

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TY/151

<u>Applicant</u>	: Hongkong United Dockyards Limited represented by Knight Frank Petty Limited
<u>Site</u>	: Tsing Yi Town Lot (TYTL) No. 108 RP (Part), Tsing Yi
<u>Site Area</u>	: About 8,465 m ²
<u>Lease</u>	: (a) To expire on 30.6.2047 (b) Restricted for ship building, ship repairing and ancillary uses, such heavy engineering uses as may be approved in writing by the Director of Lands (D of Lands), cargo handling, and storage and repair of containers (c) Subject to a temporary waiver to permit concrete production use at the Site for a term from 23.2.2014 to 6.7.2015 and thereafter quarterly
<u>Plan</u>	: Approved Tsing Yi Outline Zoning Plan (OZP) No. S/TY/32
<u>Zoning</u>	: “Industrial” (“I”) Restricted to a maximum plot ratio (PR) of 9.5
<u>Application</u>	: Renewal of Planning Approval for Temporary Concrete Batching Plant (CBP) for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks renewal of the planning approval under Application No. A/TY/143 to continue using part of TYTL No. 108 RP (the Site) for temporary CBP for a period of five years. The Site falls within an area zoned “I” on the approved Tsing Yi OZP No. S/TY/32 (**Plan A-1**). According to the Notes of the OZP for “I” zone, ‘Concrete Batching Plant’ is a Column 2 use, which requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is a piece of reclaimed land located at the established special industrial area in the western part of Tsing Yi and is currently occupied by a CBP as permitted under a previous planning approval for five years up to 1.9.2025. It is located at the northwestern corner of TYTL No. 108 RP, majority of which is occupied by the Hongkong United Dockyard (**Plan A-2**). It is accessible via a private road

connecting to Sai Tso Wan Road, and has a sea frontage at its south (**Plans A-1 and A-3**).

- 1.3 According to the applicant, except for the addition of three private car parking spaces in the current scheme to meet the prevailing requirements of the Hong Kong Planning Standards and Guidelines, there are minor changes of covered area, Gross Floor Area (GFA) and building height in the current scheme as compared with the latest approved scheme (**Appendix Ia**). The CBP comprises silos, transfer towers, weight bridges, water tanks, truck washing facility, transformer rooms, washrooms, etc. (**Drawing A-1**). The scheme is summarised as follows, and the schematic drawing submitted by the applicant is shown on **Drawing A-1**:

Development Parameters	
Site Area	About 8,465 m ²
Covered Area (Site Coverage)	About 1,820 m ² (about 21.5%)
Gross Floor Area (GFA) (PR)	About 2,420 m ² (about 0.29)
Building Height	Not exceeding 35mPD
Car Parking & Loading/Unloading Facilities	
- Lorry Parking Spaces	35
- Loading/Unloading Space	6
- Private car parking spaces	3

- 1.4 The subject CBP has obtained a Temporary Occupation Permit (TOP) issued by the Building Authority which will expire on 7.8.2025. It has to comply with requirements stipulated in the Best Practicable Means for Specified Process – Cement Works (Concrete Batching Plant) BPM 3/2 (2025) (the BPM). It is operated with a Specified Process Licence (SPL) issued by the Environmental Protection Department (EPD) which will expire on 8.2.2026. As advised by the applicant, there is no change in concrete production capacity for the subject CBP under the current application, i.e. 2,880 m³ per day. The operation hours of the CBP also remain unchanged (i.e. 7:00 a.m. to 7:00 p.m. from Mondays to Saturdays, and occasionally on Sundays or public holidays, if required). The number of workers at the CBP remains unchanged (i.e. limited to 10 persons).
- 1.5 According to the applicant, the Barging Operation Plan (BOP) approved under the previous approval will continue to be adopted. Majority of the raw materials will be delivered by sea, and there will be a maximum of one to two barges per day. According to the submitted Traffic Impact Assessment (TIA) (**Appendix I**), the subject CBP will not impose adverse traffic impact on the surrounding road network and junctions. A marshalling area as additional parking spaces outside the Site is proposed under the contingency plan for the concrete mixer trucks during the malfunction period of concrete production in the subject CBP and if all the loading/parking spaces within the plant are occupied to avoid queuing of trucks onto the public road (**Drawing A-2**). The review of traffic management plan including the contingency plan will be submitted to the Transport Department (TD) for monitoring.
- 1.6 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 8.5.2025 (Appendix Ia)
- (c) Further information (FI) received on 18.6.2025* (Appendix Ib)

Remarks:

** exempted from publication and recounting requirement*

2. Justifications from the Applicant

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

- (a) The CBP is in line with the planning intention of the concerned “I” zone. The proposal should be considered compatible with the nearby CBPs and asphalt plants. The Site is located at a remote industrial area in the western part of Tsing Yi separated from the residential areas in the northeast by a range of high hills.
- (b) There is an increasing demand for construction materials including concrete for the large-scale projects to be implemented in Hong Kong.
- (c) The Site is strategically located at the centre of Hong Kong with marine access for delivery of raw materials, and convenient access to strategic road network in Tsing Yi. It will enable timely and cost-effective delivery of concrete products and most importantly lower the carbon footprint.
- (d) Since 2008, all the planning applications for temporary CBPs and asphalt plants within the same “I” zone were approved on the grounds that the developments were generally in line with the planning intention of the “I” zone and considered not incompatible with the surrounding industrial-related developments; and no adverse comments were received from relevant Government departments.
- (e) The development parameters of the CBP and planning circumstances have no material changes as compared with the last temporary approval. Approval of the current renewal application is in line with the Board’s previous decision. All approval conditions of the last approved application have been complied with.
- (f) Since the approval of Application No. A/TY/119 in 2012, no adverse impact in respect of traffic, air, water and waste has been generated from the CBP.
- (g) Regarding the concerns raised in the public comment, the applicant advised that there is washing facility within the subject CBP and concrete mixer truckers will be washed and cleaned before leaving the subject CBP to prevent the spread of dirt and debris onto public roads. Moreover, the applicant has arranged road sweeper truck to operate along the vehicular access from the subject CBP to Sai Tso Wan Road and Tsing Yi Road West, with at least three round trips per day (8:00 a.m. to 4:00 p.m. from Mondays to Saturdays).

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

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

4. **Town Planning Board Guidelines**

Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use for Development (TPB PG-No. 34D) is relevant to the application. TPB PG-No. 34D detailing the assessment criteria is at **Appendix VI**.

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

- 5.1 There are six previous planning applications covering the whole or part of the Site submitted by the applicant. One of the application was rejected and five were approved with conditions by the Committee. A summary of these applications is in **Appendix II**.
- 5.2 Three of the previous applications covered a slightly larger. Application No. A/TY/101 for a permanent CBP was rejected by the Committee in 2007 mainly on the considerations that the development was not compatible with the proposed recreation and tourism-related uses to the northwest of the site, and the TIA was not acceptable. Subsequently, applications No. A/TY/102 and A/TY/110 for temporary CBP for three years were approved with conditions by the Committee in 2008 and 2010 mainly on the considerations that the approvals could be tolerated as there was no known development programme for the proposed recreation and tourism-related uses in the adjoining area, the development was considered not incompatible with the surrounding industrial-related uses, and concerned Government departments had no objection.
- 5.3 The remaining three applications (No. A/TY/119, A/TY/128 and A/TY/143) covering the Site for temporary CBP for three or five years were approved with conditions by the Committee between 2012 and 2020 mainly on the grounds that the approval was considered not incompatible with the surrounding industrial-related uses, there had been no material change in planning circumstances since last approval and there were no adverse comments from the concerned Government departments. The subject CBP is currently in operation under the last approval of five years up to 1.9.2025 and all the approval conditions have been complied with.

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

- 6.1 There are 14 similar planning applications for CBP use within the “I” zone on the Tsing Yi OZP (**Plan A-1** and **Appendix II**). All of them were approved with conditions by the Committee, including four on permanent basis and 10 as temporary use.

- 6.2 Four similar applications (No. A/TY/117, A/TY/126, A/TY/139 and A/TY/149) at a site adjoining the southern boundary of the Site for the same temporary CBP thereat for three or five years were approved with conditions by the Committee between 2012 and 2024. The concerned CBP is in operation under the last temporary approval of five years up to 6.9.2029.
- 6.3 Another three applications (No. A/TY/112, A/TY/136 and A/TY/147) at another site to the southeast of the Site for the same temporary CBP thereat for three or five years were approved with conditions by the Committee between 2010 and 2024. The concerned CBP is in operation under the last temporary approval of five years up to 2.8.2029.
- 6.4 Another four applications (No. A/TY/85, A/TY/123, A/TY/132 and A/TY/145) is about 1.5 km to the southeast of the Site near Sai Tso Wan Road. The approval under Application No. A/TY/85 for redevelopment of an existing CBP granted in 2003 was not implemented and lapsed. The remaining three applications for temporary CBP were granted with temporary approvals with conditions for three or five years by the Committee between 2014 and 2021. The concerned CBP is currently in operation under the last temporary approval of five years up to 14.10.2026.
- 6.5 The remaining three applications (No. A/TY/32, A/TY/58 and A/TY/59) for permanent cement, concrete and asphalt plants at a same location of about 2.5 km south of the Site near Tsing Keung Street were granted between 1995 and 2000. These approved uses, however, were not implemented and the respective approvals lapsed.
- 6.6 All the approvals were granted mainly on the grounds that the proposal was considered not incompatible with the surrounding industrial-related uses, and there were no adverse comments from the concerned Government departments.

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

- 7.1 The Site is currently occupied by a temporary CBP valid up to 1.9.2025.
- 7.2 The surrounding areas have the following characteristics:
 - (a) to its adjoining south are the temporary asphalt plant with approval valid up to 1.9.2025 and the temporary CBP with approval up to 6.9.2029. Renewal of the former is to be considered at the same meeting under Application No. A/TY/152 (**Plans A-2 and A-3**);
 - (b) to the southeast is the Hongkong United Dockyards including some workshops and open storage, and a strip of Government land currently under short term tenancy restricted for access road, marshalling area for container vehicles and non-fee-paying carpark. To its further east is Cheung Tsing Highway above a steep slope;

- (c) to the further southeast are the temporary CBP and the temporary asphalt plant with approvals up to 2.8.2029 (**Plans A-2 and A-3**);
- (d) to its south and west is Ma Wan Channel; and
- (e) to the north is Tsing Ma Bridge (carriageway level at around 70mPD) and an area zoned as “Other Specified Uses” annotated “Recreation and Tourism Related Uses” with no known development programme.

8. Planning Intention

The “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.

9. Comments from Relevant Government Departments

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

Policy Perspective

- 9.1.1 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 is 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; and
- (b) 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 that 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.

Land Administration

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

- (a) TYTL No. 108 RP (the Lot) is restricted under lease for ship building, ship repairing and ancillary uses, such heavy engineering uses as may be approved in writing by the D of Lands, cargo

handling, and storage and repair of containers. The subject CBP at the Site and the proposed marshalling area of about 2,000m² (**Drawing A-2**) within the Lot are in breach of the lease conditions; and

- (b) two temporary waivers have been granted to the owner of the Lot to waive the above user restriction so as to permit (i) concrete production purpose for a term from 23.2.2014 to 6.7.2015 and thereafter quarterly; and (ii) asphalt production purpose from 1.3.2014 to 6.7.2015 and thereafter quarterly; and another waiver for a fixed term of three years from 29.4.2020 and thereafter quarterly for marshalling motor vehicles ancillary to the CBP and the asphalt plant purpose. Pursuant to the relevant waiver conditions, in the event that the owner fails to obtain planning approval for the subject plant under the current application, LandsD will revoke the temporary waiver.

Traffic

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

- (a) C for T has no objection to the application; and
- (b) 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; and
 - (ii) the submission and implementation of a review of traffic management plan including contingency plan and associated mitigation measures and traffic facilities.

9.1.4 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) the vehicular access from Sai Tso Wan Road to the Site is not maintained by HyD;
- (b) HyD is not going to take up the maintenance responsibility;
- (c) in respect of the public comment regarding the road condition, HyD would arrange removal of hardened concrete if needed. In general, frequent use of heavy vehicles is one of the factors causing deterioration of road pavement; and
- (d) other detailed comments are at **Appendix III**.

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

- (a) from marine traffic point of view, D of Marine has no objection to the application subject to the continuous implementation of the adopted BOP under application No. A/TY/128 and the continuous maintenance of the adopted measures at all time to the satisfaction of D of Marine; and
- (b) other detailed comments are at **Appendix III**.

Environment

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

- (a) the CBP is being operated with a SPL complying with requirements as stipulated in the BPM;
- (b) based on the information provided by the applicant, it is noted that no additional emission sources have been identified as there is no major change to the development. The applicant also confirmed that the maximum daily production rate of the CBP will be maintained and the operation of the CBP will follow the requirements of the SPL;
- (c) in view of the above, there is no objection to the application; and
- (d) other detailed comments are at **Appendix III**.

Fire Safety

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

- (a) no objection to the application; and
- (b) all existing fire service installations implemented on Site should be maintained in an efficient working order at all times.

Building Matters

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

- (a) no objection to the application under the Buildings Ordinance; and
- (b) according to BD's record, the Site is currently occupied by a CBP covered under TOP (will be expired on 7.8.2025) issued by the Building Authority.

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Engineer/Mainland South, Drainage Services Department;
- (c) Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD);
- (d) Commissioner of Police;
- (e) Director of Electrical and Mechanical Services (DEMS)
- (f) Director-General of Trade and Industry (DG of TI);
- (g) Director of Food and Environmental Hygiene (DFEH)
- (h) Project Manager/West, Civil Engineering and Development Department (CEDD);
- (i) Chief Engineer/Port Works, CEDD;
- (j) District Officer (Kwai Tsing), Home Affairs Department;
- (k) Chief Engineer 4/Major Works (CE4/MW), HyD; and
- (l) Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC of ArchSD).

10. Public Comments Received During Statutory Publication Period

During the statutory publication period, two comments from a shipyard operator and an individual were received. The shipyard operator objected to the application and expressed concerns mainly on the adverse impacts on road cleanliness, traffic safety and road condition arising from concrete mixer trucks of the CBPs in the area. The individual expressed concern that the subject CBP would adversely affect the scenic view of Tsing Ma Bridge as a landmark and the image of Hong Kong (**Appendix IV**).

11. Planning Considerations and Assessments

- 11.1 The application is to seek renewal of the planning approval to continue using the Site for a temporary CBP for a period of five years. As compared with the previous approval, except for introducing three private car parking spaces, there is only minor changes in development parameters. The production capacity remains the same.
- 11.2 The Site falls within an area zoned “I”, which is intended primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. It is located within an established special industrial area in the western part of Tsing Yi. The surrounding areas of the Site are occupied by various industrial-related operations including shipyards, oil depots, workshops and vehicle parks, etc. as well as four approved temporary CBPs/asphalt plants (**Plans A-1** and **A-2**). There is no material change in planning circumstances since the previous approval of 1.9.2020. The renewal of the planning approval for another five years is considered not in conflict with the planning intention for the Site and not incompatible with the surrounding land uses. Besides, since 2010, there are also 10 similar applications for four temporary CBPs within the same “I” zone approved with conditions on a temporary basis for three or five years having considered land use compatibility and no adverse departmental comments. Approval of the application is consistent with the previous decisions of the Committee on the previous and similar applications.

- 11.3 In support of the current application, the applicant has submitted a TIA (**Appendix I**) which demonstrates that the renewal of the subject CBP will not impose adverse traffic impact on the surrounding road network and junctions. In this regard, C for T has no objection to the application from traffic point of view subject to imposition of relevant approval conditions as per paragraphs 12.2 (a) to (c). DEP also has no objection to the application as the CBP needs to be operated with a SPL complying with requirements of the BPM. D of Marine has no objection to the application subject to the implementation of the approved BOP for the subject CBP and the continuous maintenance of the adopted measures as per paragraph 12.2 (d). Other relevant Government departments consulted including CTP/UD&L of PlanD, D of FS, DG of TI, CBS/NTW of BD and DEMS also have no objection to/no adverse comments on the application.
- 11.4 The application complies with the relevant assessment criteria under TPB PG-No. 34D in that there has been no material change in planning circumstances since the previous approval granted, there is no adverse planning implication arising from the renewal, the applicant has complied with all approval conditions of the latest planning approval, and the approval period sought which is the same as the last approval is not unreasonable.
- 11.5 Regarding the public comments on traffic safety and road condition, the planning assessments above and the departmental comments in paragraph 9 are relevant. Regarding the road cleanliness aspect, according to the BPM issued by EPD, closure device shall be provided on mixer trucks preventing spillage of concrete from the concrete discharge outlet of mixer trucks; and vehicle cleaning facilities shall be provided to clean leaving vehicles. The applicant also provides information in paragraph 2 in relation to the arrangement of road sweeper truck for road cleanliness. Besides, the Public Cleansing and Prevention of Nuisances Regulation administered by the Food and Environmental Hygiene Department should be complied with to avoid any litter/waste or waste water being deposited from vehicles to public road. Regarding the concern on the scenic view of Tsing Ma Bridge, it should be noted that the carriageway level is around 70mPD while the BH of the subject CBP is not exceeding 35mPD.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application for renewal of planning approval.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of five years ***from 2.9.2025 until 1.9.2030***. 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 review of traffic management plan including contingency plan and associated mitigation measures and traffic facilities within six months from the date of the commencement of the renewed planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 2.3.2026;
- (c) in relation to (b) above, the implementation of the approved traffic management plan during the planning approval period to the satisfaction of the Commissioner of Transport or of the Town Planning Board;
- (d) the implementation of the approved Barging Operation Plan and the continuous 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;
- (e) if any of the above planning condition (a), (c) or (d) 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; and
- (f) if the above planning condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

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

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

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application Form received on 7.5.2025
Appendix Ia	Supporting Planning Statement received on 8.5.2025
Appendix Ib	FI received on 18.6.2025
Appendix II	Previous and Similar Applications
Appendix III	Detailed Departmental Comments
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	TPB PG-No. 34D
Drawing A-1	Schematic Drawing
Drawing A-2	Marshalling Area
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JULY 2025**