

立法會
Legislative Council

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Paper for Subcommittee on Matters Relating to Railways

Continuation of work of the Subcommittee on Matters Relating to Railways

Purpose

This paper seeks the views of members of the Subcommittee on Matters Relating to Railways (the Subcommittee) on the need for the Subcommittee to continue its work in the 2009-2010 legislative session.

Background

2. A Subcommittee on Matters Relating to the Implementation of Railway Development Projects (later renamed as Subcommittee on Matters Relating to Railways) was formed under the Panel on Transport (the Panel) on 15 December 2000 to monitor the development and implementation of railway projects in Hong Kong as well as the operation of existing railways. The Subcommittee continued its work in the last two terms. In the current term, the Subcommittee was again set up in October 2008 to oversee matters relating to railways. The terms of reference of and a summary of the issues discussed by the Subcommittee are given in **Appendices I** and **II** respectively. The latest progress report of the Subcommittee on its work made to the Panel in June 2008 is in **Appendix III**.

Railway projects followed-up by the Subcommittee

3. Based on the first Railway Development Strategy formulated in 1994 and the new Railway Development Strategy 2000 endorsed by the Chief Executive-in-Council in May 2000, the following component schemes have been identified to meet the railway network expansion needs up to 2016 -

A. Railway projects completed or under construction

- (a) MTR Tseung Kwan O Line (TKL) - commissioned in August 2002

- (b) West Rail - commissioned in December 2003
- (c) KCR Extension from Hung Hom to Tsim Sha Tsui (TST Extension) - commissioned in October 2004
- (d) Ma On Shan to Tai Wai Rail Link (MOS Rail) - commissioned in December 2004
- (e) Disneyland Resort Line (DRL) - commissioned in August 2005
- (f) Sheung Shui to Lok Ma Chau Spur Line - commissioned in August 2007
- (g) MTR Tseung Kwan O Extension (Phase II) - commissioned in July 2009
- (h) Kowloon Southern Link (KSL) - commissioned in August 2009
- (i) West Island Line (WIL) - under construction for commissioning in 2013 or 2014

B. Railway projects under planning or review

- (a) Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) - under planning; construction is planned to commence by end 2009 for completion in 2015
- (b) South Island Line (East) (SIL(E)) - under planning; construction is expected to commence in 2011 for commissioning in 2015
- (c) Shatin to Central Link (SCL) - under planning; construction is planned to commence in 2010 for completion of the Tai Wai to Hung Hom section in 2015 and the cross harbour section in 2019

- (d) Kwun Tong Line Extension (KTE) - under planning; construction is expected to commence in 2010 for completion in 2015
- (e) Northern Link (NOL) - under planning; implementation programme will be formulated in the light of the future development of the New Development Areas and the need for cross-border traffic in the New Territories North
- (f) North Hong Kong Island Line - under review
- (g) Port Rail Line - under review

4. The Subcommittee formed in the last two terms had actively followed up the planning and implementation of various railway projects in Hong Kong, including the TKL, West Rail, Sheung Shui to Lok Ma Chau Spur Line, TST Extension, MOS Rail, KSL, SCL, DRL, NOL, XRL (Hong Kong Section), WIL, and SIL(E). For these projects, the Subcommittee had reviewed the station designs, alignment options and pedestrian connectivity of railway stations with neighbouring area. The Subcommittee was also concerned about the operation and performance of railway systems, and it had reviewed Light Rail service, railway incidents, preventive and response measures for emergency incidents, and progress of retrofitting platform screen doors at MTR stations.

5. In the 2008-2009 session, the Subcommittee has continued to follow up the planning and implementation of new railway projects including KSL, WIL, the Hong Kong Section of XRL, SIL(E), SCL, and KTE. As regards railway operation, the Subcommittee has discussed the Kwun Tong Line service disruption incident, the installation of platform screen doors and review of the MTR By-laws and North-west Railway By-laws.

6. According to the terms of reference of the Subcommittee, the Subcommittee will monitor the planning and implementation progress of railway projects and address problems of railway operation.

Need for continuation of work in the 2009-2010 session

7. Given the number of new railway projects in the pipeline (paragraph 3) and the need to monitor the performance of new railway lines, it is not envisaged that the Subcommittee can complete its work within a short period. The Subcommittee may wish to consider the need to continue its work in the 2009-2010 session and the remaining sessions of the current term according to the existing terms of reference.

8. The Subcommittee may also wish to note that in accordance with House Rule 26(c), a subcommittee should complete its work within 12 months of its commencement and report to the relevant Panel. If it is necessary for a subcommittee to work beyond that 12 months, the subcommittee should, after obtaining the endorsement of the relevant Panel, report to the House Committee (HC) and give justifications for an extension of the 12-month period.

Advice sought

9. Subject to members' views on the continuation of the work of the Subcommittee, the approval of the Panel will be sought at its meeting on 15 October 2009 for the Subcommittee to continue to work in the 2009-2010 session and, if necessary, in the remaining sessions of the current term. Upon approval given by the Panel, a report will be made to HC on the justifications for continuing the work of the Subcommittee beyond the 12-month period.

Council Business Division 1
Legislative Council Secretariat
6 October 2009

Panel on Transport

Subcommittee on matters relating to railways

Terms of Reference

To follow up various issues relating to the planning and implementation of new railway projects, and the operation of existing railways as follows:

Planning and implementation of new railway projects

- (a) planning and financing of new railway projects;
- (b) environmental impact assessment of new railway projects;
- (c) resumption of land arising from the implementation of new railway projects under the Railways Ordinance (Cap. 519);
- (d) progress update on the implementation of new railway projects;
- (e) provision of supporting public infrastructure for new railway projects; and
- (f) co-ordination of public transport services arising from the commissioning of new railway lines.

Railway operation

- (a) performance of existing railway lines including train service performance and safety management;
- (b) maintenance programme; and
- (c) train service disruptions and breakdowns, and arrangements for handling emergency situations.

Matters relating to corporate governance of the post-merger corporation and fares should be dealt with by the Panel on Transport.

Subcommittee on Matters Relating to Railways (the Subcommittee)

Issues discussed by the Subcommittee

Year	Planning and implementation of new railway projects	Railway operation
2000-2001	<ul style="list-style-type: none"> - Ma On Shan to Tai Wai Rail Link and KCR Extension from Hung Hom to Tsim Sha Tsui - Essential Public Infrastructure Works - MTR Tseung Kwan O Extension Project Update - Bidding programme of the Shatin to Central Link - Progress of the KCR West Rail project 	
2001-2002	<ul style="list-style-type: none"> - Shatin to Central Link - West Rail project update - Briefing by the Kowloon-Canton Railway Corporation Chairman on the findings of the investigation of the West Rail contracts - Northern Link - Briefing by the Administration on the MTR Penny's 	

Year	Planning and implementation of new railway projects	Railway operation
	<p>Bay Rail Link Project Agreement</p> <ul style="list-style-type: none"> - Kowloon Southern Link 	
2002-2003	<ul style="list-style-type: none"> - Kowloon-Canton Railway Corporation's tender evaluation criteria for railway contracts - East Rail Extension - Essential infrastructure work for Sheung Shui to Lok Ma Chau Spur Line - Reorganization of Light Rail Transit services upon commissioning of West Rail - Better co-ordination of public transport services in North West New Territories arising from the commissioning of West Rail - Project update of the West Rail - Kowloon Southern Link - Commissioning of West Rail - Shatin to Central Link 	<ul style="list-style-type: none"> - Review of the Light Rail service and the incident that occurred on 18 December 2002 - Performance of the new MTR trains from Korea - Airport Railway service disruption on 27 July 2003

Year	Planning and implementation of new railway projects	Railway operation
2003-2004	<ul style="list-style-type: none"> - West Rail - latest update - Kowloon Southern Link - latest update - Commissioning of Light Rail Tin Shui Wai Extension and West Rail - Progress update on Ma On Shan Rail and Tsim Sha Tsui Extension and the proposed public transport service plan to tie in with the commissioning of the two railway projects - Report on the scheme design of Shatin to Central Link - Shatin to Central Link project and the Public transport interchange at Lok Ma Chau Terminus of the Sheung Shui to Lok Ma Chau Spur Line - Review of Railway Development Strategy 2000 	<ul style="list-style-type: none"> - Railway Corporations' Preventive and Response Measures for Emergency Incidents - Review of Mass Transit Railway By-laws - West Rail service disruptions
2004-2005	<ul style="list-style-type: none"> - An update on the Ma On Shan Rail and better co-ordination of public transport services arising from the commissioning of the railway - Progress report on Kowloon Southern Link 	<ul style="list-style-type: none"> - Railway incidents and performance of the railway systems in Hong Kong - Retrofitting of platform screen doors at MTR stations

Year	Planning and implementation of new railway projects	Railway operation
	<ul style="list-style-type: none"> - Shatin to Central Link - Progress update on Disneyland Resort Line 	<ul style="list-style-type: none"> - Open fare system for Light Rail stations - Non-stopping of an East Rail train at Tai Wo Station on 28 April 2005
2005-2006	<ul style="list-style-type: none"> - Guangzhou-Shenzhen-Hong Kong Express Rail Link and Northern Link - Kowloon Southern Link 	<ul style="list-style-type: none"> - Investigation report on KCR East Rail train incident on 21 December 2005 and the East Rail underframe equipment mounting problem - Review of the notification and reporting regime for railway incidents and matters
2006-2007	<ul style="list-style-type: none"> - Shatin to Central Link - Guangzhou-Shenzhen-Hong Kong Express Rail Link and Northern Link - West Island Line 	<ul style="list-style-type: none"> - Provision of Light Rail Transit services by Kowloon Canton Railway Corporation - Review of the incident of a Tung Chung Line train using Airport Express platform on 13 March 2007 - Retrofitting of automatic platform gates and platform screen doors at railway stations - West Rail incident on 14 February 2007 - Provision of public lavatories in MTR railway

Year	Planning and implementation of new railway projects	Railway operation
		stations
2007-2008	<ul style="list-style-type: none"> - West Island Line - South Island Line - Shatin to Central Link and MTR Kwun Tong Line Extension - Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link 	<ul style="list-style-type: none"> - Follow-up on matters raised by the Bills Committee on Rail Merger Bill - East Rail rail crack incidents
2008-2009	<ul style="list-style-type: none"> - Progress update on Kowloon Southern Link (KSL) and coordination of public transport services arising from the commissioning of KSL - South Island Line - West Island Line - Shatin to Central Link - Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link 	<ul style="list-style-type: none"> - Rail safety and installation of platform screen doors - Kwun Tong Line service disruption on 8 December 2008 and review of recent railway incidents - Review of the Mass Transit Railway By-laws and North-west Railway By-laws

Year	Planning and implementation of new railway projects	Railway operation
	- Kwun Tong Line Extension	

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**Report of the Subcommittee on Matters Relating to Railways
for submission to the Panel on Transport**

Purpose

This report gives an account of the work of the Subcommittee on Matters Relating to Railways (the Subcommittee) during the 2008-2009 legislative session.

The Subcommittee

2. The Panel on Transport (the Panel) decided at its first meeting in the current session on 14 October 2008 to form a subcommittee to oversee matters relating to railways. The terms of reference and membership of the Subcommittee are at **Appendices I and II** respectively.

3. Under the chairmanship of Hon Miriam LAU, the Subcommittee has held eight meetings with the Administration and the MTR Railway Corporation Limited (MTRCL).

Major work

4. The Subcommittee has followed up on the work of the former Subcommittee on Matters Relating to Railways formed in the last Legislative Council (LegCo) term in 2004-2008. In the current session, the Subcommittee has discussed the progress of various railway projects with the Administration and MTRCL as detailed in the ensuing paragraphs.

Kowloon Southern Link (KSL)

5. KSL will link Nam Cheong Station to East Tsim Sha Tsui Station, connecting the West Rail Line (WRL) and the East Rail Line (ERL). The new 3.8-kilometer (km) long rail link will have one intermediate station at West Kowloon – Austin Station. KSL is expected to come into operation in the second

half of 2009.

6. The Administration and MTRCL briefed the Subcommittee at its meeting on 21 November 2008 on the progress of KSL and the Administration's plan to consult the concerned District Councils (DCs) about the proposed public transport service plan to tie in with the opening of KSL. In examining the Administration's plan on the pedestrian connectivity of Austin Station of KSL with its neighbouring area, members have emphasized to the Administration the need to look after the convenience of the railway/ferry travellers carrying luggage during rainy or inclement weather traversing between Austin Station and China Hong Kong City (CHKC) or the Airport Express Kowloon Station. Members consider it rather inconvenient for passengers at Austin Station heading to CHKC to have to first access the existing public pedestrian Austin Road Subway, and walk along a footpath of 150 metres without any cover from the subway exit to CHKC. Members also consider it far from satisfactory that passengers at Austin Station heading to Kowloon Station can only make use of the existing Jordan Road Footbridge and walk through a shopping mall to Kowloon Station. The Subcommittee has also conducted a visit to Austin Station to understand whether adequate facilities are in place to meet passengers' needs.

7. The Administration has subsequently informed members that, in the light of members' views, the Transport Department (TD) will widen the footpath linking the subway and CHKC to 3.5 metres wide, whereas the Highways Department will improve the paving along the footpath to make the walk for passengers with small baggage more pleasant.

8. Members, however, maintain that a direct subway link between Austin Station and CHKC should be provided and urge the Administration to explore providing such a direct subway link at a site adjacent to CHKC, which is now reserved for the West Kowloon Cultural District (WKCD). Members have requested that before such a subway connection is provided, a cover should be provided on the footpath linking Austin Road Subway and CHKC. In response to members' request, the Administration has undertaken to provide a temporary cover over the existing footpath. The cover installation together with the footpath widening/repaving works will be completed before the commissioning of KSL.

9. Members note that the Transport and Housing Bureau has commenced discussion with the WKCD Office on how to incorporate a pedestrian connection between Austin Station and CHKC through the site currently reserved for WKCD. In addition, MTRCL is working with TD to see if the existing Green Minibus services could be enhanced with stops near Austin Station and CHKC with fare concessions provided for the railway passengers.

10. In response to members' concern about the pedestrian connectivity between Austin Station and other railway stations nearby (Kowloon Station and Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) Terminus), the Administration has advised that MTRCL is studying a proposal to have the three railway stations interconnected by subways with travellers and footbridges. The study result will be available when the design of the XRL terminus is finalized towards the end of 2009. In the interim, in order to facilitate the interchange arrangement for KSL passengers, MTRCL has proposed to provide an additional stop for the existing Airport Express Shuttle Bus Service at Austin Station and will submit an application to TD.

West Island Line (WIL)

11. The WIL scheme was gazetted under the Railways Ordinance (Cap. 519) on 26 October 2007. 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, corrections to the scheme were gazetted on 9 January 2009. The Administration briefed the Subcommittee on the amendments to the scheme at its meeting on 31 March 2009. The Subcommittee also received views from deputations at that meeting.

12. The Subcommittee was consulted on the funding arrangements for WIL at its meetings on 1 and 4 June 2009. The Administration informed the Subcommittee that MTRCL had submitted the latest financial proposal for WIL in February 2009 indicating an upsurge in the capital cost for the railway project as compared with the estimate made in November 2007. The then estimated capital cost for the project was \$8.9 billion (January 2006 prices), and the funding support to MTRCL required for the implementation of the project was estimated to be \$6 billion (Net Present Value (NPV) at January 2007). The revised estimate, as compared with that in November 2007, is listed below -

	<u>Estimate in Oct 2007</u>	<u>Latest Estimate in Feb 2009</u>
(a) Capital Cost	\$8.9B (Jan 2006 prices)	\$15.4B (Dec 2008 prices)
(b) Funding Gap	\$6.0B (NPV at Jan 2007)	\$12.7B (NPV at Jun 2009)

13. The increase in the capital cost of \$6.5 billion (\$15.4 billion - \$8.9 billion) is attributed to -

- (a) \$2.2 billion due to increase in the scope of works for the railway; and
- (b) \$4.3 billion due to price escalation within the construction sector over the three-year period covered by the estimating dates.

14. As regards the funding gap, it is calculated based on the following formula:-

$$\text{Funding Gap} = \text{NPV of expenditure} - \text{NPV of revenue}$$

The total funding support to MTRCL is \$12.7 billion (NPV at June 2009).

15. Subcommittee members have expressed grave concern whether MTRCL has under-estimated the revenue of WIL and over-estimated the funding support required. The Administration has explained that the revenue has been estimated based on input assumptions including projected population and employment figures, fare structure and so on. With the Rail Merger taken place in 2007, a series of fare reduction took effect in December 2007. When the original project cost estimate for WIL was prepared in October 2007, these fare reductions were not taken into account. Moreover, the increase in population and employment projection for 2016 according to the latest forecast will slow down, and this also has impact on the revenue from WIL.

16. Some members including Hon Andrew CHENG, Hon WONG Kwok-hing and Hon LI Fung-ying have expressed concern whether the projected population/employment data are on the conservative side without taking into account the development in the district brought about by WIL. Hon LI Fung-ying has also pointed out that the Rail Merger has achieved an overall staffing synergy for MTRCL, which should also be taken into account in calculating the cost estimate.

17. In response to members' concern, the Administration has advised that the non-fare revenue of WIL has been checked by an independent engineering consultant whereas the fare revenue has been checked using the well-established Railway Development Study computer model. The Administration has advised that it is keen to safeguard public interest and has proposed a claw-back mechanism whereby the funding gap will be re-assessed within two years after WIL has commenced operation. Any over-estimation of the contracts leading to over-assessed funding support, if any, will be returned to Government with interest. In case of overshooting in expenditure, the excess will be borne by MTRCL. So, MTRCL will have to bear the risk of further cost overrun. In other words, the funding gap represents the maximum commitment of the Government financial

support to MTRCL for the WIL project.

18. Members have also urged the Administration to actively address the concerns expressed by the local community, particularly the air and visual impacts of proposed ventilation shafts at Hill Road and Bonham Road, and the effects of blasting. MTRCL has explained that the air coming from railway ventilation shafts does not contain any undesirable emissions, and MTRCL will explore all possible ways to minimize the size of the Hill Road ventilation shaft to address residents' concern. MTRCL will also enforce stringent risk control and safety measures to ensure the delivery, use and storage of explosives are safely operated during the construction. The Subcommittee passed the following motion at the meeting on 4 June 2009 -

"That this Subcommittee strongly requests the immediate implementation of WIL project and the re-examination of its financial arrangement with MTRCL by the HKSAR Government as its long-term work objectives, and urges MTRCL to re-examine the way it handles the issues in connection with the ventilation shafts and blasting works, so as to address the worries of the residents."

Guangzhou-Shenzhen-Hong Kong Express Rail Link (Hong Kong Section)

19. XRL is an express rail service, which will link up Hong Kong, Shenzhen and Guangzhou. The Hong Kong Section will run from the terminus in West Kowloon, going north passing Yau Tsim Mong, Sham Shui Po, Kwai Tsing, Tsuen Wan, Yuen Long and the boundary at Huanggang, where it will connect to XRL Mainland section. The Administration plans to start construction of the Hong Kong Section XRL at the end of 2009 for completion in 2015-2016.

20. At its meeting on 14 May 2009, the Subcommittee received views from deputations, who were mainly concerned about the compensation for land resumption, provision of an intermediate station and the impact of the works on the environment. The major bone of contention was the Administration's plan of setting up an emergency rescue station (ERS) and stabling sidings at Shek Kong of Yuen Long, which has necessitated land resumption and clearance at Choi Yuen Tsuen at Shek Kong. Many affected residents attended the Subcommittee meeting and expressed strong objection to the proposed land resumption and clearance. They criticized that the public consultation on the proposed alignment and railway facilities of XRL only lasted for two months after the gazettal of the Hong Kong Section of XRL on 28 November 2008, and very little information had been provided to the affected residents, such as the alignment of the Hong Kong Section which was not clearly set out.

21. The Administration has explained that in planning the location of ERS, the

extent of study areas covers the flat areas of the entire Kam Tin and Pat Heung. Shek Kong is located approximately in the midway of the whole XRL alignment between West Kowloon and Futian in Mainland. Setting up an ERS at Shek Kong will enable effective response to incidents inside the tunnel at different locations. In addition, the proposed site is well served by major roads, low-lying, flat and extensive allowing rescue teams to reach ERS conveniently and evacuation of train passengers. The Administration has assured members that the concerned government departments will continue to work with MTRCL on the detailed design of XRL, and will timely consult the Legislative Council (LegCo), the concerned DCs and Rural Committees. At the request of the Subcommittee, the Administration has undertaken to maintain close liaison with the local communities to solicit their views and to keep the residents informed. The Administration has advised that it will deal with the issue of compensation in accordance with established land policy and relevant legislation.

22. Members have emphasized that the Administration and MTRCL should engage in close dialogue with the affected residents and consider their views and requests as far as practicable. The Subcommittee has urged the Administration to make every endeavour to address affected residents' concerns and provide details of the project and necessary assistance to them. The Subcommittee has also decided to schedule a meeting around late September 2009 for further discussion on the matter.

23. Members have requested the Administration to consider the views expressed by some deputations that the Hong Kong Section of XRL should have an intermediate station in the New Territories (NT) North in order to maximize the economic benefits brought about by the new railway. The Administration has, however, pointed out that provision of an intermediate station in NT will extend the journey time, and also reduce the duration during which the trains can maintain at high speed. The Administration therefore does not recommend provision of an intermediate station.

24. Subcommittee members have also urged the Administration and MTRCL to fully address concerns about the impact on the environment during construction, as it is expected that a large amount of construction waste and rock will be created given the long length of the proposed railway. MTRCL has undertaken that it will assess the impact of XRL on the environment during construction and in its daily operation in accordance with the Environmental Impact Assessment (EIA) Ordinance, and will propose mitigation measures in the EIA report. The Subcommittee has noted that the Environmental Protection Department will not issue an environmental permit for the construction of XRL unless it is satisfied with the EIA report. The EIA report, when available, will also be presented to the concerned DCs and Rural Committees.

South Island Line (East) (SIL(E))

25. SIL(E) will be a seven-km long medium capacity railway, running between Admiralty and South Horizons with intermediate stations at Ocean Park, Wong Chuk Hang and Lei Tung. MTRCL commenced the preliminary planning and design of SIL(E) in February 2008. The Administration is in discussion with MTRCL on the detailed scope and implementation programme of the project. The Administration intends to commence construction of the railway in 2011 for completion and commissioning in 2015.

26. The Subcommittee discussed the current position in the planning of the proposed SIL(E) with the Administration and MTRCL at its meeting on 16 January 2009. The Subcommittee further received views from deputations on the project at its meeting on 15 May 2009. Most members are disappointed with the decision not to provide a station in Happy Valley. Some members have requested the Administration to take into consideration the long-term benefits brought to the community and to the commercial development at Happy Valley by provision of a Happy Valley Station, which is justified in view of the heavy pedestrian traffic between Causeway Bay and Happy Valley on race days and public holidays, as well as the long-term population growth. Some members have suggested construction of a Happy Valley subsidiary railway line and that the frequency of trains on this line will be increased only on race days.

27. The Administration has advised that it has seriously considered the option for a station in Happy Valley taking into account factors like patronage, construction cost, implementation timetable and disturbance to the locals during construction. Different locations for a station in Happy Valley have been examined, but all options will lead to a longer alignment and additional construction time. The increase in journey time will also lower the economic benefits of SIL(E). As there are also strong calls for the early commencement of construction of SIL(E), the Administration on balance has decided not to provide a station in Happy Valley.

28. The Administration has also advised that since it is expected that the patronage of Happy Valley Racecourse Station during non-race days will not be high, provision of a subsidiary railway line will have adverse impact on the transport and economic benefits of the entire project. However, in the light of the Subcommittee's views, the Administration will study the feasibility of the construction of two pedestrian subways linking the heart of Causeway Bay with the busy streets bordering Happy Valley (one linking the existing pedestrian subway in Sports Road with Victoria Park via the heart of Causeway Bay and MTR station; the other linking the re-developments in Caroline Hill with Yun Ping Road). TD will soon commission a consultancy study on the subway scheme and

DCs concerned will be consulted.

29. Members share the concern expressed by deputations about the noise and visual impacts of the proposed viaduct section between the toll plaza of Aberdeen Tunnel and Lei Tung Estate. Some residents are worried that the viaduct section will affect the development of the district and request a change to using tunnels instead. MTRCL has explained that the adoption of a tunnel option would result in a lot of difficulties and drawbacks. In particular, part of the Aberdeen Channel will have to be closed for three years in order to construct the tunnel section across the Channel. This will adversely affect the operation of the nearby Aberdeen Typhoon Shelter. The dispersal of the contaminated materials due to dredging of the marine deposit within the Typhoon Shelter during the construction will have impact on the water quality there.

30. As for the concern about the structural form of the viaduct to match with the surroundings, the Administration will consult the Advisory Committee on Appearance of Bridges and Associated Structures and DC concerned so as to arrive at a design that could accommodate the views of different parties concerned. MTRCL has assured members that it will spare no effort in finding an aesthetically acceptable viaduct structural form in harmony with the Wong Chuk Hang surroundings. MTRCL has also undertaken that it will develop mitigation measures to address any noise impact.

31. Members have requested MTRCL to note the public's suggestions on the locations of entrances for stations at South Horizons and Lei Tung and to take these into consideration in the course of detailed design of the stations. At the request of the Subcommittee, the Administration and MTRCL have undertaken that they will continue to take residents' suggestions into account and will address their concerns throughout the planning of SIL(E).

Shatin to Central Link (SCL)

32. SCL comprises two railway lines with a total length of 17 kilometres: the Tai Wai to Hung Hom Link connecting the Ma On Shan Line, KSL and West Rail Line to form an east-west strategic railway corridor; and the cross harbour section from Hung Hom to Central extending the East Rail Line to Central to form a north-south strategic railway corridor. Along SCL, there will be six interchange stations.

33. The Subcommittee discussed the progress of the project with the Administration and MTRCL on 31 March 2009 and also listened to views expressed by deputations at the meeting. Members in general share deputations' views that Hin Keng Station should be provided to help alleviate congestion at Tai

Wai Station. Acknowledging the need for railway transport in Hin Keng area, the Administration has undertaken to incorporate the proposed Hin Keng Station in the railway scheme.

34. As regards the concern about improving the footbridge system in Tsz Wan Shan and the connectivity with Diamond Hill Station since a Tsz Wan Shan Station will not be provided, the Administration has advised that a feasibility study has been conducted on the options put forward. The DCs and local communities will be consulted after the Administration has finalized a proposal.

35. Members have urged the Administration to address concerns about the preservation of the three historical structures namely, the Old Pillbox, the Former Royal Airforce Hangar and the Stone House, at the former Tai Hom Village site where the SCL depot will be developed. The Administration has advised that it will study how these built heritages may integrate with the future development above the depot and nearby, when reviewing the design of the SCL depot. The Wong Tai Sin DC will be further consulted on the matter.

36. The Subcommittee has also discussed with the Administration the request for the Central South Station. The Administration has advised that it will review the matter after a decision has been made on the future land use of the site currently occupied by the Central Government Offices, so as to better match the future developments in the area. In response to the Subcommittee's request, MTRCL has undertaken that in the course of design of various stations, it will take into consideration the public's request that locations of the station entrances should be user-oriented, with a view to providing convenient pedestrian connection with residential areas nearby. The Administration and MTRCL have indicated that they will stay in close touch with the various DCs and local communities for further consultation, prior to completion of the preliminary design of the project in 2009.

Kwun Tong Line (KTL) service disruption on 8 December 2008 and review of recent railway incidents

37. Following the occurrence of the KTL service disruption incident on 8 December 2008, causing delay to more than 18 000 commuters for more than three hours, the Subcommittee held an urgent meeting on 16 December 2008 to review MTRCL's incident handling procedures. Members were gravely concerned that deployment of emergency buses was arranged only an hour after the KTL service disruption. Members were deeply dissatisfied with the fact that MTRCL had spent almost an hour to identify the cause of the incident on 8 December 2008, while passengers were stranded on the train for about 45 minutes. Although a red alert was already issued at 7:30 pm that evening in anticipation of

a delay in passenger service, the public was not notified of a service suspension between Kwun Tong and Tou Keng Leng Stations in both directions on the Kwun Tong Line until 8:13 pm.

38. According to the MTRCL's investigation, the cause of the incident was related to an Overhead Line (OHL) isolator, which should normally be locked in the closed position, was locked in the open position. A closed isolator connects two sets of overhead lines and is normally kept in the closed position to balance the voltage. However, the isolator concerned was left locked in the open position after the last maintenance on 10 November 2008, and this was not discovered until the occurrence of the incident on 8 December 2008.

39. Members are of the view that MTRCL should disseminate information to passengers in a timely manner in railway incidents to facilitate passengers' consideration of taking other modes of transport. As the KTL incident was caused by the misplacement of an OHL isolator by outsourced staff, members have also expressed concern about the need to enhance MTRCL's monitoring of its outsourced maintenance activities and to ensure the contractor staff meets the required standard.

40. In response to members' concerns, the Administration has reviewed with MTRCL and come up with enhanced measures. MTRCL has undertaken that in future, MTRCL will, within 20 minutes after the outbreak of an incident, advise passengers to consider taking other modes of transport if the service disruption is expected not to be recovered in the next 20 minutes. If MTRCL takes less than 20 minutes to assess and concludes that the service disruption cannot be recovered in the next 20 minutes, it will advise passengers immediately without waiting for 20 minutes after the outbreak of an incident.

41. In the light the KTL incident in which more than one hour had been taken for the arrangement of emergency buses for passengers, MTRCL has undertaken that in future, the Corporation will arrange for emergency buses to be on standby once Red Alert is issued. When service suspension is confirmed, full call out of emergency buses will be arranged. The timing to arrange emergency buses to be on standby will be much advanced under the new arrangements.

42. As regards outsourcing of maintenance activities, MTRCL has come up with new checking procedure for isolators and enhanced monitoring system for outsourced maintenance works. Members have also sought the confirmation of MTRCL regarding its media notification arrangement. MTRCL has assured members that it will continue to notify the media of service disruption incidents as far as possible so that passengers can consider taking other modes of transport. During peak hours or in a situation where a service disruption is expected not to be

recovered within a short time, the Corporation will notify the media as early as possible. At the request of the Subcommittee, MTRCL has also provided an account of railway incidents occurring in the past six months. Members have expressed serious concern about the frequency of recurrence and urged the Administration to ensure improvements are made by MTRCL to the Administration's satisfaction as soon as possible.

Installation of platform screen doors

43. MTRCL has informed the Subcommittee that it aims to complete the Automatic Platform Gates (APGs) retrofit work at all the eight at-grade and aboveground stations (i.e. Tsuen Wan, Kwai Fong, Kwai Hing, Heng Fa Chuen, Chai Wan, Kowloon Bay, Ngau Tau Kok and Kwun Tong Stations) of the pre-merger MTR system by 2012 as scheduled. The Subcommittee has requested MTRCL to expedite the works as far as possible. In response, MTRCL has advised that the installation works at Heng Fa Chuen Station will be completed first. Installation for the seven remaining stations will be completed by 2012, with some in 2011.

44. On the installation of automatic platform gates (APGs) at ERL stations, members have expressed strong dissatisfaction with MTRCL's failure to provide a completion date for installation of APGs. Members have pointed out that when the subject was last discussed by the Subcommittee on 4 May 2007, the then Kowloon-Canton Railway Corporation (KCRC) informed members that a trial on Mechanical Gap Fillers (MGFs) was planned to commence at Lo Wu Station in February 2008 for completion by September 2008, and another five years would be needed to install APGs at all KCRC stations. In the light of the information provided, the Subcommittee passed a motion at that meeting requesting the then KCRC to complete the installation of APGs by 2013.

45. MTRCL has explained the technical problems to be addressed and stressed that, if APGs are provided without installation of MGFs, the wide platform gaps between a train and a curved edge at ERL stations might pose a risk to boarding and alighting passengers. MTRCL has informed members that sufficient test data for analysis and assessment on the performance of the MGFs will be ready by September 2009, and a full review will be completed by the end of 2009. At the Subcommittee meeting on 21 November 2008, members passed the following motion -

"That this Subcommittee expresses strong dissatisfaction with and condemnation of the failure of the Government and MTRCL to fulfil their promise to provide a concrete timetable for the installation of platform screen doors; and strongly requests the Government to press MTRCL to expedite the installation of platform screen doors."

To follow up the matter, the Subcommittee conducted a visit on 13 December 2008 to Lo Wu Station to observe the on-going trial on MGFs and the relevant technical issues.

Review of the MTR By-laws and North-west Railway (NWR) By-laws

46. In mid-2007, the then Subcommittee to Study the Draft Subsidiary Legislation Relating to the Rail Merger, having scrutinized the draft MTR Bylaws and NWR Bylaws, approved the proposed amendments and highlighted a number of areas that needed to be addressed. MTRCL undertook to conduct a comprehensive review of the amended bylaws taking into account the experience of operating the integrated railway system after the Merger as well as the views expressed by that Subcommittee. MTRCL has completed the review. The Administration has examined the outcome of the review and provided its assessment of the main areas covered in the review for consultation with the Subcommittee.

47. Members have made suggestions on various issues. Hon James TO and Hon Ronny TONG have expressed the view that in relation to the offence of "use of abusive language", a clear definition of "abusive language" should be provided under the bylaws for the purpose of clarity. They have suggested that use of abusive language should be defined along the line that a person commits an offence if he, by use of threatening, abusive, obscene or offensive language, incites violence or discrimination towards another passenger, or if he does so to insult, threaten or disturb another passenger.

48. Some members have questioned why MTRCL allows noisy TV broadcast and advertisements on ERL trains but penalizes passengers for creating noise generated from radios. MTRCL has pointed out that this bylaw is found in most transport-related bylaws/regulations in the world. Passengers are not prohibited from listening to, e.g. radio or MP3, provided that they do not play it loudly or they listen through earphones. MTRCL has also advised that the noise generated from the TV broadcasts on ERL trains cannot exceed the level limit as specified in an agreement entered into by the Administration and MTRCL. Regular audits are carried out to check compliance with the specified noise level limit.

49. Members note that MTRCL has proposed to reduce the penalty for the offence of "improper dressing" from \$5,000 to \$2,000. According to MTRCL, the intent of this bylaw is to prevent passengers from being impacted on as a result of others' extremely dirty clothing, and is commonly found in transport-related bylaws/regulations in the world. Hon James TO considers the existing definition of "improper dressing" under the relevant provisions is unclear and has queried how the line should be drawn in considering whether a passenger's clothing is

"liable to soil" under the existing definition. MTRCL has agreed to take into account members' comments and suggestions in preparing the amendments to the bylaws for submission to LegCo.

Recommendation

50. The Panel is invited to note the work of the Subcommittee.

Council Business Division 1
Legislative Council Secretariat
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