

立法會
Legislative Council

LC Paper No. CB(3) 732/02-03

Ref. : CB(3)/M/OR

Tel : 2869 9205

Date : 13 June 2003

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 2 July 2003

**Proposed resolution under the
Buildings Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Housing, Planning and Lands will move at the Council meeting of 2 July 2003 under the Buildings Ordinance. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary for Housing, Planning and Lands will deliver when moving the proposed resolution, is also attached.

3. The Administration has forwarded to the Secretariat two sets of the plans referred to in the proposed resolution. One set of the plans has been deposited in the Legislative Council Library for Members' perusal. Members who wish to have sight of the plans in the Legislative Council Building may also contact Ms Miranda HON, Chief Assistant Secretary (3)2, at telephone no. 2869 9465.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

BUILDINGS ORDINANCE

RESOLUTION

(Under section 2(3) of the Buildings Ordinance (Cap. 123))

RESOLVED that the Fifth Schedule to the Buildings Ordinance
be amended -

- (a) by renumbering area number 3 as area number 3(1);
- (b) by adding after area number 3(1) -

"(2) The railway protection areas along the railway lines of the Kowloon-Canton Railway Corporation, being the areas delineated and shown edged black on the plans numbered KCR/WR/RP/100 Rev. 1, KCR/WR/RP/101 Rev. 1, KCR/WR/RP/102 Rev. 1, KCR/WR/RP/103 Rev. 1, KCR/WR/RP/104 Rev. 1, KCR/WR/RP/105 Rev. 1, KCR/WR/RP/106 Rev. 1, KCR/WR/RP/107 Rev. 1, KCR/WR/RP/108 Rev. 1, KCR/WR/RP/109 Rev. 1, KCR/WR/RP/110 Rev. 1, KCR/WR/RP/111 Rev. 1, KCR/WR/RP/112 Rev. 1, KCR/WR/RP/113 Rev. 1, KCR/WR/RP/114 Rev. 1, KCR/WR/RP/115 Rev. 1, KCR/WR/RP/116 Rev. 1, KCR/WR/RP/117 Rev. 1, KCR/WR/RP/118 Rev. 1, KCR/WR/RP/119 Rev. 1, KCR/WR/RP/120 Rev. 1,

KCR/WR/RP/121 Rev. 2, KCR/WR/RP/122 Rev. 1, KCR/WR/RP/123 Rev. 1, KCR/WR/RP/124 Rev. 1, KCR/WR/RP/125 Rev. 1, KCR/WR/RP/126 Rev. 1, KCR/WR/RP/127 Rev. 1, KCR/WR/RP/128 Rev. 1, KCR/WR/RP/129 Rev. 1, KCR/WR/RP/130 Rev. 1, KCR/WR/RP/131 Rev. 1, KCR/WR/RP/132 Rev. 1, KCR/WR/RP/133 Rev. 1, KCR/WR/RP/134 Rev. 1, KCR/WR/RP/135 Rev. 1, KCR/WR/RP/136 Rev. 1, KCR/WR/RP/137 Rev. 1, KCR/WR/RP/138 Rev. 1, KCR/WR/RP/139 Rev. 1, KCR/WR/RP/140 Rev. 1, KCR/WR/RP/141 Rev. 1, KCR/WR/RP/142 Rev. 1, KCR/WR/RP/143 Rev. 1, KCR/WR/RP/144 Rev. 1 and KCR/WR/RP/145 Rev. 1, dated 6 June 2003, signed by the Secretary for Housing, Planning and Lands and deposited in the Land Registry."

**Speech by the Secretary for Housing, Planning and Lands,
Mr. Michael M Y Suen, JP in the Legislative Council on 2 July 2003**

Buildings Ordinance (Chapter 123)

Madam President,

I move the resolution standing in my name in the Agenda.

2. The motion seeks to amend the description of Scheduled Area No. 3 in the Fifth Schedule to the Buildings Ordinance to include the railway protection areas as shown on the plans dated 6 June 2003, which were signed by the Secretary for Housing, Planning and Lands and deposited in the Land Registry.

3. The railway protection areas are those within 30 metres from the edges of the railway structures. By virtue of sections 14(1), 41(3) and 41(3A)(f) of the Ordinance, ground investigation and underground drainage works carried out in the railway protection areas in Scheduled Area No. 3 require the Building Authority's prior approval of plans and consent for their commencement. This is to ensure the safety of the railway structures and hence the normal operation of the railway system.

4. At present, Scheduled Area No. 3 only includes the railway protection areas along the Mass Transit Railway lines. Since the West Rail (Phase 1) of the Kowloon-Canton Railway Corporation is scheduled to come into operation in September 2003, we therefore propose to include the railway protection areas along this railway line into Scheduled Area No. 3. We have already prepared a new set of plans to show correctly the railway protection areas along the West Rail (Phase 1).

5. I invite Members to support this motion in order to ensure that the West Rail (Phase 1) structures of the Kowloon-Canton Railway Corporation are protected.

6. Madam President, I beg to move.