

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKL/728

- Applicant** : Precise Leader Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : Lots 173 RP, 174, 175, 177, 178A, 178B, and 178C in D.D. 77 and Adjoining Government Land (GL), Ping Che, New Territories
- Site Area** : About 4,434m² (includes GL of about 205m² or about 4.6% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : 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. The Proposal

- 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 Site is currently used for open storage of construction materials.
- 1.2 The Site is accessible via a local access road to the north of the Site leading to Ping Yuen Road which connects to Ping Che Road (**Plan A-1**). According to the applicant, the proposed use mainly consists of a mixing tower, seven cementitious material silos with a total capacity of 500 tonnes, one 600 tonnes aggregate bin, etc.¹ (**Drawings A-1 and A-2**). The total floor area of the proposed use is about 2,410m² and the maximum building height is not more than 13m. The proposed use will accommodate one production line with a maximum design concrete production capacity of about 80m³/hr. Five private carparking spaces, 11 heavy goods vehicle (HGV) waiting spaces, five loading/unloading (L/UL) spaces for HGV and 1 L/UL space for tanker will be provided within the Site (**Drawing A-1**). The operation hours are between 7:00 a.m. and 11:00 p.m. daily. The anticipated

¹ Other facilities include four 70 tonnes water tanks, six admixture tanks, aggregate ground receiving hopper, aggregate storage, barrel washing and reclaimer, conveyor belts, dry pit, equipment storage, ice storage, mobile toilet, receiving hopper, slump platform, transfer tower and vehicle cleaning facilities.

commencement year of operation of the proposed use is 2026. The indicative layout plan, indicative elevation plan, schematic diagram of concrete production and the land status plan submitted by the applicant are shown in **Drawings A-1 to A-4**.

- 1.3 The development parameters for the proposed use are summarized below:

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| Site Area | About 4,434m ² |
| Gross Floor Area | About 2,410m ² |
| Plot Ratio | About 0.54 |
| Site Coverage | About 41% |
| Building Height | Not more than 13m |
| Parking and L/UL Provision | |
| • No. of Private Car Parking Spaces | 5 |
| • No. of HGV Waiting Spaces | 11 |
| • No. of L/UL Bays for HGV | 5 |
| • No. of L/UL Bays for Tanker | 1 |

- 1.4 According to the applicant's Traffic Impact Assessment (TIA) and Environmental Assessment (EA), with the proposed mitigation measures, no significant traffic impact and no adverse/unacceptable environmental impact are anticipated arising from the proposed use.

Traffic Aspect

- 1.5 According to the TIA, it is estimated that the maximum traffic generation of the proposed use will be limited to 18 vehicles per hour for one-way direction. The TIA concludes that the proposed use will not cause significant adverse impact on the surrounding road network within the application period with the implementation of road improvement works.

Road Improvement Works

- 1.6 On top of the committed traffic improvement works to be carried out by others on Ping Yuen Road and the access road leading to the Site (the committed traffic improvement scheme)², the applicant proposes road improvement works including the widening of a section (about 95m long) of the access road (currently one-lane-two-way) leading to the Site to a minimum 7m wide two-lane single carriageway, and the widening of a portion of Ping Yuen Road (the proposed road improvement scheme) (**Drawing A-5**). The applicant also commits to carry out a tree survey at the detailed design stage for relevant government departments' approval before operation of the proposed use in case any tree would be affected by the proposed road improvement scheme. The applicant will be responsible for the design and construction of the proposed road improvement scheme. Upon approval of the application, the applicant will liaise with the relevant departments to confirm the detailed maintenance and management (M&M) responsibilities of the improved access road and Ping Yuen Road before implementation of the works. The applicant undertakes

² The committed traffic improvement scheme includes (i) improvement of a section of the access road leading to the Site by extending the existing passing bay and introduction of an intermediate passing bay; and (ii) local widening works along Ping Yuen Road between Ping Che Road and the access road to provide sufficient spaces for manoeuvring of heavy vehicles in both directions concurrently. The above measures were proposed under application No. A/NE-TKL/681 for a temporary CBP adjacent to the Site, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 10.6.2022. The traffic management measures have not been implemented.

that the operation of the proposed use will only commence after the implementation of the road improvement works as proposed under the current application.

Environmental Aspect

Air Quality

- 1.7 According to the EA, mitigation measures including the provision of wheel washing facilities for vehicles at the Site, adequately wetting the access road within the Site and the raw materials during operation, etc. are proposed. It is concluded that adverse impact is not anticipated. The applicant will apply to the Environmental Protection Department (EPD) for a 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 at the site boundary, enclosing the concrete mixer 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 (ProPECC) PN 1/24 "Minimizing Noise from Construction Activities", etc. With the implementation of the mitigation measures, adverse noise impact is not anticipated.

Water Quality, Land Contamination and Waste Management

- 1.9 The applicant proposes relevant measures during construction and operation stages to ensure that there will be no adverse water quality impact. The applicant will also apply to EPD for a Discharge Licence under the Water Pollution Ordinance upon approval of the current application. On land contamination aspect, the applicant consulted relevant departments and confirmed that land contamination and associated impact are not anticipated. Detailed land contamination assessment would be carried out and submitted in the form of a Contamination Assessment Plan (CAP) at the subsequent stage upon approval of the planning application. The land contamination assessment and remediation works, if required, would be completed according to the relevant guidelines before any construction works for the proposed use. Also, relevant guidelines, regulations and circulars will be observed and complied with such that no adverse implication on waste aspect would be resulted.

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

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| (a) | Application Form with attachments received on 8.5.2023 | (Appendix I) |
| (b) | Further Information (FI) received on 2.8.2024 enclosing a Consolidated Report* [FI received on 21.8.2023 [#] , 29.9.2023 [#] , 10.11.2023 [#] , 8.12.2023 [#] , 25.3.2024 [*] , 9.5.2024 [#] , 21.6.2024 [#] , 2.7.2024 [*] and 1.8.2024 [*] were superseded and not attached] | (Appendix Ia) |
| (c) | FI received on 9.8.2024* | (Appendix Ib) |

*accepted and exempted from publication and recounting requirements

[#]accepted but not exempted from publication and recounting requirements

- 1.11 On 23.6.2023 and 26.1.2024, the Committee agreed to the applicant's requests to defer making a decision on the application for two months each to address departmental comments.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the attachments at **Appendices I** and **Ia**, as summarised below:

- (a) the proposed use will cater for the increasing demand for concrete production arising from large-scale development projects, supporting the Government's continuous effort in expediting land and housing supply;
- (b) the Site is a suitable location for the proposed use as it is easily accessible to different parts of the New Territories via Ping Che Road and connecting to Heung Yuen Wai Highway, Lin Ma Hang Road, Man Kam To Road, New Territories Circular Road, etc.; located within the New Territories North (NTN) New Town; and close to Kwu Tung North New Development Area (NDA) and Fanling North NDA;
- (c) it is compatible with the surrounding areas mainly comprising rural industrial uses, open storage yards, workshops, rural settlements, repair, maintenance and logistics centre. To the east of the Site is a temporary CBP under Application No. A/NE-TKL/681 approved by the Committee in June 2022;
- (d) there is provision for CBP use in the Notes of the "I(D)" zone and the proposed use is in line with the planning intention of the "I(D)" zone. Besides, there are similar approved applications located in areas zoned "I" or "Open Storage" in other parts of Hong Kong, demonstrating that the proposed use is a compatible use in "I" zones;
- (e) the operation hours (i.e. between 7 a.m. and 11 p.m. daily) are considered optimal and in line with the market norm;
- (f) the proposed use will operate on a temporary basis only, thus it will not have conflict with the implementation programme of the NTN New Town; and
- (g) no adverse traffic and environmental impacts are anticipated with the implementation of the proposed mitigation measures.

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

The applicant is the sole "current land owner" of the Site. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, the "Owner's Consent/Notification" requirements are not applicable.

4. Background

The Site is not subject to any planning enforcement action.

5. **Previous Application**

- 5.1 The Site is the subject of a previous application No. A/NE-TKL/23 for machinery, metalwork and building material workshop approved with conditions by the Committee on 6.9.1996. The planning considerations of the application are considered not applicable to the current one.
- 5.2 Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. **Similar Application**

- 6.1 There was a similar application in the “I(D)” zone in the vicinity of the Site in the past five years. Application No. A/NE-TKL/681 for a proposed temporary CBP for three years³ was approved with conditions by the Committee on 10.6.2022 mainly on considerations that the proposed use was generally in line with the planning intention of the “I(D)” zone; not incompatible with the surrounding areas; concerned departments had no adverse comment on/no objection to the application; and departmental concerns could be addressed through implementation of approval conditions.
- 6.2 Details of the similar application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. **The Site and Its Surrounding Areas (Plans A-1 to A-4b)**

- 7.1 The Site is:
- (a) fenced-off, paved and used for open storage for construction materials; and
 - (b) accessible via a local access road leading to Ping Yuen Road.
- 7.2 The surrounding areas mainly comprise temporary structures for warehouses, workshops, open storage yards and tree clusters. A domestic structure is located about 40m to the northwest of the Site (**Plan A-2**). A temporary CBP subject to approved application No. A/NE-TKL/681 is adjacent to east of the Site. To the further south of the Site is the “Village Type Development” zone of Ping Che Kat Tin.

8. **Planning Intention**

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

³ Application No. A/NE-TKL/681 was intended to replace an existing CBP operation within the application site with upgraded and environmental friendly facilities. The application site formed part of the subject of a factory for manufacturing concrete products with ancillary open storage use in 1990 (before the first statutory plan covering the area gazetted in 1993), which had evolved to the CBP at the application site since 2018.

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

9. Comments from Relevant Government Departments

- 9.1 Apart from the government departments as set out in paragraph 9.2 below, other 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 at **Appendices IV** and **V** respectively.
- 9.2 The following government departments have comments on the application/conveyed local views on the application:

Lands Administration

9.2.1 Comments of the District Lands Office/North, Lands Department (DLO/N, LandsD):

- (a) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains a restriction that no structures are allowed to be erected without the prior approval of the Government. No right of access via GL is granted to the Site;
- (b) Lots 175, 177, 178A, 178B and 178C in D.D.77 are covered by a Short Term Waiver (STW) No. 1299 for the purpose of warehouse and workshop for furniture manufacturing and wooden products. The adjoining GL falling within the Site is covered by a Short Term Tenancy (STT) No. 1439 for the purpose of storage of construction material. The applicant is not the waivee and tenant of the STW and STT concerned. The proposed CBP is not permitted under the above mentioned STW and STT;
- (c) no consent is given for inclusion of GL (about 205m²) for the proposed use. Any occupation of GL without Government's prior approval is an offence. The lot owner should apply for a formal approval prior to the actual occupation of the adjoining GL as mentioned in (e) below;
- (d) the development parameters of the existing structures erected on site do not tally with those permitted under the STW. Portion of the existing structure is encroaching upon the adjoining lot (i.e. Lot 174 in D.D. 77). The lot owner concerned should immediately rectify the breaches. Her office reserves the right to take necessary enforcement action against the breaches without separate notice;
- (e) the lot owner will need to apply to her office for STW and STT to permit the structure(s) and occupation of GL. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. The applications will be considered by LandsD acting in the capacity of the lessor and landlord at its sole discretion and there is no guarantee that such applications will be approved. If such, applications are approved, their commencement date would be the first date of the occupation and they will be subject to such

terms and conditions, including among others payment of fee/rent and administration fee, as may be imposed by LandsD;

- (f) LandsD is not in a position to take up the maintenance for the access road which is subject to the proposed road improvement scheme;
- (g) the proposed road widening works fall outside the Site. Her office has no records on the bureaux/departments (B/Ds) looking after the existing access road leading to the Site, therefore the applicant should obtain consent from relevant government department(s) before the commencement of the proposed road widening works. **Relevant departments** ~~Transport Department (TD)~~ should be consulted if any upgrading works may involve statutory procedures under the Roads (Works, Use and Compensation) Ordinance (Cap. 370); and
- (h) any requirement/conditions regarding the planning proposal including but not limited to the proposed road widening works will be included in the STW/STT only if relevant B/Ds imposing such requirement agree to take up the approving and monitoring authority under the STW/STT.

Traffic

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

- (a) having reviewed the revised TIA at **Appendix Ia** submitted by the applicant, he has no comment on the application;
- (b) the following approval conditions are suggested for consideration:
 - (a) the submission of traffic improvement and management measures before the commencement of construction works for the proposed use to the satisfaction of the C for T or of the Board;
 - (b) in relation to (a) above, the implementation of traffic improvement and management measures before the commencement of any operation to the satisfaction of the C for T or of the Board;
 - (c) in relation to (b) above, the implemented traffic improvement and management measures shall be maintained at all times during the planning approval period;
 - (d) if any of the above planning condition (a) or (b) is not complied with before the commencement of any construction works for the proposed use or operation respectively, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
 - (e) if the above planning condition (c) 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) Ping Che Road is a public road under **Transport Department (TD)** ~~TD~~'s management. The other adjacent vehicular access are local

village tracks not managed by his office. The applicant should seek comments from the responsible parties.

- (c) the applicant is advised that no queuing on public roads in the vicinity of the Site resulting from the operation of the concrete batching plant shall be allowed at any time during the planning approval period.

Environment

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

- (a) having reviewed the revised EA at **Appendix Ia** submitted by the applicant, he has no objection to the application;
- (b) should the application be approved by the Board, an approval condition for a land contamination assessment is required as below:
 “The submission of a CAP and if land contamination is confirmed, a Remediation Action Plan and completion of the agreed remedial actions before commencement of construction for the contaminated areas of the proposed development to the satisfaction of the DEP or of the Board”
- (c) the applicant is reminded to observe Air Pollution Control Ordinance for the operation of concrete batching plant, obtain the Specified Process Licence prior to its operation, and strictly follow the Specified Process Licence during operation;
- (d) the applicant is also advised to follow the relevant mitigation measures and requirement in the revised “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize any potential environmental nuisance; and
- (e) no environmental complaint has been received in relation to the Site in the past three years.

Local Views

9.2.4 Local views/comments conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD):

- (a) the incumbent member of the North District Council (NDC) of N16 Constituency and an Indigenous Inhabitant Representative (IIR) of Ping Che object to the application;
- (b) two IIRs of Ping Yeung and Ta Kwu Ling District Rural Committee object to the application considering that it is not suitable to have another CBP in the area as there is already insufficient traffic capacity in the vicinity of the Site to support the existing CBP with the use of heavy vehicles, and CBP requires proper dust control facilities; and
- (c) the Chairman of Fung Shui Area Committee and a Resident Representative of Ping Che have no comment.

10. **Public Comments Received During Statutory Publication Periods (Appendix VI)**

- 10.1 On 16.5.2023, 29.9.2023, 10.11.2023, 8.12.2023, 9.5.2024 and 21.6.2024, the application and the FIs were published for public inspection. During the statutory public inspection periods, a total of 688 public comments were received, including 658 objecting comments (**Appendix VIa**), 20 supporting comments (**Appendix VIb**), and ten comments providing view only/expressing no comment on the application (**Appendix VIc**). A full set of the public comments received on the application and the FIs are deposited at the Board's Secretariat for Members' inspection and reference. The views of the public comments received are summarised as follows:

Objecting Comments

- 10.2 Major grounds of the 658 objecting comments are summarised below:

Traffic Issues

- (a) the applicant fails to provide a standalone and permanent road improvement scheme to mitigate traffic impact. The proposed CBP relies on the committed traffic improvement scheme under application No. A/NE-TKL/681, which has no concrete implementation programme. Besides, the improvement measures under application No. A/NE-TKL/681 did not take into account the current application;
- (b) there is no information provided in the application on traffic aspect including the vehicle access control arrangement; queuing arrangement; traffic arrangement while the proposed road improvement scheme is taking place; arrangement when all L/UL spaces and waiting spaces within the Site are fully occupied; and contingency plan demonstrating that the Site has enough parking spaces for the trucks in case the proposed CBP is suspended unexpectedly. Also, information on security management is not provided;
- (c) the Site does not have sufficient space for heavy vehicles. It is anticipated that the proposed CBP would create a queue outside the Site during operation, resulting obstruction along the public road. The proposed CBP would add burden to Ping Che Road;
- (d) Ping Yuen Road, which is a single lane dual carriageway, does not have sufficient traffic capacity and is too narrow for heavy vehicles (e.g. cement mixer) to pass through. The heavy vehicles will have to reduce speed in order to manoeuvre the road, resulting in traffic congestion;
- (e) the traffic generated by the proposed CBP would exceed the capacity of the access road leading to the Site;
- (f) the traffic impact on Ping Yuen Road and Heung Yuen Wai Highway induced by the proposed CBP is not assessed in the TIA;

Road Safety

- (g) different types of heavy vehicles from the proposed CBP would damage the roads, posing threats to the road users;

- (h) illegal parking of heavy vehicles along/near Ping Yuen Road is severe, forcing the pedestrian to share access with vehicles. The proposed CBP would attract even more heavy vehicles near the Site, which would further threaten pedestrian safety, especially to the elderly and children;
- (i) the trees along the access road leading to the Site are blocking the eyesight of heavy vehicle drivers;

Pollution

- (j) the pollutants produced by the proposed CBP (e.g. dust) will pollute the air, posing health risks to the people living and working nearby and polluting water and food;
- (k) the proposed CBP would create polluted surface run-off which would clog the drainage channels, hence worsening the flooding problem in the area;
- (l) the environmental damage caused by the proposed CBP would be irreversible;

Location

- (m) there are already a number of obnoxious land uses in the vicinity of the Site, including CBP storage yards and warehouses. Together with the proposed CBP, cumulative adverse environmental and traffic impacts would be caused;

Others

- (n) the proposed CBP would create nuisances to the nearby residents; and
- (o) the operation hours of the proposed use are considered too long; and the proposed use would affect fung shui of the area.

Supporting Comments

10.3 Major grounds of the 20 supporting comments are summarised as follows:

- (a) steady and reliable supply of concrete, which is the basic material for construction, is essential. The proposed use would support housing and infrastructure developments, in particular the nearby NDA developments;
- (b) the application is acceptable/should be approved by the Committee as long as the applicant demonstrates that the proposed use is technically viable; environmental impacts arising from the operation of the proposed use are within acceptable limits through the use of modern technology; and there is stringent monitoring by the relevant authorities to ensure the operation is up to standard;
- (c) the freshly produced concrete must be used within two hours. As the Site is located in proximity to the NDAs, the concrete could therefore be transported to the construction sites shortly;
- (d) the proposed use is in line with the planning intention of the “I(D)” zone;

- (e) the proposed use would encourage competition in the concrete batching industry, which may lead to fairer prices for concrete. It could also create job opportunities; and
- (f) there is a need for concrete supply in Hong Kong.

Comments Providing View Only/ No Comment

- 10.4 Among the ten comments, seven comments are received from a member of the NDC indicating no comment on the application. One individual comments that TD should ensure that relevant road junctions would have sufficient traffic capacity for the proposed use. One individual queries that noting the applicant assumes the committed traffic improvement scheme under the approved application No. A/NE-TKL/681 would be implemented, whether TD would take any action if such scheme does not take place. One individual expresses no objection if there is no adverse departmental comment.

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 flatland factories due to extensive land and/or high ceiling requirements. The proposed plot ratio of 0.54, site coverage of 41% and building height 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 a CBP adjoining the Site, temporary structures for warehouses, workshops, open storage yards and tree clusters.
- 11.2 In support of the application, the applicant has submitted a TIA and suggests a proposed road improvement scheme to mitigate the traffic impact on the surrounding road network and road junctions. The applicant undertakes that the operation of the proposed use will only commence after the implementation of the road improvement works proposed under the current application. Having considered the applicant’s submission, C for T has no comment on the application from traffic engineering point of view subject to the imposition of approval conditions, in particular, the submission and implementation of relevant traffic improvement and management measures before the commencement of any construction works/operation of the proposed use. Regarding the M&M responsibilities of the improvement measures on the access road and Ping Yuen Road, the applicant will liaise with relevant departments upon approval of the current application. The applicant is also advised to note DLO/N, LandsD’s comment that the applicant should obtain consent from relevant government department(s) before commencement of the proposed road widening works in the Recommended Advisory Clauses at **Appendix V**.
- 11.3 Regarding the environmental impacts during construction and operation stages, the applicant proposes relevant measures as detailed in paragraphs 1.8 to 1.10 above to mitigate potential environmental impacts, and advises that relevant guidelines, regulations and circulars would be complied with and to apply relevant licences including Specified Process Licence and Discharge Licence as appropriate. Moreover, the applicant is required to submit a CAP before the construction works of the proposed use.

Having reviewed the information submitted by the applicant, DEP has no objection to the application. 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.

- 11.4 There is a similar application No. A/NE-TKL/681 approved with conditions by the Committee in 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; concerned departments had no adverse comment on/no objection to the application; and their concerns could be addressed through implementation of approval conditions. The planning circumstances of the current application are similar to those of the approved application. As such, approval of the current application is in line with the Committee’s previous decision.
- 11.5 Regarding the local objections conveyed by DO(N), HAD and public comments as detailed in paragraphs 9.2.2 and 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 comment on/ no objection to the application. Relevant approval conditions as requested by C for T and DEP are recommended in paragraph 12.2 below.

12. Planning Department’s Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the local views conveyed by DO(N), HAD in paragraph 9.2.4 and the public comments mentioned in paragraph 10 above, the Planning Department has no objection 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 5 years up to **16.8.2029**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission of traffic improvement and management measures before the commencement of construction works for the proposed use to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) in relation to (a) above, the implementation of traffic improvement and management measures before the commencement of operation of the proposed use to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) in relation to (b) above, the implemented traffic improvement and management measures shall be maintained at all times during the planning approval period;
- (d) the submission of a Contamination Assessment Plan and, if land contamination is confirmed, a Remediation Action Plan and completion of the agreed remedial actions before commencement of any construction works for the contaminated

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

- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 16.2.2025;
- (f) in relation to (e) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 16.5.2025;
- (g) in relation to (f) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 16.2.2025;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 16.5.2025;
- (j) if the above planning condition (a) is not complied with before the commencement of construction works for the proposed use, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if the above planning condition (b) is not complied with before the commencement of operation of the proposed use, 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 (c) 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;
- (m) if the above planning condition (d) is not complied with before the commencement of any construction works for the contaminated areas, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning condition (e), (f), (h) or (i) 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.

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 impact 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 applicants.

14. Attachments

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| Appendix I | Application Form with Planning Statement received on 8.5.2023 |
| Appendix Ia | FI received on 2.8.2024 enclosing a Consolidated Report |
| Appendix Ib | FI received on 9.8.2024 |
| Appendix II | Previous Application |
| Appendix III | Similar Application |
| Appendix IV | Government Departments' General Comments |
| Appendix V | Recommended Advisory Clauses |
| Appendix VI | Public Comments |
| Drawing A-1 | Indicative Layout Plan |
| Drawing A-2 | Indicative Elevation Plan |
| Drawing A-3 | Schematic Diagram of Concrete Production |
| Drawing A-4 | Land Status Plan |
| Drawing A-5 | Proposed Road Improvement Works |
| Plan A-1 | Location Plan |
| Plan A-2 | Site Plan |
| Plan A-3 | Aerial Photo |
| Plans A-4a to A-4b | Site Photos |

**PLANNING DEPARTMENT
AUGUST 2024**