2030. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) no vehicle is allowed to queue back or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of a traffic management plan including information on the proposed maximum hourly concrete processing capacity, contingency plan and associated mitigation measures before commencement of the operation

of the approved development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (c) in relation to (b) above, the implementation of the approved traffic management plan, at the applicant's own costs, at all times during the planning approval period to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the design and implementation of road works and pedestrian facilities, as proposed by the applicant and at the applicant's own costs, before commencement of the operation of the approved development to the satisfaction of Commissioner for Transport and Director of Highways or of the Town Planning Board;
- (e) in relation to (d) above, the management and maintenance of the approved road works and pedestrian facilities, at the applicant's own costs, at all times during the planning approval period to the satisfaction of Commissioner for Transport and Director of Highways or of the Town Planning Board;
- (f) the submission of an updated barging operation plan setting out details of type and size of vessel/barge involved, relevant operation and mooring arrangement, etc., before commencement of the operation of the approved development to the satisfaction of the Director of Marine or of the Town Planning Board;
- (g) in relation to (f) above, the implementation of the updated barging operation plan and the maintenance of the adopted measures at all times during the planning approval period to the satisfaction of the Director of Marine or of the Town Planning Board;
- (h) the submission of a marine traffic impact assessment before the commencement of any works, including the construction works, dismantling of the berth, dredging activities, or any other related operations of the approved development that may result in increased vessel traffic in the area and the operation of the proposed development to the satisfaction of Director of Marine or of the Town Planning Board;
- (i) the completion of a full Site Inspection conducted in accordance with requirements in the 'Practice Guide for Investigation and Remediation of Contamination Land', including the submission of Contamination Assessment Plan, Contamination Assessment Report and, if deemed necessary, Remediation Action Plan and Remediation Report before commencement of construction of the approved development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (j) the submission of silt curtain deployment plan before commencement of the dredging works and implementation of the measures identified therein to the

satisfaction of the Director of Environmental Protection or of the Town Planning Board;

- (k) if any of the above planning condition (a), (c), (e) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (l) if any of the above planning condition (b), (d) or (f) is not complied with before commencement of the operation of the approved development, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
- (m) if the above planning condition (h) is not complied with before commencement of any works, the approval hereby shall cease to have effect and shall on the same date be revoked without further notice;
- (n) if the above planning condition (i) is not complied with before commencement of construction of the approved development, the approval hereby shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) if the above planning condition (j) is not complied with before commencement of the dredging works, 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 V**.

- 11.3 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 proposed operation of the concrete batching plant will not have adverse impact on marine traffic and safety in the area.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 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.
- 12.3 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.

13. Attachments

Appendix I	Application Form received on 7.5.2025
Appendix Ia	Supporting Planning Statement received on 7.5.2025
Appendix Ib	1 st FI received on 18.6.2025
Appendix Ic	2 nd FI received on 23.6.2025, 25.6.2025 and 27.6.2025
Appendix II	Previous and Similar Applications
Appendix III	Detailed Departmental Comments
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Schematic Drawing
Drawing A-2	Elevation and Section
Drawing A-3	Site Location and Proposed Operation Boundary in BOP
Drawing A-4	3D Rendering in BOP
Drawing A-5	Concrete Mixer Truck Swept Path
Drawing A-6	Ingress/Egress Route
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-7	Site Photos

**PLANNING DEPARTMENT
JULY 2025**