

LEGISLATIVE COUNCIL BRIEF

Railways Ordinance
(Chapter 519)

MASS TRANSIT RAILWAY WEST ISLAND LINE

AUTHORIZATION OF SCHEME FOLLOWING RECEIPT OF OBJECTIONS

INTRODUCTION

At the meeting of the Executive Council on 10 March 2009, the Executive Council ADVISED and the Chief Executive ORDERED that, under section 11(4) of the Railways Ordinance, the West Island Line (WIL) scheme as described in the scheme and the amendments and corrections to the scheme (the Scheme) at **Annex A**, with the proposed changes as described at paragraphs 60 and 61 below and shown on the plans at **Annex B**, should be authorized.

A

B

BACKGROUND

2. On 28 June 2005, the Executive Council decided that the MTR Corporation Limited (MTRCL) should be invited to proceed with preliminary planning and design of the WIL. The MTRCL subsequently submitted a Revised Project Proposal of the WIL to the Administration in August 2006. On 23 October 2007, the Executive Council decided that the MTRCL should be asked to proceed with further planning and detailed design of the proposed WIL project. We briefed the Legislative Council Panel on Transport's Subcommittee on Matters Relating to Railways (the Railways Subcommittee) on 9 November 2007.

The Scheme

3. The WIL is an extension of the existing MTR Island Line, from Sheung Wan Station to Kennedy Town with two intermediate stations at Sai Ying Pun and near the University of Hong Kong (HKU). The scheme covers a railway system of approximately 3 km long comprising -

- (a) underground railway stations and facilities at Sai Ying Pun, near the HKU and at Kennedy Town, together with the associated station entrances;
- (b) an approximately 2.1 km long underground railway tunnel and 0.7 km long underground overrun / refuge tunnel;

- (c) construction of rail track formation works, earthworks, civil and structural works, electrical and mechanical works, and facilities including trackwork, train control and communication facilities, ventilation shafts and electrical and mechanical plants;
- (d) re-construction, modification and re-alignment of existing roads, preventive or remedial works including underpinning the foundations of existing buildings and ground treatment, and ancillary works including associated drainage works, slope works, landscaping works and re-provisioning of existing services and facilities;
- (e) construction of a temporary underground magazine between Mount Davis Path and Victoria Road; and
- (f) essential public infrastructure works, including construction of a pedestrian link at Sands Street, a footbridge across Pok Fu Lam Road connecting the proposed campus expansion of the HKU to a station entrance and a public transport interchange at Kennedy Town Station.

4. The WIL will provide a fast, convenient and reliable means of public transport between Sheung Wan and Kennedy Town. It will also provide convenient pedestrian passages between the Mid-levels and the waterfront at Des Voeux Road West through the unpaid zones within the station premises. The construction of the WIL is expected to start in mid-2009 for completion by 2014.

Land Requirements

5. The scheme covers a total area of about 330,000 m², comprising 90,000 m² of private land and 240,000 m² of government land.

6. The scheme affects 627 private lots. Two private composite buildings around Sai Woo Lane adjoining Queen's Road West, namely Nos. 2 & 4 Tsz Mi Alley and Nos. 203 – 209 Queen's Road West, and also a stratum of land (from +35 metre above Principal Datum (mP.D.) to -50 mP.D.) comprising the Centre Street Market West Block (CSMWB) which is a separate 3-storey building within Inland Lot No. 8479 (Western Garden) are required to be resumed under the Ordinance for the construction of station entrances at Sai Ying Pun. In addition, underground strata of 551 private lots are required to be resumed for the construction of the railway tunnels. Rights of temporary occupation of private land affecting 208 lots are required to be created for carrying out ground treatment works as well as road traffic and utility diversion.

The Railways Ordinance

7. Under the Railways Ordinance, a railway scheme has to be prepared and published in the Gazette. Any person may object to the scheme by writing to the Secretary for Transport and Housing (the Secretary) within 60 days after its first publication in the Gazette. Section 11(2) of the Ordinance provides that the Secretary shall submit the scheme and all unwithdrawn objections to the Chief Executive in Council for consideration not later than nine months after the expiry of the 60-day objection period or, where the scheme is amended, three months after the expiry of the statutory period of lodging objections to the amendments, unless the Chief Executive allows an extension.

8. The original scheme was gazetted on 26 October 2007. To accommodate the detailed design development and address some of the concerns expressed in the objections received, amendments to the WIL scheme were gazetted on 12 September 2008.

9. The amendments mainly include changes to the scheme boundary to –

- (a) reduce the extent of land and stratum resumption in Western Garden;
- (b) replace the proposed land resumption of portions of The Remaining Portion of Inland Lot No. 8482 (The University of Hong Kong) in the original scheme by the creation of easements and/or other permanent rights;
- (c) add temporary underground construction access;
- (d) change the temporary works sites and works areas; and
- (e) revise the layout of Sai Ying Pun Station and station entrances near the HKU.

10. To make clear that the existing piles and foundations of most of the buildings covered by the scheme will be excluded from the underground strata resumption required for the construction of the railway, corrections to the scheme were gazetted on 9 January 2009.

The Objections

11. A total of 27 objections, including 23 objections to the original scheme and four objections to the amendments of the scheme were received. One of the objections to the original scheme was a group objection case (comprising 117 sub-cases). Two objections against the original scheme and 46 sub-cases in the group objection case were

subsequently withdrawn unconditionally, leaving 25 unwithdrawn objections, including the group objection.

12. The objections relate mainly to one or more of the following issues –

General and Planning Issues

(a) general planning and design of the railway;

(b) public consultation;

(c) funding arrangement for the project;

Engineering and Environmental Issues

(d) excavation works and impact on building integrity;

(e) environmental impact arising from the construction works;

(f) heritage conservation;

(g) temporary magazine site;

Traffic Issues

(h) traffic impact due to the railway;

Land Issues

(i) resumption of land and/or underground strata of land;

(j) impact on redevelopment and future land use in the Western District;

(k) temporary occupation of land;

Railway Scheme

(l) alternative or additional station and entrance locations;

(m) proposed locations for ventilation buildings/shafts of the stations;

Other Issues

(n) such as impact on public open space, loss of business, public transport interchange at Kennedy Town Station, early completion of the pedestrian link at Sands Street and demolition of public toilets.

13. Following the receipt of objections, the Administration and the MTRCL have carefully reviewed whether any changes to the scheme could be made to accommodate the objections.

Criteria for Addressing Objections by Amendments

14. As a general rule, where an objection is considered valid, every effort will be made to ameliorate or avoid the effects of the scheme by amendments to the scheme, having regard to the following factors –

- (a) the objector's concerns are substantiated by justifiable reasons, facts and submissions;
- (b) the objector's concerns if considered to be reasonable can be addressed from technical angle or other pertinent aspects, without compromising public safety including safety of the construction and operation of the railway system;
- (c) the amendments to address the objector's concerns would not result in additional costs of disproportionate degree or cause undue delay to the WIL project; and
- (d) the amendments to address the objector's concerns would not unduly generate further objections or, on the whole, would not cause greater disturbance and inconvenience to the local community.

Assessment of Objections

(A) General Planning and Design of the Railway

15. Six objectors have raised concern about the general planning and design of the WIL. During the development of the railway scheme, the Administration and the MTRCL have proactively engaged the community in formulating the scheme during the past three years of planning of the WIL project. The Central and Western District Council (C&WDC) and the local community have been extensively consulted on the scheme. The gazetted scheme has, as far as practicable, taken into account the views from the public.

16. The Administration has also explained to the objectors that the alignment of the WIL adopted in the scheme can serve a much bigger catchment area and avoid extensive open excavations and road closures when compared to the original alignment of the WIL proposed about 20 years ago. Apart from that, the alignment of the tunnels is constrained by the availability of space, proximity to population centres, public views and the engineering feasibility including soil conditions, access for construction etc. as well as the requirements for track gradients and curvatures. There is limited scope for changing the currently proposed alignment.

(B) Public Consultation

17. Four objectors have raised concern over the extent of public consultation. In fact, the Administration and the MTRCL have proactively engaged the community extensively in formulating the scheme during the past three years of planning of the WIL project. The C&WDC and the local community have been widely consulted. The Administration has also attended a series of public fora organized by the C&WDC and local groups. The scheme has, as far as practicable, taken into account public views.

18. The Administration will continue to engage the local community, the C&WDC and other stakeholders both prior to and during the construction stage, in particular in relation to the interface issues, protective measures and road diversion schemes, etc.

(C) Funding Arrangement for the Project

19. One objector has raised concerns that the Government has to provide funding support to MTRCL for the WIL. The Administration has explained to the objector that it is the Government's policy to have railways as the backbone of our transport system. The WIL project will bring significant transport and economic benefits and is supported by the local community. The WIL project is capital intensive, and is not financially viable to the MTRCL. The Government will provide funding support in the form of a capital grant to the MTRCL which will require approval of the Finance Committee of the LegCo.

(D) Excavation Works and Impact on Building Integrity

20. Seven objections, one of which is the group objection case, are concerned about excavation works of the WIL underneath or adjacent to their buildings, in particular the use of drill-and-blast method. They are concerned that the works will involve high level of disturbance and will affect the structural integrity of their buildings.

21. Subject to proper design, control and supervision, blasting is safe and effective. It is commonly used for tunnelling in rock. We have explained that given the WIL will be constructed within a densely built-up area, it is unavoidable that part of the tunnels will have to go underneath some of the buildings. The tunnels will be designed in such a way that there is no adverse impact to the buildings above. It is considered unlikely that there would be undue structural effects on the buildings above the tunnels.

22. The design and construction of the WIL will be supervised by the MTRCL and subject to compliance with the Buildings Ordinance (BO) and allied regulations. The MTRCL has employed competent persons to carry out detailed design and assess the effect of the proposed tunnel boring or excavation works on the adjacent building and propose monitoring and mitigation measures. The MTRCL will submit plans to the Buildings

Department (BD) for vetting, prior to the commencement of the construction works. The BD will circulate the plans to Geotechnical Engineering Office (GEO) and Mines Division of the Civil Engineering and Development Department (CEDD) as appropriate for vetting of the geotechnical and blasting aspects.

23. The MTRCL's contractors will have to obtain a blasting permit in accordance with the Dangerous Goods Ordinance (Cap 295), prior to the commencement of any blasting work. The contractors are required to submit a Blasting Assessment Report to the Mines Division for approval. The assessment will include the noise and vibration generated from blasting and their effect on the adjacent buildings. The quantity of explosives for each blast will be subject to stringent control so that the blasting will not affect the safety of adjacent structures or cause undue nuisance to the public. During the construction stage, the MTRCL will supervise the blasting work and monitor the vibrations and noise regularly to ensure that they are within the specified limits. The BD and the GEO of the CEDD will carry out site audit to check compliance.

(E) Environmental Impact Arising from the Construction Works

24. Five objectors have raised concerns over the environmental impact (including noise, air, visual and landscape) resulting from the construction works of the WIL. We have explained that most of the WIL construction works will be carried out underground. The WIL is a Designated Project under the Environmental Impact Assessment (EIA) Ordinance. In accordance with the Ordinance, the MTRCL has completed an EIA study to identify the environmental impact, including air quality, noise, water quality, waste management, landscape and visual impact that may be caused by the construction and operation of the WIL.

25. Having approved the EIA study report, the Director of Environmental Protection issued an Environmental Permit (EP) with conditions to the MTRCL for the WIL on 12 January 2009. The MTRCL will be required to ensure that the construction and operation of the WIL will comply with the conditions in the EP, the EIAO and other relevant statutory requirements and standards.

(F) Heritage Conservation

26. Five objectors have raised concerns over the heritage impact of the WIL. The MTRCL's EIA study has indicated that the construction of the WIL will pose limited indirect impact on the existing cultural heritage resources in the Western District with the implementation of the recommended mitigation measures.

27. The ex-Upper Level Police Station at High Street, a Grade III structure, will be refurbished to accommodate the service of the David Trench Rehabilitation Centre, which needs to be demolished to make way

for a station entrance at Bonham Road. A heritage impact assessment has been conducted and the significant character-defining features of the ex-Upper Level Police Station will be preserved.

(G) Temporary Magazine Site

28. Two objectors are concerned about the proposed temporary magazine site at Victoria Road. The Administration has explained that the temporary magazine would be situated deep into solid rock to minimize the risk to any surface level buildings in the vicinity of the magazine. The design, construction and operation of the magazine would comply with the terms and conditions stipulated by the relevant government departments. Stringent risk control and safety measures would be established in accordance with the Dangerous Goods Ordinance (Cap.295) on the usage, delivery and storage of explosives. The Quantitative Risk Assessment conducted by the MTRCL indicated that the risk of the storage and transport of explosives would be acceptable in accordance with the Hong Kong Government Risk Guidelines.

29. The Administration has also explained that the MTRCL has conducted a thorough site search exercise, and in consultation with the Mines Division, the proposed site at Victoria Road was found to be the most suitable site. The C&WDC has considered the proposal acceptable provided that safety measures would be properly implemented. Regarding the traffic impact, it would have minimal effect on the existing traffic flow as the explosives will mainly be transported from the proposed magazine to the construction sites at early mornings and in the afternoons.

(H) Traffic Impact due to the Railway

30. Four objectors have raised concern over the traffic impact during the construction of the WIL. We have explained that to minimize such impact, the MTRCL will adopt the “bored/mined tunnelling” method which will be carried out underground. Most of the tunnel spoils will be mucked out via dedicated tunnels and construction access shafts and transported by barges for off-site disposal. This will minimize the need for transporting these materials on roads. Besides, site liaison groups with members from relevant government departments will be set up during the construction to examine the temporary traffic management schemes submitted by the MTRCL’s contractors.

31. Four objectors have raised concerns over the changes in the demand for different public transport modes in the Western District upon the commissioning of the WIL. We have explained that similar to other railway projects, the Government would introduce reorganization of public transport services within the railway catchment area.

32. Two objectors consider that the closure of the staircase adjacent to Western Garden between First Street and Second Street near Sai Ying

Pun Station will cause inconvenience to them. We have explained that the MTRCL will maintain temporary access for the public throughout the construction period.

33. One objector has raised concern over the maintenance of the principal vehicular access to his premise. The MTRCL has undertaken to maintain such access throughout the construction period.

(I) Resumption of Land and/or Underground Strata of Land

34. Nine objectors have raised concerns over the resumption of land and underground strata for the scheme.

35. Since the Western District is highly developed, the majority portion of the WIL tunnels, stations and adits will be located deep underground to avoid conflict with ground level features as far as possible. Notwithstanding extensive efforts in considering different engineering schemes and in keeping the private land to be affected to the absolute minimum, resumption of land and/or underground strata are unavoidable. For lots affected by land and underground strata resumption, any persons having a compensatable interest can submit a claim under the Ordinance.

36. To minimize resumption of private buildings, various government land and buildings, parks and sitting out areas have been identified to provide the required land for those ground level structures such as station entrances and ventilation shafts. The affected government buildings, such as David Trench Rehabilitation Centre will be reprovisioned as described in paragraph 27 and the existing Kennedy Town Swimming Pool will be reprovisioned to a site at Shing Sai Road.

(J) Impact on Redevelopment and Future Land Use in the Western District

37. Five objectors have raised concern over the future development of the Western District and some specific sites in Kennedy Town. In view of the public aspirations for a better living environment, Planning Department is reviewing all statutory outline zoning plans (OZPs) progressively and the Kennedy Town & Mount Davis OZP and the Sai Ying Pun & Sheung Wan OZP are among them. In reviewing the OZPs, consideration will be given to impose appropriate restrictions on building height and development intensity for development/redevelopment in the district where justified. The recommendations of the review will be submitted to the Town Planning Board (TPB) and upon the TPB's agreement, amendments to the OZPs will be exhibited for public inspection. The public may make representations on the amendments to the TPB.

38. Two objectors have raised concerns over the reprovisioning for the switch room of an estate. The MTRCL has worked out a solution for temporary and permanent reprovisioning.

39. One objector has raised concerns over the possible jeopardizing of the right of redevelopment of their building under the OZP. The MTRCL explained that the WIL tunnels running underneath their building will be located deep below the rock head and also far below the building foundations, its effect on the foundation of the future development would be minimal. The Administration also explained that the proposed resumption of underground stratum will not affect the permissible gross floor area of their lot. The Administration has also informed the objectors that any person who has a compensatable interest in the land resumed is entitled to claim compensation under the Ordinance.

(K) Temporary Occupation of Land

40. Four objectors have raised objection to the temporary occupation of land within or in close vicinity to their lots. The Administration has explained that the land is temporarily required for the construction of railway facilities. Under the Ordinance, any person who has a compensatable interest in the land which has suffered disturbance due to creation of a right of temporary occupation of land is entitled to claim compensation from the Government.

(L) Alternative or Addition of Station and Entrance Locations

41. Seven objectors have proposed alternative or addition of station and entrance locations. In response, the MTRCL has studied the proposals and concluded that the suggested locations are not feasible due to various reasons. We have explained to the objectors that the WIL scheme is the outcome of sound engineering work and years of extensive public consultation. All entrance locations are chosen based on the public needs and the principle that resumption of private land should be avoided as far as possible.

(M) Proposed Locations for Ventilation Building/Shafts

General

42. 14 objectors have raised concerns about the location of the ventilation structures at Kennedy Town Station, HKU Station and Sai Ying Pun Station, and the environmental impact (including air, noise and visual) associated with the ventilation structures. Some of them expressed concerns that the structures will reduce the public area for residents' activities. Some of them have requested the MTRCL to relocate the structures away from them and proposed alternative locations for the MTRCL's consideration.

43. We have explained that ventilation structures are integral parts of an underground railway providing the necessary air exchange for the stations and tunnels. The WIL is an electrified railway and hence there will not be toxic gas emitted from the shafts. Furthermore, the tracks and the tunnels will be cleaned regularly. Similar to other existing electrified railways in Hong Kong with substantial underground sections, the air quality impact due to the operation of the WIL, including the air quality impact from ventilation shafts, would be insignificant. All carbon dioxide exhaled by the passengers and staff is sufficiently diluted by the fresh air intake and exchange with the outside air through the ventilation shafts. The air quality inside the railway facilities is in full compliance with Level 1 standard, the highest standard in the guideline “Practice Note for Managing Air Quality in Air-conditioned Public Transport Facilities – Railways” issued by the Environmental Protection Department.

44. The MTRCL will monitor the noise level of the ventilation shafts during the operation stage to ensure no exceedance of the requirement under the Noise Control Ordinance. The WIL stations and ventilation fans will be located deep underground with substantial distance from the openings at street level. Given that the speed of air flow will not be high and suitable noise absorbing materials will be installed, noise impact will be minimized and will be in compliance with the EIAO.

45. As mentioned in paragraphs 24 and 25 above, the Director of Environmental Protection has approved the EIA study report on the WIL.

46. As regards aesthetics impact, the MTRCL will also pay particular attention to the architectural design of the ventilation structures so that any visual impact will be minimized.

Ventilation Shaft at Hill Road

47. Four objectors have requested the MTRCL to relocate the ventilation shaft at Hill Road and proposed alternative locations at the slope or space near the Haking Wong Building of the HKU, the waterfront near Des Voeux Road West or Shing Sai Road, the Hill Road Garden, area adjacent to Yam Pak Building at Pok Fu Lam Road, etc.

48. The location of the ventilation shaft is constrained by the design and alignment of the railway. As the Western District is a densely populated area, it is difficult to find alternative locations for ventilation shafts. The MTRCL has thoroughly studied all alternative locations proposed by the objectors and has considered them either infeasible nor being better alternatives, due to excessive the distance between the alternative locations and the station, engineering feasibility, nuisance to the nearby residents, impact to public facilities and traffic during the construction period, and the occupation of recreational areas, etc. A number of factors like availability of space, technical feasibility, cost effectiveness, impact on traffic and environment have been considered.

On balance, the proposed location at Hill Road has been considered as the more preferable option.

Ventilation Shaft at the David Trench Rehabilitation Centre

49. Saying that the proposed ventilation shaft at the existing David Trench Rehabilitation Centre is located as close as 5m to the adjacent Bonham Road Government Primary School which would adversely affect the students' health, one objector has requested the MTRCL to relocate the shaft to King George V Memorial Park. He has also opined that the ventilation shaft will have impact on the surrounding cultural heritage sites in the area.

50. Apart from the considerations for the ventilation shaft locations as described in paragraph 48, the distance between the proposed ventilation shaft and the Bonham Road Government Primary School will actually be about 20m. The MTRCL will endeavour to orient the exhaust louvres of the ventilation shaft away from the school as far as possible. On the proposed alternative location at King George V Memorial Park, the Administration has explained to the objector that one consideration in determining ventilation shaft locations is to minimize the occupation of open space in the district. Other proposed locations in the Park might affect the existing slopes and mature trees and occupy considerable open space.

51. The Cultural Heritage Impact Assessment for cultural heritage sites is part of the EIA study for the project. According to the study, the WIL will not have adverse impact on the cultural heritage sites during the construction and operation stages. In order to reduce the visual impact of the ventilation shaft, the MTRCL will adopt greening and aesthetic design as far as possible.

Other Ventilation Shafts

52. Three objectors have requested the MTRCL to relocate the ventilation shafts at Pok Fu Lam Road near Block 3 of The Belcher's and proposed alternative locations at the slope or space near the Haking Wong Building of the HKU. One objector has requested the MTRCL to relocate the ventilation and plant building at the eastern end of the Kennedy Town Station to an area adjacent to the station entrance near Rock Hill Street. As explained in paragraph 48, the MTRCL has thoroughly studied all alternative locations proposed by the objectors. The proposed locations in the scheme are considered as the most suitable.

53. One objector has objected to the electrical and mechanical (E&M) plant and ventilation building for the HKU Station to be situated on the existing sitting out area above the slope of the lot boundary of IL No. 7578 RP (Hillview Garden) as the building may impose extra loads on the slope and cause additional maintenance problems to the slope in the future. The MTRCL has confirmed that no permanent loads arising from the

proposed E&M plant and ventilation building will be transferred to the slope. Temporary construction loads to the slope will be short term only and the railway works will not affect the maintenance of the slope in the future.

(N) Other Issues

54. In addition to four objectors' concerns over the impact of ventilation shaft at Hill Road on the open space, three objectors have raised concern over the reduction of public open space at the roof top of the CSMWB after its demolition. The Administration has explained to the objectors that the subject roof garden will be reprovisioned at the new CSMWB building.

55. One objector, being an operator of a cooked food stall at the cooked food centre at CSMWB, has raised concern that the demolition of the cooked food centre will adversely affect the livelihood of herself and her staff. The Administration has explained to the objector that the 2 affected cooked food stalls can continue their business at First Floor of East Block. Waiver of market rental will be considered under prevailing guidelines of the Food and Environmental Hygiene Department. In the long term, we believe that the proposed station entrance at CSMWB site will be convenient to pedestrians and will help the business environment at the resited cook food stalls.

56. One objector has raised concern over traffic impact and air pollution from the proposed public transport interchange (PTI). The PTI is considered necessary to facilitate inter-modal coordination between the WIL and other modes of public transport. Due to site constraint at Sai Ying Pun Station and the proposed HKU Station, the site above the Kennedy Town Station is the only place along the WIL alignment suitable for providing a small-scale open-air PTI. As the proposed PTI is relatively small, it is anticipated that the vehicle trips it will generate will have insignificant effect on the local traffic.

57. One objector has requested for early completion of the proposed pedestrian link ahead of the commissioning of the WIL. The MTRCL responded that they will develop the detailed programme during the detailed design stage of works. The implementation of the proposed pedestrian link at Sands Street will facilitate residents in the vicinity using the railway services once the WIL has been completed and put into services. The Government and the MTRCL will consider the possibility of early completion of the proposed pedestrian link.

58. One objector has raised concern about the permanent demolition of the public toilet on Queen's Road West at the junction with Whitty Street and the need of the provision of public toilet facilities for the WIL. We have explained that the existing market toilet on the second floor of the nearby Shek Tong Tsui Municipal Services Building, which is about 80

metres from the subject public toilet, will be expanded and converted to 24-hour operations. The objector was also concerned about the demolition of the public toilet located in Forbes Street Playground. The Administration has explained that this public toilet will be re-provisioned in the new Forbes Street Playground after completion of the station construction works. During the construction phase, the existing 24-hour public toilet located on ground floor of the nearby Smithfield Municipal Services Building will continue to operate.

Hearings Regarding Unwithdrawn Objections

59. As mentioned above, the Administration together with the MTRCL have met all the objectors to explain the railway scheme and to address their concerns. In addition, three hearing sessions by independent panels consisting of non-official members were conducted on 22, 29 and 30 December 2008 on the unwithdrawn objections. The panels are satisfied that the handling of objections by the Administration has been fair, open and transparent. The panels also agreed that the objectors have been given ample opportunities to express their views and that the Administration has properly reviewed the scheme having regard to such views.

Proposed Changes to the Scheme

60. To address the objections over the proposed extent of “creation of easements and/or other permanent rights” including the possible impact on the HKU’s main vehicular access and the Haking Wong Building, the Administration and the MTRCL have further reviewed the objector’s concerns and proposed to reduce the scope of the proposed easements and/or permanent rights to be created for the area outside the entrance structure, effectively limiting to rights for ingress and egress for the purpose of maintenance of the station entrance. As a result, there are two areas over which different easements and/or permanent rights will be created, as shown on the plans in **Annex B-1**. The area referred to in item (I) of the schedule is for the construction and operation of the station entrance while the area referred to in item (II) of the schedule is for rights for ingress and egress for maintenance of the station entrance. With the reduction of rights for the item (II) area, it is necessary to increase the Temporary Occupation Area in this area for the construction of the station entrance as shown on the plans in **Annex B-1**.

B-1

B-1

61. The Administration and the MTRCL have consulted the Harbour-front Enhancement Committee Sub-committee on Harbour Plan Review (HPR Sub-com) on the temporary use along the sea-frontage in the Western District. The HPR Sub-com requested to retain the two existing piers at the ex-abattoir site, which were planned to be demolished before the site is used as a works area for WIL. After reviewing the layout design of the works area, the MTRCL considered it is feasible to retain the two piers. The revised proposed layout of the WIL works area at the ex-abattoir

site is shown in **Annex B-2**. The size of the revised works area is reduced compared with the gazetted area.

Submission of the Objections to Executive Council

62. Subsequent to the hearings of the unwithdrawn objections, the objection cases, the panel reports together with the views of the objectors on the panel report have been submitted to the Executive Council for consideration.

FINANCIAL ARRANGEMENT

63. On 9 November 2007, we informed the Railway Subcommittee a two-stage approach should be adopted for seeking funding from the Legislative Council to cover the design phase expenditure and subsequently the funding gap arising from the construction, operation and maintenance of the WIL. We consulted the Public Works Sub-committee at its meeting on 22 November 2007 and obtained the approval of the Finance Committee on 14 December 2007 to upgrade part of **8011YD** to Category A at an estimated cost of \$400.0 million in money-of-the-day (MOD) prices to provide funding support to the MTRCL to cover the design phase expenditure up to scheme authorization.

64. The Administration is now critically assessing the financial proposals by the MTRCL for providing funding support to the WIL project, and aims to submit the funding application to the Public Works Subcommittee and Finance Committee of the Legislative Council as soon as possible and subject to funding approval, aim to start construction work in mid-2009.

ENVIRONMENTAL IMPLICATIONS

65. The WIL is a designated project under the Environmental Impact Assessment (EIA) Ordinance and an Environmental Permit (EP) is required for the construction and operation of the WIL. In accordance with the EIA Ordinance, the MTRCL completed a detailed EIA study on this project and submitted an EIA report to EPD. The EIA report was made available for public inspection from 14 October to 12 November 2008. A total of 33 sets of comments comprising 273 submissions from the public were received during the public inspection period. They mainly raised concerns about the impacts due to ventilation shafts, landscape and visual impacts, blasting issue as well as noise, air quality and vibration impacts during the construction and operation stages. The EIA report was subsequently endorsed by the Advisory Council on the Environment (ACE) on 15 December 2008.

66. Having considered the views of the ACE and the public, the Director of Environmental Protection (DEP) approved the EIA report with conditions on 23 December 2008 and issued an EP with conditions to the MTRCL for the WIL project on 12 January 2009. The MTRCL will

implement all recommended mitigation measures in the approved EIA report and comply with the conditions in the EP and other statutory requirements for environmental protection.

ECONOMIC IMPLICATIONS

67. The WIL, as one of the rail projects recommended in the RDS-2000 for implementation, is essential for meeting the transport needs of the community and to serve the continuing economic and social development in Hong Kong. We estimated that WIL would generate net economic benefits including time saving over 40 years of operation of the WIL of about \$44 billion in 2006 prices. The economic benefits include time savings to road users, operating cost savings for operators and safety benefits.

68. Apart from the economic benefits mentioned above, the provision of mass transit mode of transport should help elevate overall economic efficiency (e.g. reliability, connectivity, comfort, cleanliness, air quality, etc) and revitalise old areas in the Western District, thereby bringing along other indirect benefits.

SUSTAINABILITY IMPLICATIONS

69. According to our sustainability assessment, the proposed WIL should help improve mobility and air quality in the long term through enabling more commuters to switch from road to rail transport. The implementation of the project would inevitably cause some adverse impacts on the environment, including the noise during construction and operation, air pollution from works sites, loss of open space and waste generated from tunnel excavation. Proper measures and temporary traffic arrangement will be implemented to reduce the adverse impact as far as possible.

PUBLIC CONSULTATION

70. The Administration and the MTRCL have carried out extensive consultation on the WIL in the past few years. We have been staying in very close touch with the C&WDC on the progress of the project, and Representatives of Transport and Housing Bureau, Highways Department and Transport Department have attended a series of public fora with the local residents that were organized by the C&WDC members and various political parties. The C&WDC has all along been urging for the early implementation of the project.

71. Before the commencement of the WIL works, the MTRCL will set up community liaison groups to enable direct dialogue with the local community including affected owners and residents and to handle enquiries and complaints.

SUBJECT OFFICER

72. The subject officer is Mr. Henry Chan, Principal Assistant Secretary for Transport and Housing (Transport), (Tel: 2189 2187).

Transport and Housing Bureau

24 March 2009

西港島線的位置圖

WEST ISLAND LINE LOCATION PLANS

二零零七年十月廿六日刊憲的西港島線方案 Location Plan for the West Island Line Scheme gazetted on 26 October 2007	附件 A – 1 Annex A-1
二零零八年九月十二日刊憲的西港島線修訂方案 Location Plan for the amended West Island Line Scheme gazetted on 12 September 2008	附件 A – 2 Annex A-2
二零零九年一月九日刊憲的西港島線更改方案 Location Plan for the corrected West Island Line Scheme gazetted on 9 January 2009	附件 A – 3 Annex A-3

圖例 LEGEND

- 方案界線
BOUNDARY OF THE SCHEME
- 鐵路隧道
RAILWAY TUNNEL
- 鐵路設施
RAILWAY FACILITIES



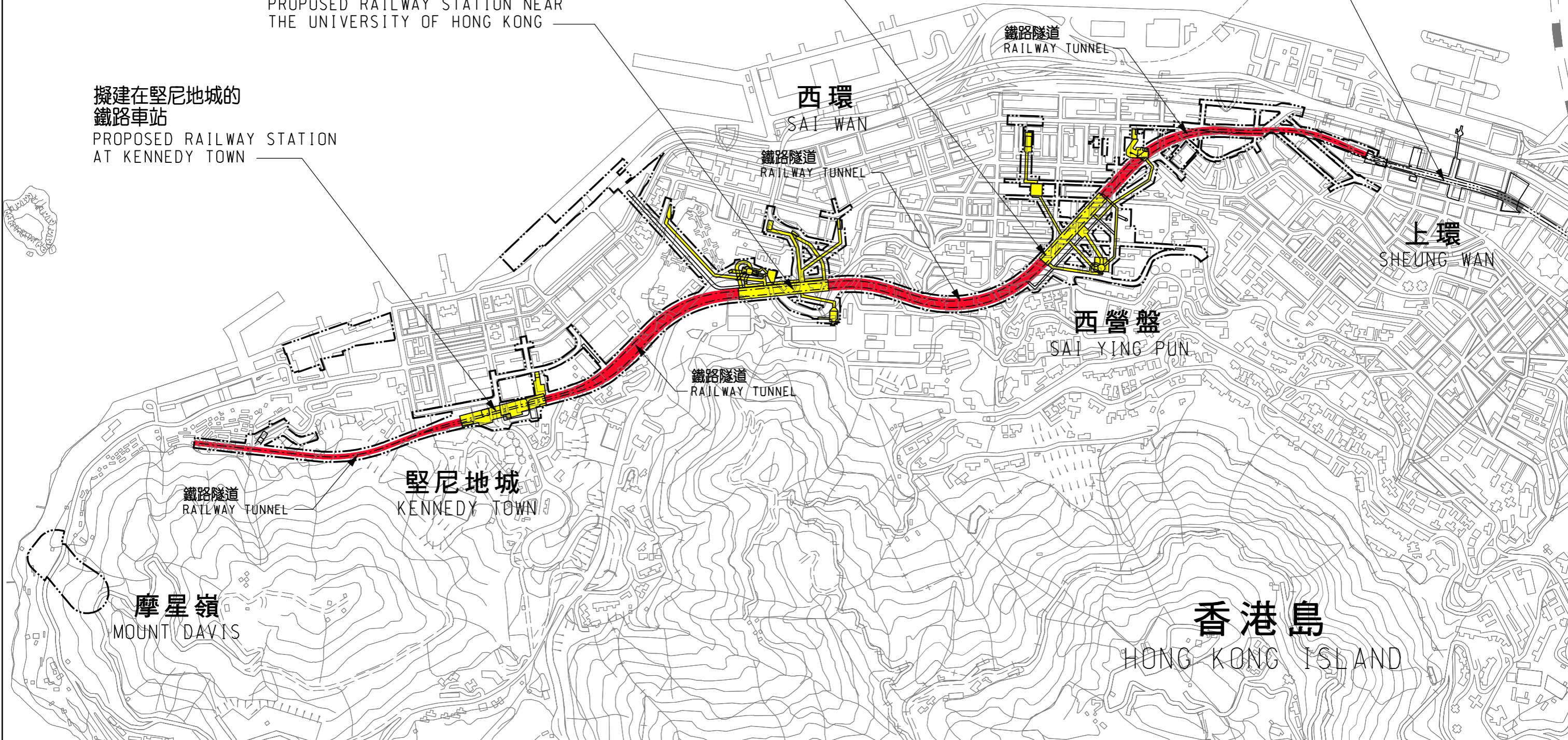
維多利亞港 VICTORIA HARBOUR

擬建在西營盤的
鐵路車站
PROPOSED RAILWAY STATION
AT SAI YING PUN

現有的上環站
EXISTING
SHEUNG WAN STATION

擬建在香港大學附近的
鐵路車站
PROPOSED RAILWAY STATION NEAR
THE UNIVERSITY OF HONG KONG

擬建在堅尼地城的
鐵路車站
PROPOSED RAILWAY STATION
AT KENNEDY TOWN



圖則名稱 DRAWING TITLE

西港島線 - 在二零零七年十月二十六日刊憲的原來方案
WEST ISLAND LINE - ORIGINAL SCHEME GAZETTED ON 26 OCTOBER 2007

CADD REF F:\CIP\WIL\POO\CIP\annex_a1.dgn

圖例 LEGEND

- 方案界線
BOUNDARY OF THE SCHEME
- 修訂方案界線
AMENDED BOUNDARY OF THE SCHEME
- 鐵路隧道
RAILWAY TUNNEL
- 鐵路設施
RAILWAY FACILITIES
- A1
修訂項目刊載於二零零八年九月十二日
政府第六二九四號公告中
AMENDMENT ITEMS BEING REFERRED
TO IN GOVERNMENT NOTICE G.N. 6294
ON 12 SEPTEMBER 2008



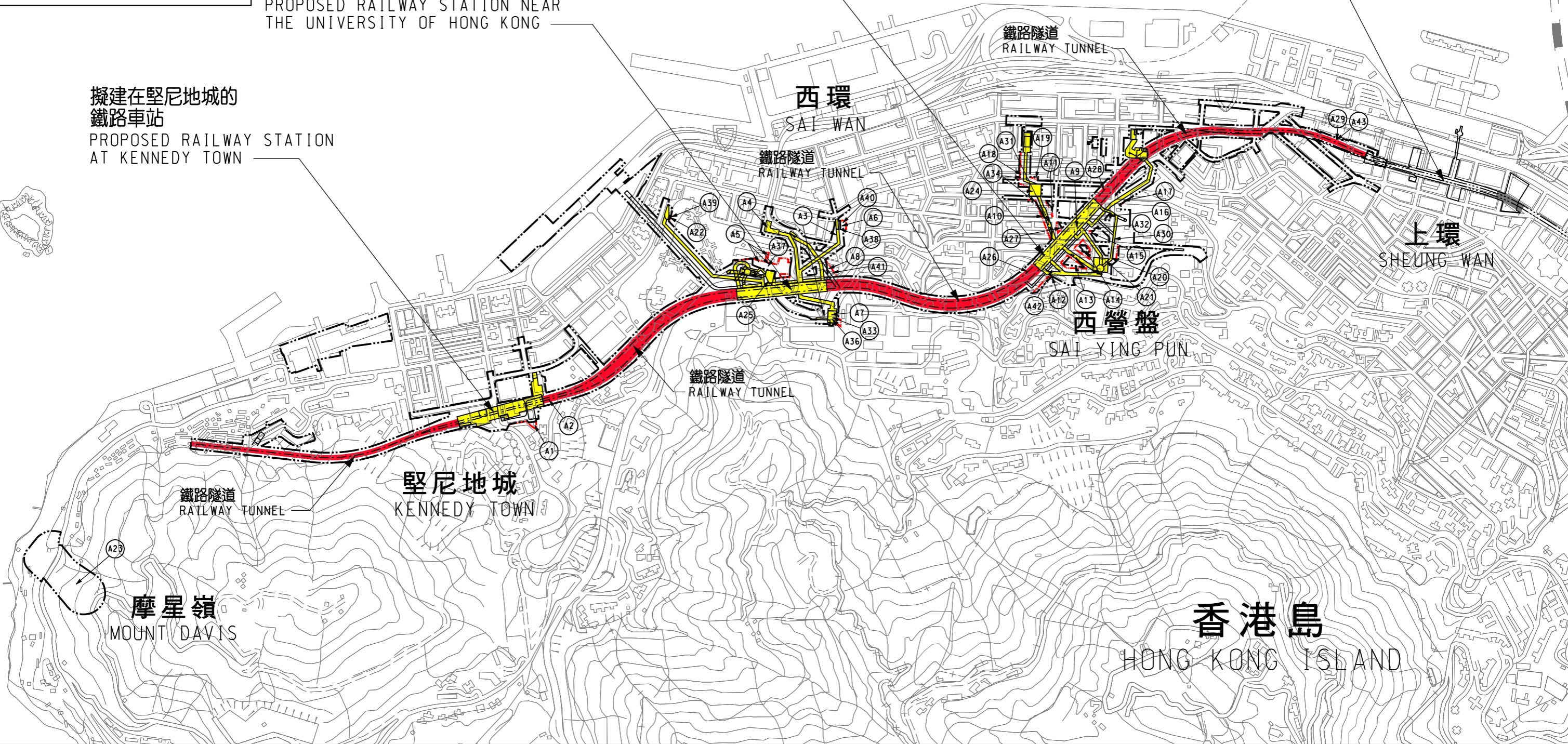
維多利亞港 VICTORIA HARBOUR

擬建在西營盤的
鐵路車站
PROPOSED RAILWAY STATION
AT SAI YING PUN

現有的上環站
EXISTING
SHEUNG WAN STATION

擬建在香港大學附近的
鐵路車站
PROPOSED RAILWAY STATION NEAR
THE UNIVERSITY OF HONG KONG

擬建在堅尼地城的
鐵路車站
PROPOSED RAILWAY STATION
AT KENNEDY TOWN



圖則名稱 DRAWING TITLE

西港島線 - 在二零零八年九月十二日刊憲的修訂方案
WEST ISLAND LINE - AMENDMENTS TO SCHEME GAZETTED ON 12 SEPTEMBER 2008

CADD REF F:\CIP\WIL\F00\CIP\annex_a2.dgn

圖例 LEGEND

- 方案界線
BOUNDARY OF THE SCHEME
- 修訂方案界線
AMENDED BOUNDARY OF THE SCHEME
- 鐵路隧道
RAILWAY TUNNEL
- 鐵路設施
RAILWAY FACILITIES
- (C1) 更正項目刊載於二零零九年一月九日政府第一三五號公告中
CORRECTION ITEMS BEING REFERRED TO IN GOVERNMENT NOTICE G.N. 135 ON 9 JANUARY 2009



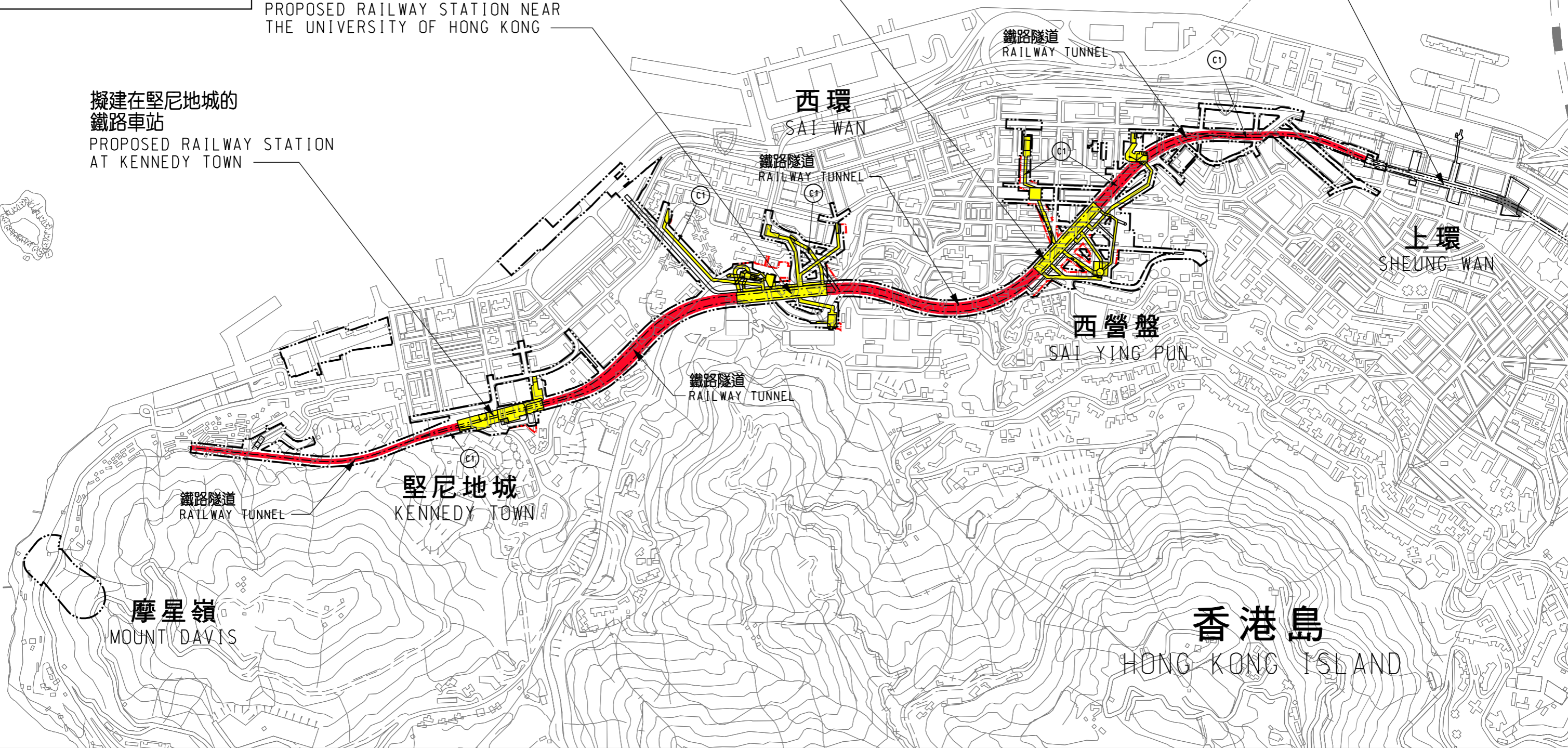
維多利亞港 VICTORIA HARBOUR

擬建在西營盤的
鐵路車站
PROPOSED RAILWAY STATION
AT SAI YING PUN

現有的上環站
EXISTING
SHEUNG WAN STATION

擬建在香港大學附近的
鐵路車站
PROPOSED RAILWAY STATION NEAR
THE UNIVERSITY OF HONG KONG

擬建在堅尼地城的
鐵路車站
PROPOSED RAILWAY STATION
AT KENNEDY TOWN



圖則名稱 DRAWING TITLE

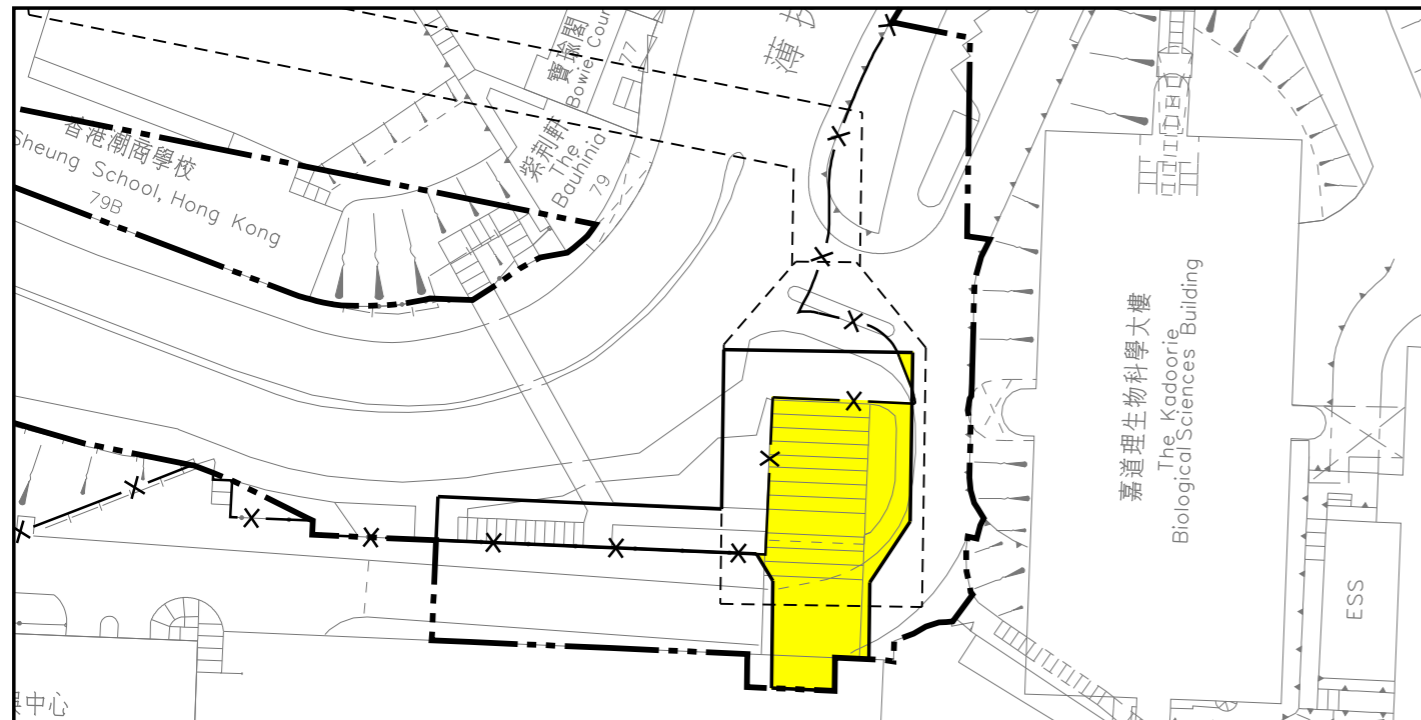
西港島線 - 在二零零九年一月九日刊憲的更正方案
WEST ISLAND LINE - CORRECTIONS TO SCHEME GAZETTED ON 9 JANUARY 2009

CADD REF F:\CIP\WIL\F00\CIP\annex_a3.dgn

建議修改方案

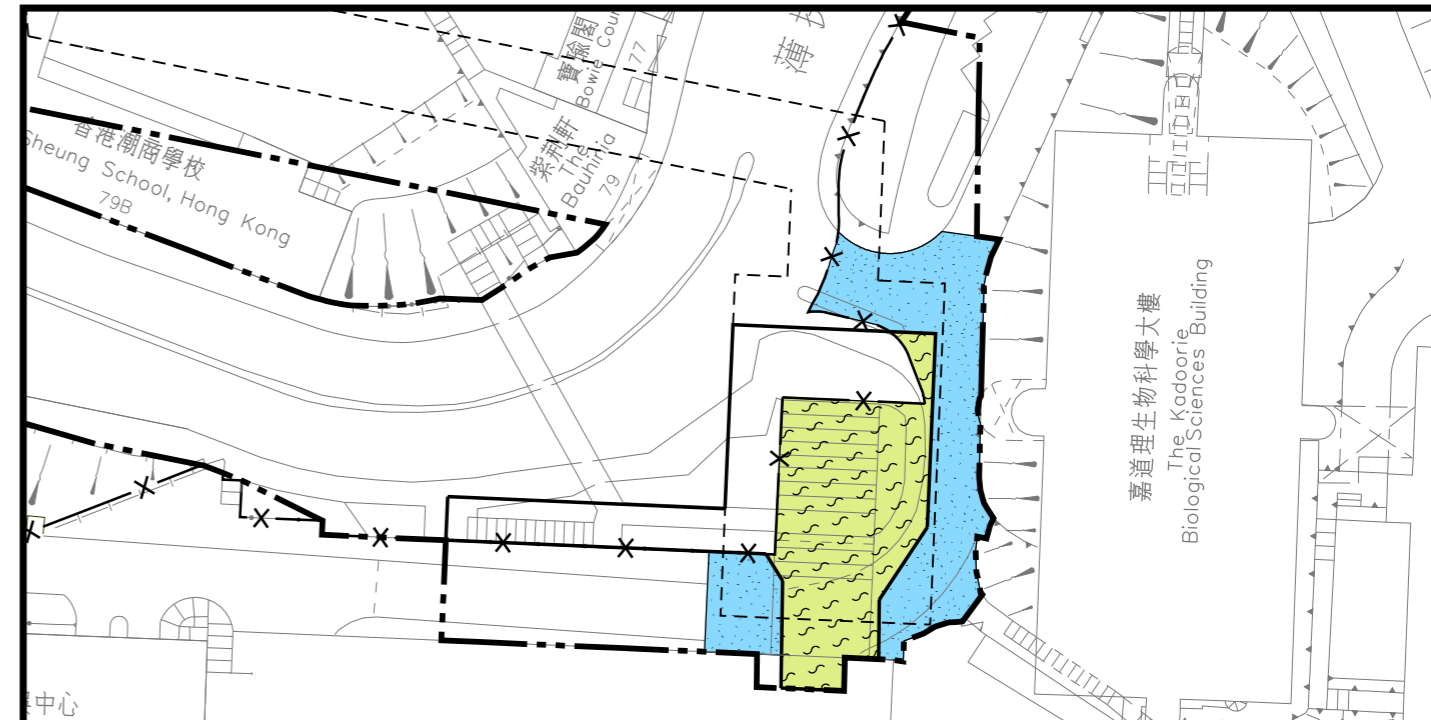
PROPOSED CHANGES TO THE SCHEME

西港島線 – 香港大學黃克競樓外的車站出入口的建議修訂 (共兩頁)	附件 B – 1
West Island Line – Proposed Changes at the Station Entrance outside Haking Wong Building, the University of Hong Kong (total 2 sheets)	Annex B - 1
西港島線 – 位於前堅尼地城屠場的臨時施工區的建議修訂	附件 B – 2
West Island Line – Proposed Changes of Temporary Works Area at Ex-abattoir, Kennedy Town	Annex B - 2

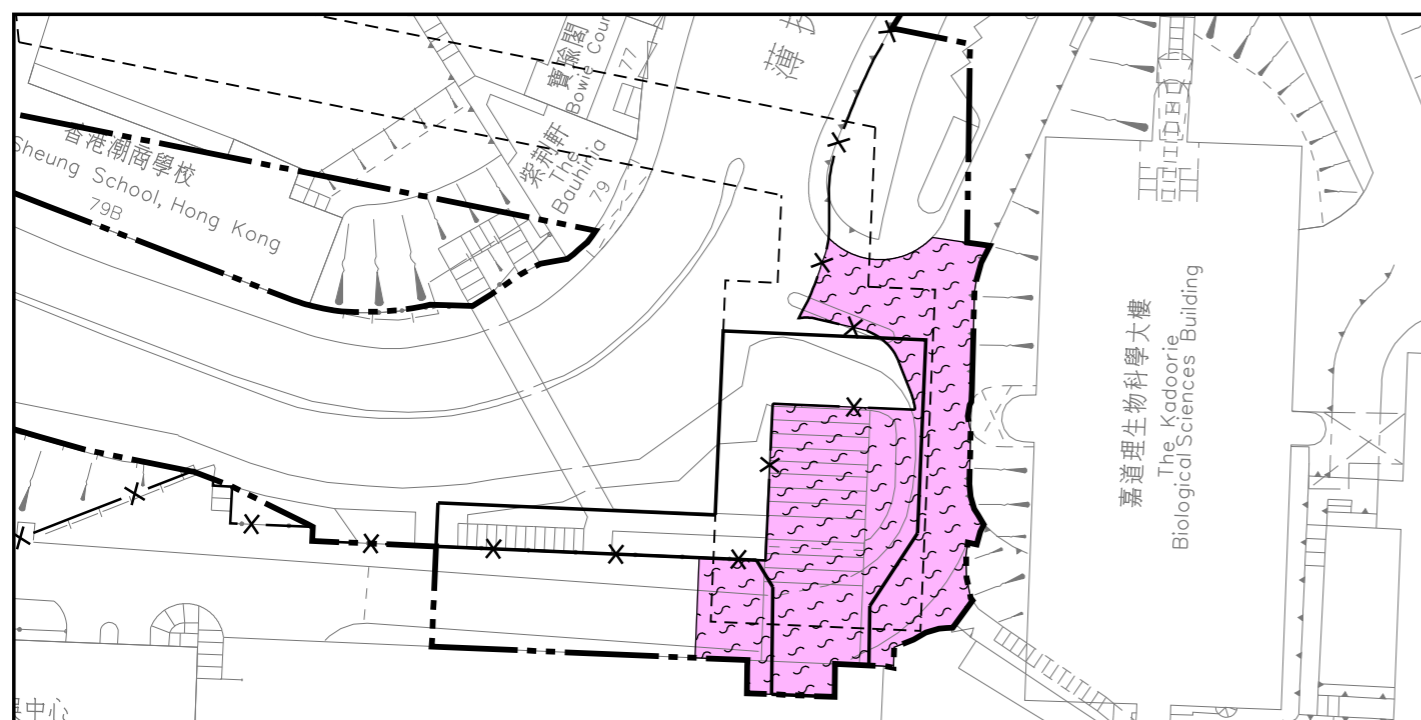


① 原方案於二零零七年十月二十六日刊憲
收回土地以作車站出入口
ORIGINAL SCHEME GAZETTED ON 26 OCTOBER 2007
LAND RESUMPTION FOR STATION ENTRANCE

擬收回的土地
LAND TO BE RESUMED



③ 建議修改方案
列明在有關土地的不同部份的設定地役權及/或其他永久權利的範圍
PROPOSED CHANGE TO THE SCHEME
SPECIFIED SCOPE AND DETAILS OF EASEMENTS AND/OR OTHER PERMANENT RIGHTS AT DIFFERENT PARTS OF THE LAND CONCERNED



② 修訂方案於二零零八年九月十二日刊憲
設定地役權及/或其他永久權利以作車站出入口
AMENDMENTS TO SCHEME GAZETTED ON 12 SEPTEMBER 2008
CREATION OF EASEMENTS AND/OR OTHER PERMANENT RIGHTS FOR STATION ENTRANCE

設定可行使地役權及/或其他永久權利的土地
AREA OF LAND OVER WHICH EASEMENTS AND/OR OTHER PERMANENT RIGHTS MAY BE CREATED

設定可行使地役權及/或其他永久權利的土地 (詳情參考項目一)
AREA OF LAND OVER WHICH EASEMENTS AND/OR OTHER PERMANENT RIGHTS MAY BE CREATED (REFER TO ITEM I FOR DETAILS)

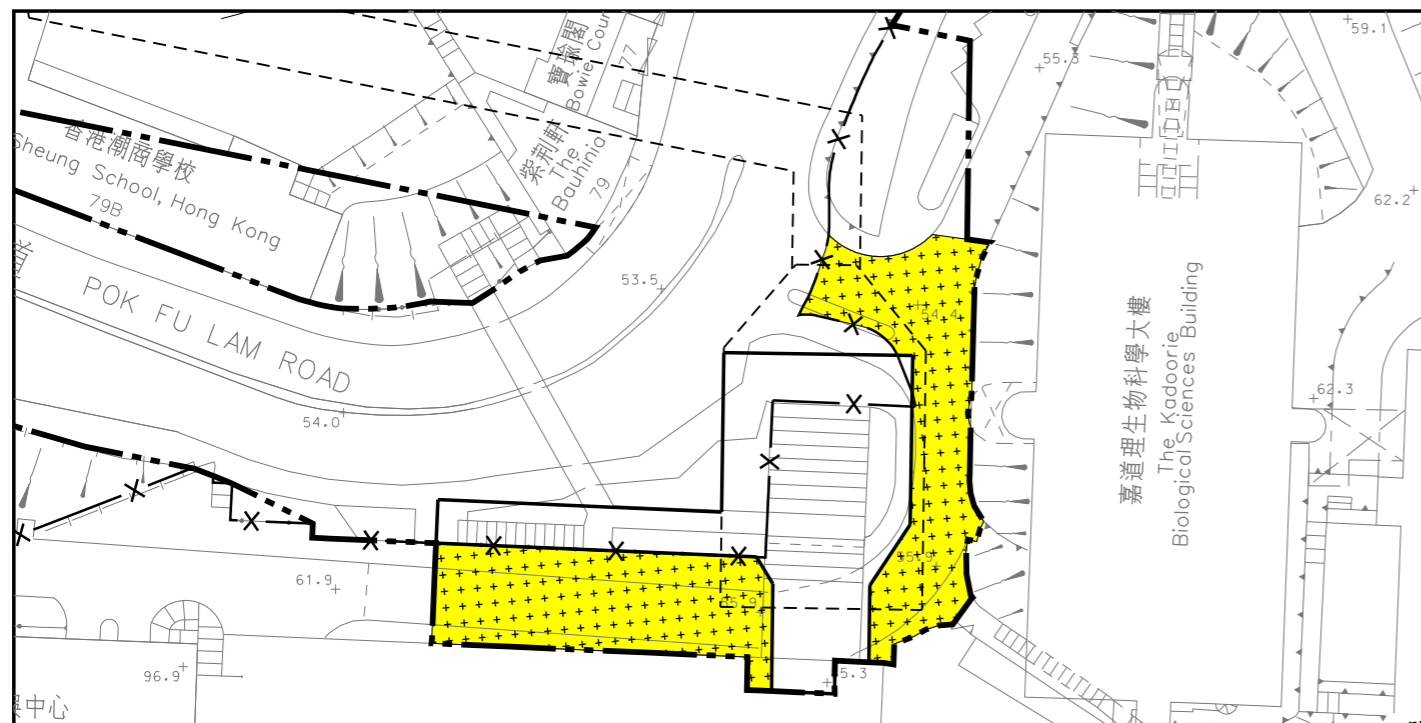
設定可行使地役權及/或其他永久權利的土地 (詳情參考項目二)
AREA OF LAND OVER WHICH EASEMENTS AND/OR OTHER PERMANENT RIGHTS MAY BE CREATED (REFER TO ITEM II FOR DETAILS)

項目 ITEM	建議可行使的地役權及/或其他永久權利範圍 EASEMENTS AND / OR OTHER PERMANENT RIGHTS ARE PROPOSED TO BE CREATED
(一) (I)	為營運地下鐵路或其附帶事宜而興建、安裝、營運、視察、維修、保養、修改及改建車站入口，設定可行使地役權及/或其他永久權利，政府、其僱員、代理人、持證人、承包商及其他獲政府授權或准許的人士（包括公眾人士）可於任何時間享有通行權、自由無阻地進出及經過該車站入口的土地內、其下及/或其上的範圍。該等地役權及永久權利並包括為騰出空間作車站入口用途而對部分黃克競樓進行修改、拆卸及改建工程，但上述權利均不可對香港大學或獲香港大學授權人士就使用該土地範圍內的現有行車通道造成障礙。 AREA OF LAND IN, UNDER AND/OR OVER WHICH EASEMENTS AND/OR OTHER PERMANENT RIGHTS MAY BE CREATED FOR THE CONSTRUCTION, INSTALLATION, OPERATION, INSPECTION, REPAIR, MAINTENANCE, MODIFICATION AND ALTERATION OF A STATION ENTRANCE FOR THE OPERATION OF THE MASS TRANSIT RAILWAY AND ASSOCIATED PURPOSES AND RIGHTS OF WAY, FREE AND UNHINDERED PASSAGE AND ACCESS FOR THE GOVERNMENT, ITS EMPLOYEES, AGENTS, LICENSEES, CONTRACTORS AND OTHER PERSONS AUTHORIZED OR PERMITTED BY THE GOVERNMENT (INCLUDING THE GENERAL PUBLIC) IN AND ON THE STATION ENTRANCE AT ALL TIMES, AND RIGHTS OF CARRYING OUT MODIFICATION, DEMOLITION AND ALTERATION WORKS TO PARTS OF THE HAKING WONG BUILDING TO ACCOMMODATE THE STATION ENTRANCE, PROVIDED THAT NONE OF THE AFORESAID RIGHTS SHALL CAUSE OBSTRUCTIONS TO THE USE OF THE EXISTING VEHICULAR ACCESS WITHIN SUCH AREA OF LAND BY THE UNIVERSITY OF HONG KONG OR OTHER PERSONS AUTHORIZED BY THE UNIVERSITY OF HONG KONG.
(二) (II)	為營運、視察、維修及保養車站入口，設定進出權利，政府、其僱員、代理人、持證人、承包商及其他獲政府授權或准許的人士有權在土地及土地之上為營運地下鐵路而進出車站入口，但不可於該土地上興建或安裝構築物、建築物或其他設施，及不可對香港大學或獲香港大學授權人士就使用該土地造成障礙。 AREA OF LAND IN AND/OR OVER WHICH RIGHTS FOR INGRESS AND EGRESS MAY BE CREATED FOR THE GOVERNMENT, ITS EMPLOYEES, AGENTS, LICENSEES, CONTRACTORS AND OTHER PERSONS AUTHORIZED OR PERMITTED BY THE GOVERNMENT TO AND FROM A STATION ENTRANCE FOR THE OPERATION OF THE MASS TRANSIT RAILWAY OVER AND ALONG SUCH AREA OF LAND FOR THE PURPOSE OF CARRYING OUT WORKS IN CONNECTION WITH THE OPERATION, INSPECTION, REPAIR AND MAINTENANCE OF THE STATION ENTRANCE, PROVIDED NO STRUCTURES, BUILDINGS OR OTHER FACILITIES MAY BE ERRECTED OR INSTALLED ON SUCH AREA OF LAND AND NO OBSTRUCTIONS TO THE USE OF SUCH AREA OF LAND SHALL BE CAUSED TO THE UNIVERSITY OF HONG KONG OR OTHER PERSONS AUTHORIZED BY THE UNIVERSITY OF HONG KONG.


圖則名稱 DRAWING TITLE

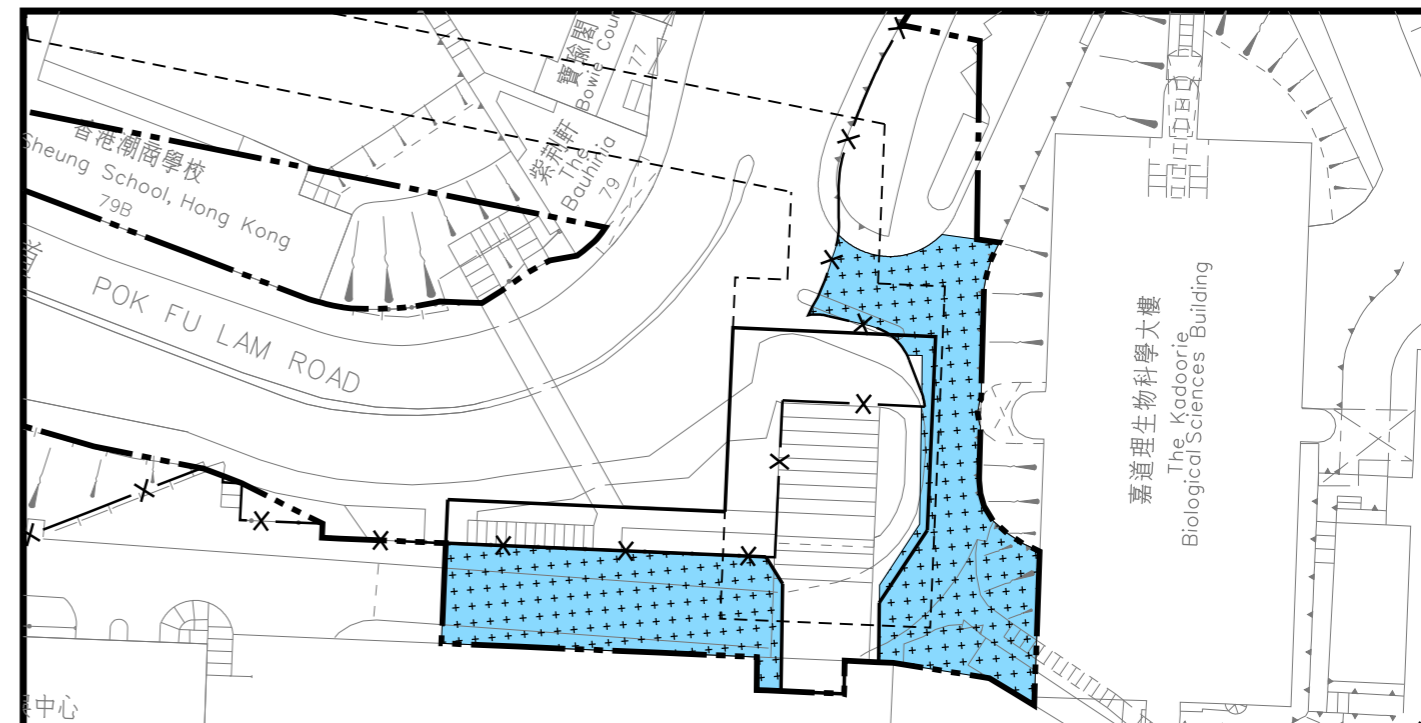
西港島線 - 香港大學黃克競樓外的車站出入口的建議修改 (二頁的第一頁)
WEST ISLAND LINE - PROPOSED CHANGES AT THE STATION ENTRANCE OUTSIDE HAKING WONG BUILDING, THE UNIVERSITY OF HONG KONG
(SHEET 1 OF 2)

CADD REF F:\CIP\WIL\F00\CIP\annex_b4.dgn



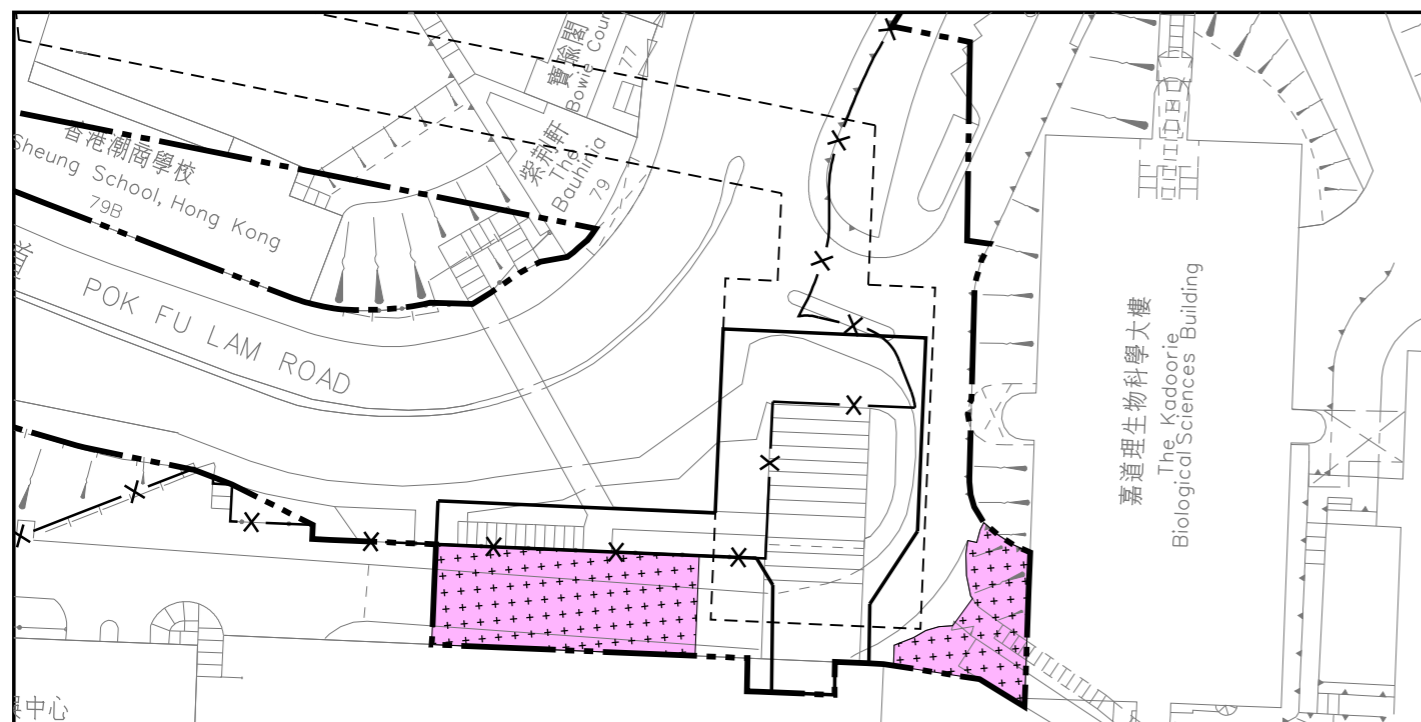
① 原方案於二零零七年十月二十六日刊憲
 暫時佔用土地
 ORIGINAL SCHEME GAZETTED ON 26 OCTOBER 2007
 TEMPORARY OCCUPATION OF LAND

 暫時佔用該土地的地面, 其上及其下
 TEMPORARY OCCUPATION OF LAND
 AT GROUND LEVEL, ABOVE AND
 BELOW GROUND



③ 建議修改的方案
 再次修改暫時佔用土地的範圍
 PROPOSED CHANGE TO THE SCHEME
 EXTENT OF TEMPORARY OCCUPATION OF LAND FURTHER REVISED

 暫時佔用該土地的地面, 其上及其下
 TEMPORARY OCCUPATION OF LAND
 AT GROUND LEVEL, ABOVE AND
 BELOW GROUND



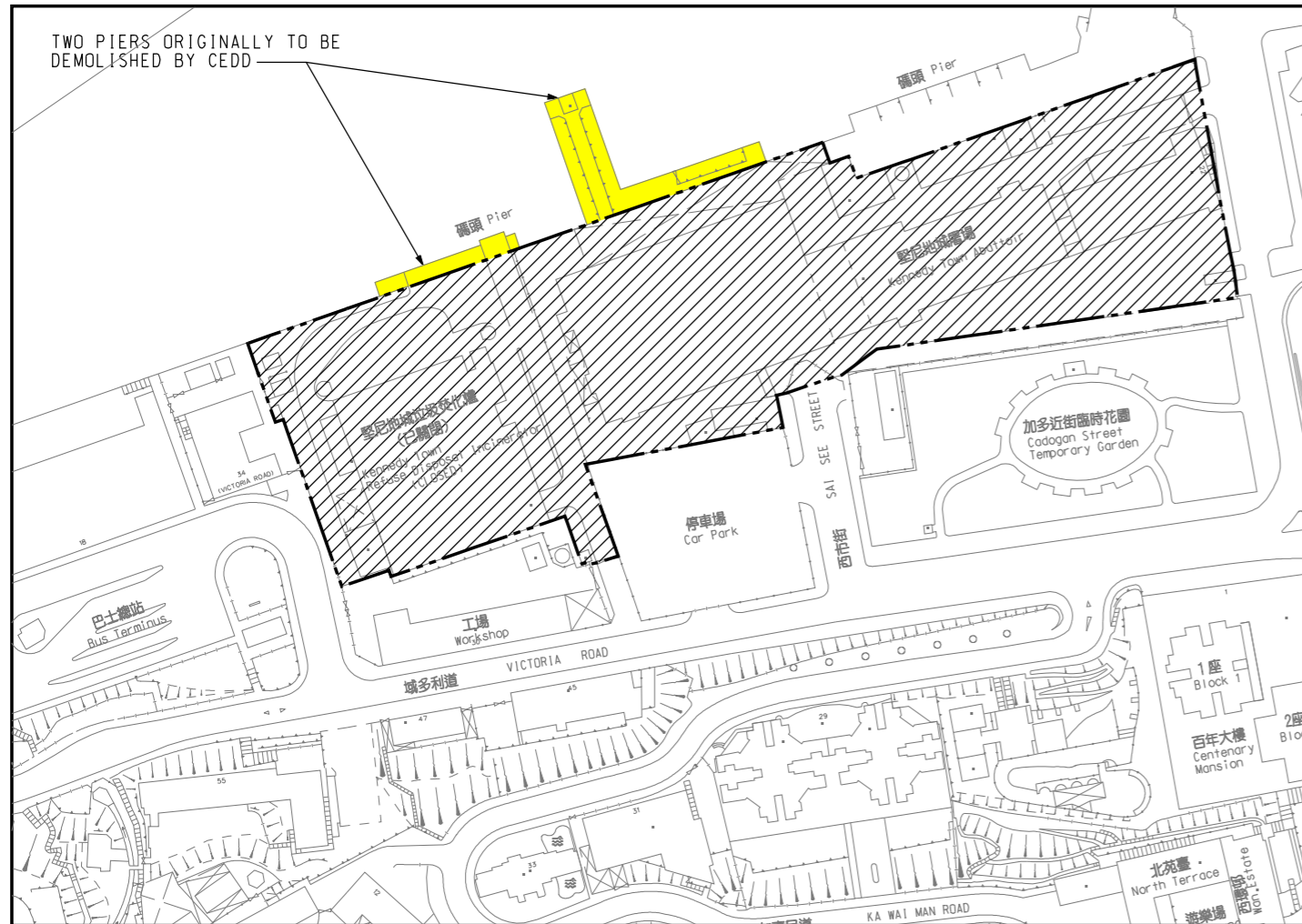
② 修訂方案於二零零八年九月十二日刊憲
 修改暫時佔用土地的範圍
 AMENDMENTS TO SCHEME GAZETTED ON 12 SEPTEMBER 2008
 REVISED EXTENT OF TEMPORARY OCCUPATION OF LAND

 暫時佔用該土地的地面, 其上及其下
 TEMPORARY OCCUPATION OF LAND
 AT GROUND LEVEL, ABOVE AND
 BELOW GROUND

圖則名稱 DRAWING TITLE

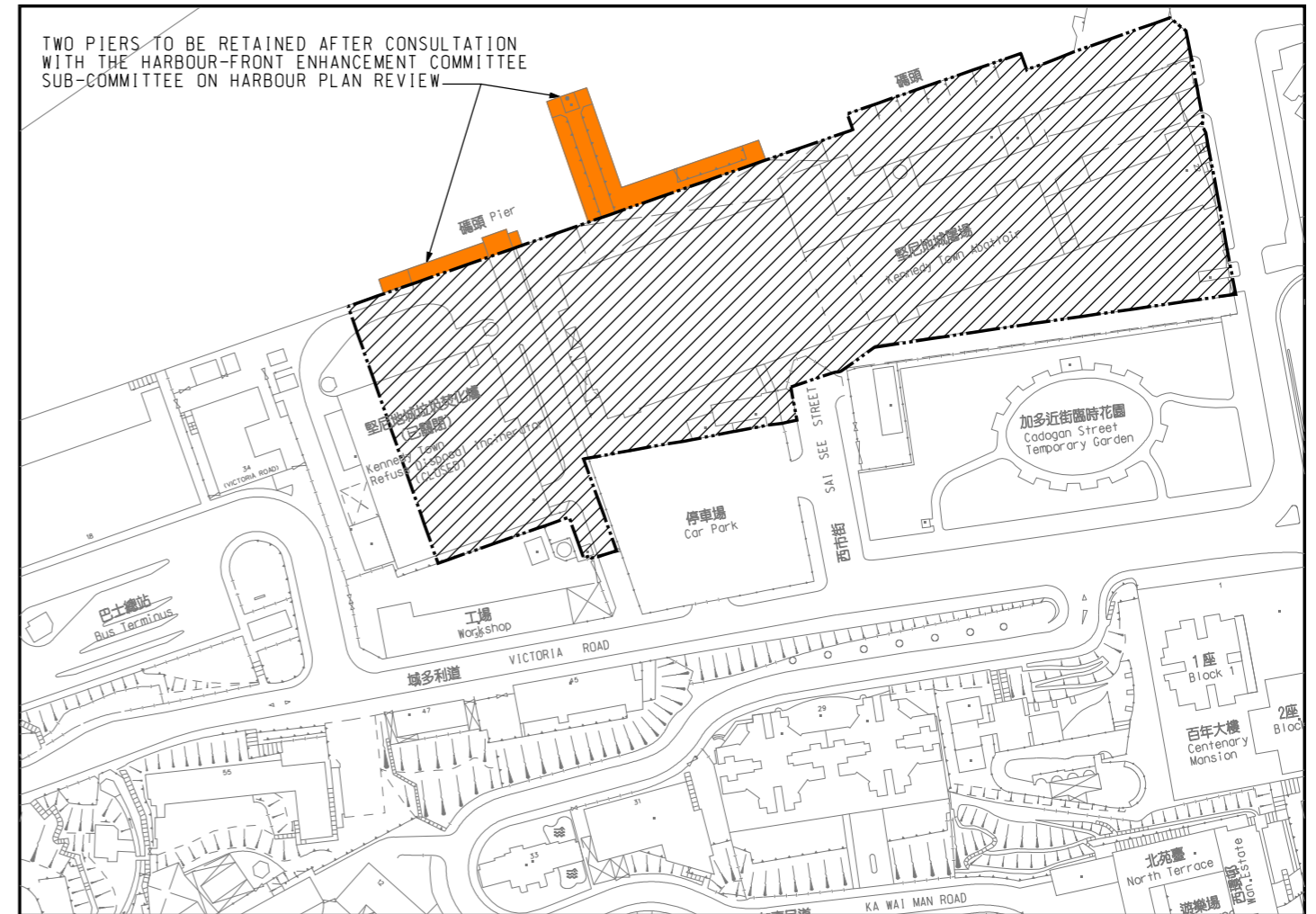
西港島線 - 香港大學黃克競樓外的車站出入口的建議修改 (二頁的第二頁)

WEST ISLAND LINE - PROPOSED CHANGES AT THE STATION ENTRANCE OUTSIDE HAKING WONG BUILDING, THE UNIVERSITY OF HONG KONG
 (SHEET 2 OF 2)



① 原方案於二零零七年十月二十六日刊憲
ORIGINAL SCHEME GAZETTED ON 26 OCTOBER 2007

擬設置地盤設施的臨時施工區
PROPOSED TEMPORARY WORKS AREA FOR SITE FACILITIES



② 建議修改方案
減少擬建的臨時施工區的範圍及修訂方案界線
PROPOSED CHANGE TO THE SCHEME
SIZE OF PROPOSED TEMPORARY WORKS AREA REDUCED AND BOUNDARY OF THE WORKS AREA AMENDED

擬設置地盤設施的臨時施工區
PROPOSED TEMPORARY WORKS AREA FOR SITE FACILITIES

圖則名稱 DRAWING TITLE

西港島線 - 位於前堅尼地城屠場的臨時施工區的建議修改
WEST ISLAND LINE - PROPOSED CHANGES OF TEMPORARY WORKS AREA AT EX-ABATTOIR, KENNEDY TOWN