

立法會
Legislative Council

LC Paper No. CB(1)462/04-05
(These minutes have been seen
by the Administration)

Ref: CB1/PS/1/04/1

Panel on Transport

Subcommittee on matters relating to railways

**Minutes of meeting on
Friday, 19 November 2004, at 10:45 am
in the Chamber of the Legislative Council Building**

Members present : Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon LAU Kong-wah, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Patrick LAU Sau-shing, SBS, JP

Member attending : Hon LI Fung-ying, BBS, JP

Members absent : Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon Albert CHAN Wai-yip

Public Officers attending : **Agenda item IV**
Miss Cathy CHU
Deputy Secretary for the Environment, Transport and Works (T)2

Mr William SHIU
Principal Assistant Secretary for the Environment, Transport
and Works (T)4

Mr K H LO
Chief Inspecting Officer (Railways)
Environment, Transport and Works Bureau

Mr Stephen IP
Assistant Commissioner for Transport/New Territories

Mr Benedict TAI
Chief Transport Officer/Special Duties
Transport Department

Mrs Christina KWONG
Chief Engineer/Railway
Highways Department

Mr HUI Yat-ming, Simon
Principal Environmental Officer (Assessment and Audit)
Environmental Protection Department

Agenda item V

Mr Thomas CHOW
Deputy Secretary for the Environment, Transport and Works (T)1

Mr Raymond HO
Principal Assistant Secretary for the Environment, Transport
and Works (T)7

Mr WAN Man-lung
Principal Government Engineer/Railway Development
Highways Department

Attendance by invitation : Agenda items IV and V

Kowloon-Canton Railway Corporation

Mr Samuel LAI
Acting Chief Executive Officer

Mr K K LEE
Senior Director, Capital Projects

Mr Y T LI
Senior Director, Transport

Mrs Grace LAM
General Manager, Corporate Affairs

Agenda item V

Wharf Estates Development Limited

Mr Micky LEUNG
Business Development Director

Mr Clement WONG
Assistant Project Director

Mr Frankie YICK
Chief Manager – External Relations

Clerk in attendance : Mr Andy LAU
Chief Assistant Secretary (1)2

Staff in attendance : Ms Alice AU
Senior Assistant Secretary (1)5

Miss Winnie CHENG
Legislative Assistant (1)5

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- I Confirmation of minutes of meeting and matters arising**
(LC Paper No. CB(1)143/04-05 - Minutes of meeting held on
20 October 2004)

The minutes of the meeting held on 20 October 2004 were confirmed.

- II Information papers issued since last meeting**
(LC Paper Nos. CB(1)107/04-05(01) & (02) - A letter dated 30 August
2004 from New World
Development Company
Limited addressed to the
Secretary for the
Environment, Transport and
Works and the reply dated 20
September 2004 from the
Kowloon Canton-Railway
Corporation (KCRC))
regarding "KCRC Kowloon
Southern Link – Adoption of
Construction Method";

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|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LC Paper No. CB(1)107/04-05(03) | - Extract of minutes of meeting held between LegCo Members and Kowloon City District Council (KCDC) on 4 March 2004 on "The Railway Development Plan of the Shatin to Central Link"; |
| LC Paper No. CB(1)107/04-05(04) | - Written views submitted by some KCDC Members on the Shatin to Central Link project; and |
| LC Paper No. CB(1)229/04-05(01) | - Letter from the Chairman of Yuen Long District Council to the Secretary for the Environment, Transport and Works on "Kowloon Southern Link") |

2. Members noted the above information papers issued since last meeting.

III Items for discussion at the next meeting scheduled for 7 January 2005

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| (LC Paper No. CB(1)227/04-05(01) | - List of outstanding items for discussion; and |
| LC Paper No. CB(1)227/04-05(02) | - List of follow-up actions) |

3. Members agreed to discuss the following items at the next meeting scheduled for 7 January 2005:

- (a) Shatin to Central Link; and
- (b) Railway incidents and performance of the railway systems in Hong Kong.

4. Mr LAU Kong-wah expressed concern about the progress of the Regional Express Line (REL). The Chairman advised that according to the Administration, Kowloon-Canton Railway Corporation (KCRC) would submit its project proposal for the Northern Link/REL in March 2005. The Administration would then brief the Subcommittee on the details of the project proposal.

IV An update on the Ma On Shan Rail and better co-ordination of public transport services arising from the commissioning of the railway

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|----------------------------------|---------------------------------------------------------|
| (LC Paper No. CB(1)227/04-05(03) | - Information paper provided by KCRC; |
| LC Paper No. CB(1)227/04-05(04) | - Information paper provided by the Administration; and |

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LC Paper No. CB(1)215/04-05 - Background brief on Ma On Shan Rail prepared by the Secretariat)

5. Mr Abraham SHEK declared interest as a Member of the Managing Board of KCRC.

6. With the aid of PowerPoint, Mr K K LEE, Senior Director, Capital Projects of KCRC (SDCP/KCRC), updated members on the progress of the Ma On Shan to Tai Wai Rail Link (MOS Rail) as set out in the information paper provided by the Corporation (LC Paper No. CB(1)227/04-05(03)).

(Post-meeting note: The presentation materials provided by KCRC was tabled at the meeting and subsequently issued to members vide LC Paper No. CB(1)291/04-05(01).)

7. The Deputy Secretary for the Environment, Transport and Works (T)2 (DS for ETW(T)2) briefly introduced the paper provided by the Administration on "Better Coordination of Public Transport Services Arising from the Commissioning of Ma On Shan Rail" (LC Paper No. CB(1)227/04-05(04)).

Operational readiness

8. Mr WONG Kwok-hing enquired about KCRC's proposed measures to ensure the smooth running of the new railway upon commissioning. Mr Jeffrey LAM suggested that the Corporation should arrange open days and trial ride to get the passengers familiarized with the new railway.

9. Mr Y T LI, Senior Director, Transport of KCRC (SDT/KCRC), advised that trial operation for MOS Rail had commenced on 28 September 2004. The average train punctuality and service delivery had maintained at levels between 99% and 100%. In the last week of the trial operations, trains would be running the full service timetable for seven days starting from 0530 in the morning and closing at around 0130 after midnight. The trial operation was expected to be completed on 25 November 2004. Trial operation would also be carried out in the evening of 21 November 2004 to test the reliability of the systems for overnight services on special festivals.

10. SDT/KCRC also stated that to date, about 185 drills and exercises including some with various government departments had been conducted to build up the capacity of staff in the handling of incidents and emergencies. Mr Samuel LAI, Acting Chief Executive Officer of KCRC (CEO/KCRC(Acting)), added that subject to the completion of all statutory acceptance procedures, the Corporation would organize charity ride for the passengers soon.

11. Mr LAU Sau-shing was concerned whether adequate facilities had been provided in MOS Rail stations to facilitate access by the disabled. CEO/KCRC(Acting) replied that MOS Rail stations were provided with the necessary facilities for access by the disabled in compliance with the relevant requirements under

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the Buildings Ordinance (Cap. 123).

12. In reply to Mr WONG Kwok-hing's question about the choice of railway alignments and the resulting problem of oscillation during train movement, SDCP/KCRC explained that the developments on both sides had prevented MOS Rail from adopting a straight alignment. Altogether, there were six locations along the alignment with sharp bends. CEO/KCRC(Acting) added that the Corporation would consider making fine-tune adjustments to the railway operational procedures to ensure passenger comfort.

Noise impact

13. Mr CHENG Kar-foo pointed out that as the local residents along MOS Rail alignment were used to a quiet neighbourhood, the noise impact arising from railway operation was especially disturbing although the level of noise might be kept within the statutory limit. As the MOS Rail project could be completed well within the original cost estimates, he strongly urged for KCRC to consider implementing additional noise mitigation measures at various locations that were most susceptible to railway operational noise, such as City One and Pok Hong Estate, so as to minimize the noise impact on local residents.

14. Mr Jeffrey LAM asked whether the Corporation would take into account the changing circumstances and local environment and consider the provision of additional noise mitigation measures for MOS Rail.

15. In response, CEO/KCRC(Acting) said that the Corporation shared members' concern about the noise impact on local residents. Highlighting the importance of compliance with the statutory noise limits, he pointed out that MOS Rail had been designed and engineered to reduce railway operational noise at source in the first place. MOS Rail had adopted the multi-plenum system which absorbed noise and minimized noise emission at source through several complementary absorption and isolation elements including the trackside rail noise absorbers, under car noise absorbing materials and parapets along the viaduct. He explained that as the Ma On Shan area was fairly developed during the planning stage of MOS Rail, the relevant planning parameters for noise mitigation were still largely valid.

16. CEO/KCRC(Acting) further said that since July 2004, KCRC had spent an additional \$100 million on further noise mitigation measures. The Corporation's objective was to keep railway operational noise levels under the statutory requirements by a certain margin. He pledged that KCRC would consider the possibility of installing further noise reduction measures along critical locations in the coming months.

17. Notwithstanding KCRC's assertion that railway operational noise levels had been kept within the statutory limits, Mr LEE Wing-tat highlighted the disturbance and health concerns caused by sudden loud noise of passing trains at late night on the nearby residents, and sought the expert view of the Environmental Protection

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Department (EPD) on the impact of such passing-by railway noise on the sleep of the nearby residents. For the interest of nearby residents who were subject to such continuous disturbance, he stressed that even a small improvement of 1 to 2 dB(A) was worth pursuing, and called on KCRC, as a good corporate citizen, to consider installing additional noise barriers along various critical locations.

18. In response to Mr LEE Wing-tat's question about measurement units and maximum noise levels, the Principal Environmental Protection Officer (Assessment and Audit) of EPD (PEPO(AA), EPD) advised that all relevant noise measurements were carried out for the purpose of checking compliance with the statutory requirement and were expressed in "Leq(A)(30-min)"s. As far as he could remember, a single noise measurement taken during the passing of a train could reach 70 dB(A). To give members a feel of the levels, the maximum noise level at kurb-side along Nathan Road could reach 80 dB(A) while that of a casual conversation would be about 60 dB(A). While stressing the effect of noise varied from person to person, he replied that to awaken a person from sleep, the minimum noise level would be 60 to 70 dB(A) at the person's location.

19. In this regard, CEO/KCRC(Acting) said that the Corporation was also concerned about how railway operational noise was perceived by the nearby residents. He had personally conducted site visits during late night and early morning to inspect the noise level, and found that the noise of passing trains would only be readily discernible if he was undistracted. Sometimes, it was also difficult to distinguish between railway noise and other traffic noise.

20. Regarding the project cost of MOS Rail, CEO/KCRC(Acting) advised that as there were still outstanding sums to be negotiated with the contractors, he could not give an exact figure at this stage. As a rough estimate, the construction cost of MOS Rail would be around \$10 billion.

21. Mr CHENG Kar-foo nonetheless considered that as the cost of MOS Rail had come well under the original estimate, the Corporation should use the remaining funds to provide additional noise mitigation measures at various hard-hit locations. He urged the Administration to ensure that the public funds involved would be put to good use as he suggested.

22. DS for ETW(T)2 responded that the Administration would ensure KCRC's compliance with the statutory noise level requirements before MOS Rail would be allowed to commence operation. PEO(AA), EPD added that EPD had all along been concerned about the noise impact of MOS Rail. Joint measurements of noise level had been conducted with KCRC in September and October 2004 to monitor the railway operational noise levels. Another joint measurement would be held during MOS Rail's overnight trial operation to ensure compliance with the statutory limits.

23. In this connection, Mr LAU Kong-wah said that EPD and KCRC should choose other locations in Pok Hong Estate which were closer to the railway alignment for taking the noise measurements so as to give a more accurate picture of the noise

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disturbance felt by the nearby residents. In order to minimize disturbance on the nearby residents, Mr CHENG Kar-foo requested KCRC to defer the overnight trial operation until the commissioning of MOS Rail when the residents might become more used to the railway operational noise.

24. While taking note of the members' views, SDT/KCRC explained that the overnight trial operation was necessary to ensure the readiness of MOS Rail to provide overnight services to the passengers. The Corporation's aim was to complete all relevant testing before MOS Rail commenced passenger operation.

25. Mr LAU Kong-wah recalled that during the Transport Panel's visit to MOS Rail the day before, the Corporation had advised that the railway operational noise level at some locations was as high as 57 dB(A). He thus asked whether the Corporation had failed to honour its undertaking given at the relevant Finance Committee meeting in 2000 when funding approval for the MOS Rail project was sought that the residents along the MOS Rail alignment would not be exposed to noise levels exceeding 55 dB(A).

26. In reply, CEO/KCRC(Acting) stressed that the Corporation had not breached its undertaking which was given on the basis of the relevant statutory noise limits applicable. Referring members to the supplementary information note on "Ma On Shan Rail Noise Mitigation Measures" tabled at the meeting, he pointed out that the noise level of 55 dB(A) was applicable to most of the areas along the MOS Rail alignment while at some locations with a higher background noise, the statutory noise limit was 60 dB(A). The noise measurements set out in the information note were jointly taken by KCRC and EPD at six representative worst-case Noise Sensitive Receivers during trial operation. They had confirmed that the relevant statutory limits had been adhered to.

(Post-meeting note: The supplementary information note was subsequently issued to members vide LC Paper No. CB(1)291/04-05(02).)

27. CEO/KCRC(Acting) further said that in addition to the joint measurements taken with EPD, the Corporation had also monitored the noise levels of running trains on its own. According to KCRC's noise measurements, there was only one location along the MOS Rail alignment where the noise level reached 57dB(A). But for that location, the statutory noise limit was 60 dB(A).

28. Mr LAU Kong-wah nonetheless remained unconvinced by KCRC's explanation, and maintained his view that the Corporation had failed to fulfill its undertaking that the noise level along MOS Rail alignment would be kept under 55 dB(A). He also called on KCRC to consider installing noise barriers in front of Saddle Rich Garden as the opposite Villa Athena had been provided with noise barriers.

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Motion

29. Mr CHENG Kar-foo maintained his view that KCRC should use the remaining funds in the project cost to install additional noise barriers along critical locations. He put forward the following motion, which was seconded by Mr LEE Wing-tat, for the Subcommittee's consideration:

"本小組委員會強烈要求於馬鞍山鐵路(下稱"馬鐵")沿線超過 55 分貝的位置加設隔音屏障，以減低市民受馬鐵噪音的影響。"

"That this Subcommittee strongly urged the Administration and Kowloon-Canton Railway Corporation (KCRC) to install noise barriers at various locations along the Ma On Shan Rail (MOSR) alignment which would be exposed to a noise level exceeding 55 dB(A) as a result of the railway's operation in order to alleviate the noise nuisance caused by MOSR to the nearby residents."
(Translation)

30. The Subcommittee agreed to proceed with the motion.

31. On behalf of members belonging to the Liberal Party (LP), Mrs Selina CHOW said that LP was extremely concerned about the noise disturbance caused by railway operation on the nearby residents. However, she pointed out that at present, the standards and requirements which the Corporation must comply had already been clearly stipulated in law. It was not appropriate to move the goal post and require the Corporation to meet more stringent noise requirements arbitrarily as the provision of more mitigation measures would invariably involve additional costs which could translate into pressure on fare levels. Given the public interest at stake, the matter merited careful consideration. Hence, members of LP would abstain from voting.

32. Mr TAM Yiu-chung expressed support for the motion, and called on KCRC to implement additional noise mitigation measures to alleviate the impact of noise on the affected residents.

33. On behalf of members of the Alliance, Ir Dr Raymond HO expressed support for the motion.

34. While expressing support for the motion, Mr LAU Kong-wah said that in addition to noise barriers, KCRC should also consider other noise mitigation measures so as to minimize the noise impact on the nearby residents at critical locations including those with a noise level under 55 dB(A). He thus proposed to amend Mr CHENG Kar-foo's motion as follows:

"本小組委員會強烈要求於馬鞍山鐵路(下稱"馬鐵")沿線超過 55 分貝的位置加設有效的隔音設施，以減低市民受馬鐵噪音"

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的影響；並在有嚴重影響居民的地方，縱使不超過 55 分貝水平，亦可積極考慮再加強消滅噪音的設備。"

"That this Subcommittee strongly urged the Administration and Kowloon-Canton Railway Corporation (KCRC) to implement effective mitigation measures at various locations along the Ma On Shan Rail (MOSR) alignment which would be exposed to a noise level exceeding 55 dB(A) as a result of the railway's operation in order to alleviate the noise nuisance caused by MOSR to the nearby residents. For those locations where the nearby residents would suffer from serious noise impact from MOSR but with a noise level under 55 dB(A), the Administration and KCRC should nonetheless actively consider the implementation of further mitigation measures to minimize the noise impact." (Translation)

35. Mr CHENG Kar-foo supported the amendments proposed by Mr LAU Kong-wah.

36. The motion as amended was put to vote and carried.

37. As an initial response, CEO/KCRC(Acting) stressed that the Corporation had been making efforts to minimize the noise impact of the affected residents. As a result, the existing noise levels were in full compliance with the statutory limits. Subject to technical feasibility and resource implications, the Corporation would examine whether further measures could be implemented taking into account the views and concerns expressed by members. Nonetheless, he pointed out that the provision of additional noise mitigation measures above the statutory requirements would require careful consideration as it would affect the Corporation's future planning of new railway projects. At members' request, KCRC would provide a written response to the motion before the commissioning of MOS Rail.

KCRC

Public transport plan (PT Plan)

38. Mr CHENG Kar-foo reiterated his concern that when implementing the proposed PT Plan, it would be most important to ensure commuters' choice so that local residents along MOS Rail alignment should not be forced to use MOS Rail for external transport. In this connection, he remarked that MOS Rail fare from Wu Kai Sha to Tai Wai should be less than \$10 so as to stay competitive with other public transport modes. Nonetheless, he welcomed the Administration's decision to maintaining the service of cross harbour bus route Nos. 680 and 681.

39. Mr WONG Kwok-hing also stressed that railway and other public transport modes should be allowed to co-exist so as to ensure commuters' choice. He enquired about the views of the local community on the proposed cancellation of five bus routes for internal and external travel to urban Kowloon, as well as the proposed relocation of

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the terminus of bus route No. 680 from Central to Admiralty.

40. Mr LAU Kong-wah relayed the concern of local residents about the curtailed level of public transport services after the commissioning of MOS Rail, and considered that a longer observation period, say two to three months, was required before Phase 2 of the PT Plan be put into implementation. In particular, he asked whether a final decision on the proposed cancellation of the five bus routes would be made later, say eight weeks after the opening of MOS Rail.

41. DS for ETW(T)2 responded that railways were environmentally friendly and efficient mass carrier. The commissioning of new railway would increase the transport capacity. The objective of the PT Plan was to provide a coordinated public transport system to serve passengers following the addition of transport capacity provided by the new railway. The Administration would strive to maintain healthy competition among service providers to ensure commuters' choice. Addressing members' concern, she said that the PT Plan would be implemented in a progressive manner, with due regard to the changes in passengers' travel pattern and demand, so as to avoid a mismatch between the demand for and supply of services. Having regard to the actual circumstances on the ground, refinements might be made to the PT Plan and/or its implementation programme in consultation with the concerned parties including the local community.

42. Regarding local consultation for and implementation of the PT Plan, the Assistant Commissioner for Transport/New Territories (AC for T/NT) advised that when consulted on the latest PT Plan on 30 September 2004, Members of the Shatin District Council (STDC) considered that the latest PT Plan was generally acceptable except for the proposal to relocate the terminus of bus Route No. 680 from Central to Admiralty. STDC Members had requested the Transport Department (TD) to conduct review on the proposal and revert to STDC before a final decision was made. In response, TD had agreed to further consult STDC on the proposed way forward regarding the proposal during Phase 3 of the PT Plan, i.e. two months after the commissioning of MOSR.

43. As regards the five routes proposed to be discontinued, AC for T/NT said that these were mainly routes with low patronage and routes with adequate alternatives or serving a catchment which was similar to that of MOS Rail. Noting that such changes would be introduced progressively, the local community had in principle agreed to their implementation.

44. Responding to Mr LAU Kong-wah's suggestion on extending the observation period, AC for T/NT said that during the first two weeks of Phase I, there would be virtually no change in transport services except for fine-tuning of feeder services based on demand. From the third week onwards, frequency adjustments on bus routes affected by MOS Rail would take place in a progressive manner. Phase 2 would start from the end of the four weeks after the commissioning of MOS Rail. Major route changes agreed during the consultation would then be implemented. He stressed that throughout the process, TD would closely monitor the changes in passenger demand

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and make adjustments to the proposed changes as and when necessary in consultation with local community. TD would also consider maintaining the existing service levels if passenger demand remained unchanged after the commissioning of MOS Rail.

45. AC for T/NT added that TD would work with the public transport operators and the DCs concerned in organizing a publicity campaign on the public transport service changes before the commissioning of MOS Rail. During the first few days of MOS Rail commissioning, TD would activate the Emergency Transport Coordination Centre to coordinate transport arrangements as appropriate. Observation teams would be deployed on site to monitor the traffic and transport situation, including changes in passenger demand, to enable a prompt response to any problem that might arise.

Impact on other public transport services

46. Ms LI Fung-ying expressed grave concern about the adverse impact caused by the opening of MOS Rail on the employment situation of other public transport services. In this respect, she asked whether the Environment, Transport and Works Bureau (ETWB) had assessed the situation, and enquired about the measures to be taken by the Administration to minimize such adverse impact.

47. DS for ETW(T)2 responded that the Administration was aware that the operation of a new railway would invariably impact on the provision of services by other transport trades. Hence, TD had all along maintained dialogue with the relevant trades to ensure that the proposed changes under the PT Plan would be co-ordinated. She stressed that the service changes under the proposed PT Plan had been agreed to by the parties concerned. Whilst it was necessary to rationalize the existing public transport services to avoid wasteful competition, new business opportunity had also been identified, say in the provision of new feeder connections by the green minibus (GMB) and taxi trades.

48. AC for T/NT supplemented that TD had been maintaining contact with the relevant trades including the franchised bus, GMB and taxi trades, and had kept them informed of the proposed changes under the PT Plan. Accordingly, the operators had been making preparations to implement the agreed service changes. He also said that as far as TD had gathered, neither the GMB operators nor the franchised bus companies had any plans to lay off any staff as a result of the impending commissioning of MOS Rail.

V Progress report on Kowloon Southern Link

- (LC Paper No. CB(1)248/04-05(01) - Submission from Wharf Estates Development Limited;
- LC Paper No. CB(1)227/04-05(05) - Information paper provided by the Administration; and

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LC Paper No. CB(1)216/04-05 - Background brief on Kowloon Southern Link prepared by the Secretariat)

49. The Chairman invited members to note the joint submission from the Chairmen and Deputy Chairmen of 12 District Councils calling on the Administration and KCRC to undertake advance works for the construction of a Canton Road (CAR) Station under the Kowloon Southern Link (KSL) project in future.

(Post-meeting note: The joint submission was tabled at the meeting and subsequently issued to members vide LC Paper No. CB(1)291/04-05(03).)

Provision of CAR

50. The Deputy Secretary for Environment, Transport and Works (T)1 (DS for ETW(T)1) presented the information paper provided by the Administration (LC Paper No. CB(1)277/04-05(05)) on the progress of KSL. On the provision of a CAR under the project, he said that KCRC would continue discussion with Wharf Estates Development Limited (Wharf) on the provision of a CAR Station upon the future redevelopment of Wharf's property on Canton Road. In order to gazette the changes so arising from the future provision of CAR Station together with other proposed changes to address the objections received, and to avoid unduly delaying the KSL project, a deadline of the end of November 2004 had been set for KCRC and Wharf to reach agreement or otherwise. The Administration's plan was to issue the gazette early next month.

51. CEO/KCRC(Acting) said that after detailed study, it was agreed by the Government, Wharf and KCRC that the Basement Scheme would incur unacceptably great risks. Because of that, the joint efforts were then directed to exploring the Redevelopment Scheme. As there was at present no established time-table for Wharf's redevelopment programme, minimum enabling works and future station requirements to be implemented as part of the KSL works had been developed and agreed, and associated cost estimates established. It was intended that once the commercial arrangement had been agreed between KCRC and Wharf, these works would be included in the amendments of the KSL scheme to be gazetted in early December 2004. To preserve the provision of a future CAR station, the enabling works would have to be implemented as part of the KSL Project.

52. CEO/KCRC(Acting) further said that as Wharf was unable to commit to any timetable for redevelopment of Harbour City and construction of the CAR Station, KCRC had subsequently advised Wharf that, due to uncertainty of the redevelopment scheme of Wharf, any expenditure in the enabling works would require firm commitment and undertaking from Wharf. If such commitment would not be forthcoming, the Corporation would ask Wharf to fund the enabling works subject to a refunding mechanism to be worked out with Wharf. He stressed that while the Corporation was committed to providing convenient railway services to the passengers, it was also important to ensure the prudent use of public resources.

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53. Mr Frankie YICK, Chief Manager – External Relations of Wharf, drew members to the paper provided by Wharf on the matter (LC Paper No. CB(1)248/04-05(01)). He said Wharf had already conveyed to KCRC earlier in November that after extensive studies on an alternative redevelopment plan that could facilitate an earlier timeline for the construction of CAR Station, Wharf was now in a better position to commit a definitive redevelopment timeline, subject to approval by all relevant government departments on the redevelopment building plans that was not entirely under the company's control. On the reimbursement issue, Wharf was prepared to give a firm undertaking to reimburse KCRC only a portion of the enabling works cost should Wharf not make available the required site for the station within an agreeable timeframe (due to factors outside Wharf's control).

54. Mr LAU Kong-wah reiterated his view that the provision of CAR Station represented a win-win-win situation for the travelling public, KCRC and Wharf. Stressing the urgent need for the parties concerned to reach an agreement before the gazettal of the KSL railway scheme, he asked whether the reimbursement issue was the major obstacle that prevented both sides from reaching an agreement. In that case, he enquired about the estimated cost of the enabling works, and sought Wharf's stance on giving a firm commitment to reimburse the enabling works if the required site was not made available as both sides had agreed.

55. CEO/KCRC(Acting) advised that as a very preliminary estimate, the enabling works would cost about \$600 million.

56. Mr Frankie YICK responded that Wharf's stance on the reimbursement issue had been clearly conveyed to members under paragraphs (4) and (5) in LC Paper No. CB(1)248/04-05(01). He was not in a position to give any further comments as there were on-going negotiations involving sensitive commercial information.

57. Mr CHENG Kar-foo stressed that the early provision of CAR Station was in line with public interest. In this connection, the Administration should ensure that the matter was taken forward by all parties concerned with reasonable progress. The Administration should also consider setting up a cross-departmental working group to examine Wharf's redevelopment plan. Similar views were expressed by Mr Jeffrey LAM and Mr LAU Kong-wah.

58. DS for ETW(T)1 responded that the Environment, Transport and Works Bureau was responsible for the smooth implementation of the KSL project. As regards Wharf's redevelopment, there were established procedures for the vetting and approval of redevelopment applications that the departments concerned would have to follow. Nonetheless, he undertook that ETWB would provide the necessary assistance to facilitate the process.

Implementation timetable

59. Ir Dr Raymond HO considered it undesirable if CAR Station was not provided under the KSL project. Hence, he supported the request from the District Councils

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that enabling works should be undertaken to prepare for the provision of the station in future. Ir Dr HO also asked whether the on-going discussions would impact adversely on the implementation timetable of the project.

60. In reply, DS for ETW(T)1 said that the discussions between KCRC and Wharf would have to be completed by the November 2004 deadline. According to the present plan, works for the KSL project would commence in mid-2005 for completion in 2009. SDCP/KCRC supplemented that the requirements for the enabling works had already been incorporated into the tender documents as an option which could be exercised when needed.

Tunnelling works along Salisbury Road

61. DS for ETW(T)1 advised that as regards the methods of constructing the railway tunnels along Salisbury Road, the Administration had engaged the City University of Hong Kong to undertake an independent study to see if the bored tunnel option could be adopted. The study would be completed by end-2004. This would not affect the gazetting of the amendments to the KSL scheme early next month.

Admin 62. Summing up the discussion, the Chairman invited the parties concerned to note members' view about the need to facilitate the early provision of CAR Station under the KSL project. The Administration was requested to report on the outcome of the negotiations between KCRC and Wharf after the November 2004 deadline.

VI Any other business

63. There being no other business, the meeting ended at 12:35 pm.