

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY
SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 1 S. 2013

**AN ACT RECLASSIFYING BRGY. BOLBOK LOTS IN BATANGAS CITY
FROM PORT ZONE (PZ) AND GENERAL DEVELOPMENT ZONE-2 (GDZ-2)
TO HEAVY INDUSTRIAL ZONE FOR THE CONSTRUCTION AND OPERATION OF
FIRST GEN CORPORATION'S POWER PLANT NAMED AVION (115 MW)**

WHEREAS, with the fast growth rate of the Philippine economy, an impending power supply crisis is projected to occur in years 2014 to 2016. Such situation may be addressed only by the installation of new capacities in addition to those accounted for in the Department of Energy's Philippine Development Plan.

WHEREAS, in the interest of the energy-consuming public and to ensure that the country's economic gains achieved under the current administration are sustained, First Gen aims to help in addressing such situation and thereby avoid a recurrence of the power crisis that struck the country in the 1990s by developing the gas-fired power plant projects in Batangas City.

WHEREAS, under Executive Order No. 431 dated 19 October 1990, issued by the former President Corazon C. Aquino, the Proposed Area has been delineated to be part of the "Batangas Port Zone" and has been placed under the administrative jurisdiction of the Philippine Ports Authority. Despite its demarcation as part of the Port Zone, the Proposed Area remains undeveloped and is still under ownership of private individuals. As such, we believe that the reclassification of the Proposed Area into a heavy industrial zone is merited, especially taking into account the interest of ensuring continued reliable supply of electricity to the public.

WHEREAS, the Avion Project will be located in an area consisting of approximately 11 hectares in Barangay Bolbok (the "Proposed Area"), which is adjacent to the Batangas International Port. We are convinced that the Proposed Area is the most suitable site for the Avion Project given its location near a body of water, its proximity to an existing gas receiving infrastructure and liquid fuel receiving and storage system, and its favorable topographical characteristics. In addition, 8 hectares of the Proposed Area has already been exempted from the Comprehensive Agrarian Reform Program by the Department of Agrarian Reform ("DAR"), pursuant to the DAR Order dated 28 September 2012.

NOW THEREFORE, by the virtue of the authority conferred by law upon the Sangguniang Panlungsod of Batangas City, said body in session assembled ordains and decrees:

SECTION 1. – The Zoning classification of that parcels of land with an area of **13.2635 hectares** located at Barangay Bolbok, Batangas City, where the proposed power plant project named **AVION (115 MW)** will be constructed, developed and operated owned by **FIRST GEN CORPORATION** which falls within the designated **Port Zone (PZ) and General Development Zone – 2 (GDZ-2)** per Batangas City Comprehensive Land Use and Zoning Ordinance 2001 is hereby reclassified to **Heavy Industrial Zone**, provided that Clearance from the Philippine Ports Authority has been secured prior to the construction of the AVION power plant.

SECTION 2. – Strict compliance to all applicable City Ordinances, resolutions and executive orders and to all national laws, executive orders, circulars and implementing rules and regulation issued by the national government and its agencies are hereby mandated.


Continuation of Ordinance No. 1 S. 2013
**HEAVY INDUSTRIAL ZONE FOR THE CONSTRUCTION AND OPERATION OF
FIRST GEN CORPORATION'S POWER PLANT NAMED AVION (115 MW)**

SECTION 3. – The City Mayor may issue implementing rules and regulations for the efficient and effective implementation of this Ordinance.


SECTION 4. – If for any reason or reason, any part of the Ordinance shall be held unconstitutional or invalid other parts hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 5. – This Ordinance shall take effect upon approval by the City Mayor.

ENACTED UNANIMOUSLY by the Sangguniang Panlungsod of Batangas City this 18th day of February 2013.


ATTY. OLIVA D. TELEGATOS
SECRETARY
Sangguniang Panlungsod

ATTESTED:


HON. JOSE Y. TOLENTINO
Vice-Mayor and Presiding Officer

APPROVED:


HON. VILMA A. DIMACUHA
City Mayor

Date Approved: March 13, 2013

SPONSORS: Coun. Mario A. Mariño Coun. Narciso B. Macarandang
CO-SPONSORS: Coun. Claudette U. Ambida Coun. Eloisa D. Portugal Coun. Armando C. Lazarte
