

Responses-to-Comments

Proposed Temporary Medium Goods Vehicle and Container Tractor / Trailer Park with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Various Lots in D.D. 84, Ta Kwu Ling, New Territories

(Application No. A/NE-TKL/755)

(i) A RtoC Table:

Departmental Comments		Applicant’s Responses
1. Comments of the Secretary for Development (SDEV)		
(a)	To facilitate our consideration, the applicant should be requested to submit further information to demonstrate that he is the business operator of the existing operation at the site affected by the KTN NDA development.	<p>The original business premise in Kwu Tung for ‘<i>Temporary Medium Goods Vehicle and Container Tractor / Trailer Park</i>’ uses, has been operated by <i>The Motor Transport Company of Guangdong and Hong Kong Limited</i> since 1994. The original business premises is also the subject of 9 approved S.16 planning applications, within which the latest application (No. A/KTN/82) for the same use was approved by the Town Planning Board (the Board) on a temporary basis for a period of 3 years in 2022.</p> <p>The original business premises was later rented by the applicant of the current application, i.e. <i>Weisheng Transportation & Enterprisers Company Limited</i> for the applied use since 2014 (Annex I). The applicant is therefore authorized by <i>The Motor Transport Company of Guangdong and Hong Kong Limited</i> to operate the business premises in Kwu Tung.</p> <p>The current application is to facilitate the relocation of a brownfield operation for the applied use in Kwu Tung, which will be displayed by the Remaining Phase development of the Kwu Tung North New Development Area (KTN</p>

		NDA) (Annex II). The applicant intends to make use of application site (the Site) for reprovisioning of the concerned operations.
2. Comments of the Director of Agriculture, Fisheries and Conservation (DAFC)		
(a)	<p><u>From agricultural perspective</u></p> <p>The subject site falls within the “AGR” zone with part of the site being used for farming. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The subject site can be used for agricultural activities such as openfield cultivation, greenhouses, plant nurseries, etc. As the subject site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective.</p>	<p>Although the Site falls within area zoned as “AGR”, the Site is currently unfenced and vacant. The proposed use is considered not incompatible with surrounding land uses which is dominated by open storage yards, logistics centre and warehouse uses along Ping Che Road. In addition, the proposed development is intended to facilitate the relocation of the applicant’s affected business premises in Kwu Tung due to land resumption to pave way for the development of KTN NDA, the special background of the application should be considered on individual merit and approval of the current application would not set an undesirable precedent within the “AGR” zone.</p>
(b)	<p><u>From nature conservation perspective</u></p> <p>The subject site is partly abandoned. Ping Yuen River is located adjacent to the southwestern boundary of the subject site. The applicant should clarify whether Ping Yuen River will be affected by the proposed use during the construction and operation stage and advise if there is any measures to avoid adverse impact to the Ping Yuen River nearby.</p>	<p>Fencing will be erected along the site boundary to avoid the watercourse from reaching. At least 3 m set back and sandbags will be placed along the southwestern portion of the Site during the planning approval period to avoid any disturbance.</p> <p>The applicant will also implement good site practices so as not to pollute the Ping Yuen River to the southwest of the Site. The applicant will reinstate the Site upon the expiration of the planning approval period.</p>
3. Comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD)		
(a)	<p>It is noted that the proposed Temporary Medium Goods Vehicle and Container Tractor/Trailer Park with Ancillary Facilities on a 3-year basis and Associated Filling of Land (the subject development) is</p>	<p>Noted. The application is only on a temporary basis and the applicant agreed to be moved out during the land resumption stage of the development of New Territories North (NTN) New Town. The proposed use would be terminated</p>

	<p>located within the proposed New Territories North (NTN) New Town under the Planning and Engineering (P&E) Study for NTN New Town and Man Kam To. Please note that the P&E Study already commenced on 29 Oct 2021. While the implementation programme of NTN New Town will be formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Hence, please be reminded that subject to the land use planning in the P&E Study, the subject development, if approved, may need to be vacated for the site formation works.</p>	<p>if the Government resume the Site for clearance, construction, and relevant works.</p>
<p>4. Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD)</p>		
<p>(a)</p>	<p>We have no comment on the captioned planning application. Please note that the access road adjacent to the site is not maintained by HyD.</p>	<p>Noted.</p>
<p>5. Comments of the Commissioner for Transport (C for T)</p>		
<p>(a)</p>	<p>The applicant should conduct traffic count surveys to the nearby road links and junctions, advise and substantiate the additional traffic flow generated by the development will not cause substantial traffic impact to the surrounding road network;</p>	<p>Traffic count surveys were conducted at the key locations on 29/5/2024 (Wednesday) PM and 30/5/2024 (Thursday) AM with survey period of 07:00 – 10:00 and 16:00 – 19:00. The AM and PM peak hours are identified to occur at 08:00 – 09:00 and 17:00 – 18:00 respectively. The results of the survey have shown that all the link flows in the vicinity of the application site (the Site) would be operating within capacity during the AM and PM peak hour even with the estimated peak hours trips from the proposed development (Annexes III and IV).</p>

(b)	The applicant shall advise the management/control measures to be implemented to ensure no queuing of vehicles outside the subject site;	The Site will be used as vehicle park for parking of the company's fleets to support the cross-boundary trade, hence, parking spaces will not be rented to the general public. To facilitate the smooth entry of vehicles to the Site, an ingress/egress gate with vehicle detection sensors will be implemented to initiate the pre-opening sequence based on the detection of the approaching vehicles. Staff will also be deployed at the ingress/egress of the Site to direct vehicle entering/exiting the Site to ensure no queuing of vehicle outside the Site. Furthermore, sufficient passing areas are also provided along the local access connecting the Site to Ping Che Road, therefore, queuing of vehicle outside the Site will not be anticipated (Annex V).
(c)	The applicant shall advise the provision and management of pedestrian facilities to ensure pedestrian safety; and	Staff will be deployed by the applicant to direct vehicle entering/exiting the Site. Lighting and alarm systems will be installed at ingress/egress to regulate traffic flow. 'Stop and give way' and 'beware of pedestrians' signs would also be erected to ensure pedestrian safety to/from the Site.
(d)	The proposed vehicular access between Ping Che Road and the application site is not managed by TD. The applicant should seek comments from the responsible party.	Noted.
6. Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD)		
(a)	Flooding incidents have been recorded in the area in the vicinity of the application site. The applicant should submit Drainage Impact Assessment (DIA) for the site to demonstrate that there would be adequate measures provided at the resources of the applicant to ensure capacity of stream course and flooding susceptibility of the adjoining areas would not be adversely affected by the proposed development and to avoid the site from being eroded and flooded.	A drainage layout plan, with provision of peripheral u-channels, catchpits and storage tank, is submitted by the applicant to mitigate adverse drainage impact generated by the proposed development (Annex VI). The applicant will submit a drainage impact assessment (DIA) to the satisfaction of CE/MN, DSD after planning approval has been granted by the Town Planning Board (the Board). The applicant will commence the construction works or operations, including site formation works, only after the DIA is considered

	<p>The applicant is required to assess whether the downstream for drainage connection would have sufficient capacity to receive the stormwater runoff. Flood mitigation measures proposed in the DIA and any other storm-water drainage facilities should be provided and maintained by the applicant to the satisfaction of this Division.</p>	<p>acceptable by CE/MN, DSD.</p>
(b)	<p>The application site is in the vicinity of the existing Ping Yuen River to the west of the application site. The applicant shall be required to place all the proposed works at least 3m away from the top of the bank of the streamcourse. All the proposed works in the vicinity of the Ping Yuen River should not create any adverse drainage impacts, both during and after construction. Proposed flooding mitigation measures if necessary shall be provided at the resources of the applicant to my satisfaction.</p>	
(c)	<p>No land filling on site shall be allowed until the flood mitigation measures have been implemented to the satisfaction of DSD.</p>	
(d)	<p>The applicant should be reminded to minimize the possible adverse environmental impacts on the existing watercourse in his design and during construction. DEP and DAFC should be consulted on possible environmental and/or ecological impacts of the development.</p>	
(e)	<p>The site is in an area where no public sewerage connection is available, EPD should be consulted regarding the sewage treatment/disposal facilities for the proposed development.</p>	

(f)	<p>The potential drainage impact is considered substantial under the development. The applicant should demonstrate and clarify if there is insurmountable drainage problem out of the development including but not limited to:</p> <ol style="list-style-type: none">1. diversion for existing flow paths within the site;2. site formation level and impacts on existing overland flow;3. assessment of the catchment areas and potential drainage impacts out of increasing of impermeable surfaces;4. checking of the capacity and condition of the existing drainage downstream; and5. mitigation measures to compensate the drainage impact, e.g. drainage facilities and storage tank. Assessments to justify the size of channel and storage tank are required.	
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R-RICHES
PLANNING LIMITED

盈卓
規劃
有限公司

COPY

新界上水龍琛路 39 號
上水廣場 15 樓 1501 至 1510 室
地政總署
新發展區組

有關受新界古洞北新發展區及粉嶺北新發展區餘下階段發展計劃影響
向地政總署提出“特惠補償申請”及提交資料
新界上水古洞北河上鄉
丈量約份第 95 約地段第 106 號、第 108-110 號、第 112-120 號、
第 122 號及第 165 號 A 分段

敬啟者

我們 盈卓規劃有限公司 R-RICHES PLANNING LIMITED 受標題地段在地業務經營者 威盛運輸企業有限公司 WEISHENG TRANSPORTATION & ENTERPRISES CO. LIMITED (以下簡稱“威盛運輸”) 委托，向地政總署提出有關上述標題地段的受新發展區影響(古洞北新發展區及粉嶺北新發展區餘下階段發展計劃)之在地經營業務特惠補償申請。“威盛運輸”並已委托測量師進行測量，以方便貴署計算相關特惠補償事項，有關測量報告正在準備中，將於稍後補交至貴署。

上述標題在地業務經營者特惠補償申請人“威盛運輸”從 2014 年起於上述地段一直經營之今，“威盛運輸”並於較早前委托本公司為規劃顧問，向城市規劃委員會提出申請搬遷上述地點到新地點以繼續經營其業務。故此申請人冀盡快獲得特惠補償，並盡快於新地點進行基建設施，致力配合政府發展計劃得以順利展開。

如有任何疑問，可聯絡本公司負責人鄧先生(電話 [REDACTED]) 或 黃小姐(電話 [REDACTED])。

現隨此信件附上申請人向貴署申領特惠補償的相關文件：

- 在地業務經營者之租約
- 在地業務經營者之商業登記證
- 在地業務經營者之公司註冊證
- 在地業務經營者之現有短期租約及短期豁免書
- 申請人授權顧問公司之授權書



代辦人：R-riches Planning Limited

日期：2024 年 1 月 24 日



香港新界錦田吉慶圍 236 號盈匯坊 D 座
Block D, The Richfield, 236 Kat Hing Wai, Kam Tin, NT, HK



(852) [REDACTED]

(852) [REDACTED]



[REDACTED]



[REDACTED]

古洞车场使用协议

甲方：粤港汽车运输联营有限公司（出租方）

乙方：威盛运输企业有限公司（承租方）

经友好协商，甲乙双方就使用古洞车场（下称“车场”）及相关设施一事达成以下协议：

1、甲方将位于香港上水河上乡路 107 号古洞车场及部分设施（车场约 70%的面积及部分设施）提供给乙方使用，包含二层写字楼连消防设施一座，司机生活区组合货柜屋一套，保安岗亭两座，洗车池一个（建筑物清单详见附表）。

2、使用期限自 2014 年 8 月 1 日起至 2024 年 7 月 31 日止。

3、使用期限首年免费，自第二年起即 2015 年 8 月起，每月使用费为 [REDACTED] 乙方须在每月 25 日前向甲方指定银行缴交当月场地使用费。

4、车场最多可同时停放 49 条 40 呎拖架，3 条 20 呎拖架，18 辆吨车，20 辆拖头，10 辆大巴，乙方不得超出车场最大容纳能力使用。

5、甲方车场继续保留维修车间及车槽（在使用期限内由甲乙双方共同使用，但甲方享有优先使用权）、配件库和修理人员宿舍，并保留 10 个巴士停车位，用于甲方车辆停放。

6、甲方有权根据业务的需要，在古洞车场空间增置货柜，



乙方应予以配合。

7、古洞车场及其相关设施的维护和保养由乙方负责。

8、乙方不得擅自改变场地的用途，若须改建或增加建筑，须符合香港政府相关法例规定并取得甲方同意，费用由乙方承担。

9、乙方须作出应尽的努力，保持与车场邻里的友好关系。

10、乙方须负责车场的保安、防火、安全等责任，并保证必要的投入。

11、甲方原有的古洞车场保安合同由乙方继续履行，自本协议有效期终止。期间保安费用由乙方承担，合约期满后，乙方可自行决定是否续约，但乙方必须确保车场拥有适当的安保措施。

12、车场的政府续牌、消防年审由乙方负责，甲方提供协助，相关费用由乙方承担。

13、如使用期间车场因政府或发展商工程需要征地或搬迁的，又或是车场续期不获批准的，甲方须及时告知乙方，乙方在获知信息后自行负责相关业务的转移和安排。如上述情况涉及搬迁津贴（包括特惠津贴）等，按香港政府规定处理。

14、车场已获得香港运输署和环保署的批准，成为甲方淘汰车辆的拆车场，香港古洞车场的拆车资质归属甲方所有，并由甲方每年向香港运输署和环保署进行续期申请。

15、在使用有效期内，如乙方出现连续三个月拖欠甲方场地使用费，甲方可以单方面中止本协议，乙方必须无条件退还车场，甲方不需要给乙方任何补偿。并有权追索相关的欠款。

16、本协议是以双方各自《承包经营合同》为基础，两者互相依存。如《承包经营合同》中止或解除，则本协议随之中止或解除。乙方必须无条件退还车场，甲方不需要给乙方任何补偿。

甲方：粤港汽车运输联营有限公司

银行名称：

银行帐号：

代表：

乙方：威盛运输企业有限公司

银行名称：

银行帐号：

代表：

日期：二〇一四年七月三十日

签约地：香港

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 NEW DEVELOPMENT AREA SECTION
 LANDS DEPARTMENT

我們矢志努力不懈，提供盡善盡美的土地行政服務。
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新界上水龍琛路39號上水廣場15樓1501至1510室
 Units 1501-10, Level 15, Landmark North,
 39 Lung Sum Avenue, Sheung Shui, New Territories

網址 Website: www.landsd.gov.hk

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 錦田吉慶圍236號
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 R-riches Planning Limited

郵寄及現場張貼

鄧先生/黃小姐:

古洞北／粉嶺北新發展區餘下階段發展

丈量約份第95約地段第106號、第108號、第109號、第110號、第112號、第113號、第114號、第115號、第116號、第117號、第118號、第119號、第120號、第122號及、第123號及第165號A分段

露天／戶外業務清拆編號：X16/311-366

貴公司在上址經營的露天／戶外業務，因上述工務計劃影響而須清拆。根據現行政策，在上址經營露天／戶外業務的經營者，如經調查確定符合資格後，將可獲發特惠津貼。其他未符合資格的人士，則不會獲發任何特惠津貼。

故現請貴公司於2024年4月2日或之前向本辦事處提供下列文件（如適用）的副本，以便評核貴公司是否符合資格申領特惠津貼。

- (1) (a) 經營人之香港身份證 (b) 合夥人之香港身份證
 (c) 香港公司註冊證書
- (2) 有關業務在2014年1月16日至今的營運單據：
 - (a) 報稅單或繳稅單 (b) 營業損益表
 - (c) 火險保單單據 (d) 僱員保險單據
 - (e) 器材保養單據 (f) 商業登記證
 - (g) 供電單據 (h) 電話單據
 - (i) 供水單據 (j) 資訊服務單據

(3) 其他有效證明文件

本署將於稍後時間再與你聯絡以便查閱上述文件的正本。如有需要，本署可能要求貴公司提供一切其他所需資料及文件。

如貴公司對此事有任何查詢，請於辦公時間內致電：3547 0706與本信代行人聯絡。

地政總署
總產業測量師／新發展區

(林雄傑



代行)

副本送：

地政總署新發展區組清拆小組（經辦人：朱耀明先生）

2024年3月19日