

立法會
Legislative Council

LC Paper No. FC101/09-10

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Tel : 2525 4354
Date : 27 April 2010
From : Clerk to the Finance Committee
To : Members of the Finance Committee

Finance Committee

Follow-up to meetings on 8 January 2010

I attach the English version of the Administration's replies to the following matters raised at the Finance Committee meeting on 8 January 2010:

- (a) service concession of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL); and
- (b) resumption of underground strata for the Hong Kong section of XRL.

The Chinese version of the paper had been issued vide LC Paper No. FC53/09-10 on 15 January 2010.

(Mrs Constance LI)
Clerk to the Finance Committee

Encl.

立法會
Legislative Council

立法會FC101/09-10號文件

檔 號：CB1/F/1/5

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發文者：財務委員會秘書

受文者：財務委員會各位委員

財務委員會

2010年1月8日會議的跟進事項

現附上政府當局就2010年1月8日財務委員會會議席上提出的下列事宜所作回覆的英文本：

- (a) 廣深港高速鐵路(下稱"高鐵")香港段服務經營權；及
- (b) 高鐵香港段收回地層。

該文件的中文本已於2010年1月15日隨立法會FC53/09-10號文件發給委員。

財務委員會秘書

(李蔡若蓮女士)

連附件

政府總部
運輸及房屋局
運輸科
香港花園道美利大廈



**Transport and
Housing Bureau**
Government Secretariat
Transport Branch
Murray Building, Garden Road,
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14 January 2010

Ms Anita SIT
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Fax: 2869 6794

Dear Ms SIT,

**PWSC(2009-10)68, 69 and 72 Hong Kong section of
Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL)
Follow-up on the Meeting of the Finance Committee on 8 January 2010**

Thank you for your letter dated 11 January 2010. Our replies to the two issues raised are as follows:

Service Concession of the Hong Kong section of the XRL

2. The Administration proposes to adopt the concession approach for the Hong Kong section of the XRL whereby the MTR Corporation Limited (MTRCL) will be granted the rights to use the railway assets. During the validity of the service concession agreement, the MTRCL will be responsible for the operation, maintenance and asset renewal of the high speed rail system, and has to make service concession payment to the Government. According to the relevant terms of the merger agreement, the service concession payment will be 90% of the net present value of the revenue from the XRL project in the 50-year operation period.

3. In operating the XRL, the MTRCL shall maintain a proper and efficient service according to the relevant requirements, and formulate specific criteria, definitions and standards for its service performance in order to meet the stipulated service standards, safety standards and to the reasonable satisfaction of the Government. The performance criteria under regulation

include:

- Train service delivery
- Train reliability
- Passenger journeys on time
- Train punctuality
- Add Value machine reliability
- Ticket machine reliability
- Ticket Gate reliability
- Escalator reliability
- Passenger lift reliability

The MTRCL shall also maintain reasonable service standards in respect of railway cleanliness, passenger environment, noise and vibration during operation, temperature and ventilation in the stations and train compartments, passenger enquiry response time and handling of passenger complaints and suggestions. The Hong Kong Railway Inspectorate retains the statutory power to inspect and investigate the high speed rail system to ensure passenger safety.

4. A provision for the suspension and revocation of the franchise has already been included in the Mass Transit Railway Ordinance (“the Ordinance”). If in executing the service concession agreement of the high speed rail system in the future, the MTRCL incurs a major default stipulated in Section 16 of the Ordinance (including a substantial failure by the Corporation to discharge an obligation under the operating agreement, and the failure results in or is likely to result in a substantial breakdown of the service, the safety of passengers being endangered or serious injury to or the death of passengers), the Chief Executive-in-Council may suspend or revoke the franchise according to Sections 17 and 18 of the Ordinance. Under Section 19 of the Ordinance, the Government may include additional provisions as and when required enabling the Administration (or the future operator) to use the assets jointly used by the MTRCL and the high speed rail system upon expiry or revocation of the franchise.

Resumption of Underground Strata for the Hong Kong section of the XRL

5. A list of private multi-storey buildings and housing estates on lots, the underground strata of which have to be resumed for the Hong Kong section of the XRL is at **Annex**.
6. The Administration has reserved a sum of \$194 million as a

provision for Government to pay compensation due to the possible loss of owners arising from underground strata resumption..

7. This is a rough estimate and the actual payment has to be assessed upon receipt of valid statutory claims. The estimate comprises three parts, namely-

(i) Compensation for the possible reduction in permissible gross floor area upon redevelopment, i.e. the reduction in permissible gross floor area of the lot[#] due to underground strata resumption multiplied by estimated accommodation value

[#] The original permissible gross floor area minus the permissible gross floor area upon resumption of the underground strata.

(ii) Compensation for the possible additional design/construction costs upon redevelopment, i.e. the permissible gross floor area multiplied by 20%* of the estimated design/construction costs per square foot.

* It is roughly assumed that the additional design/construction costs will normally be not more than 20% of the original costs.

(iii) Compensation for losses other than items (i) and (ii) above – a certain sum has been reserved for each lot affected by the resumption of underground strata.

The redevelopment potential of any building is dependant on the land grant conditions, town planning considerations, the Building (Planning) Regulations, distribution of property ownership and market conditions, etc. In arriving at the estimates for compensation in items (i) and (ii) above, the Administration made reference to actual factors relevant to the lot concerned, including permissible use and restrictions under the land grant conditions (e.g. plot ratio and building height), type of permissible building, the position and depth of underground strata to be resumed, the separation between the foundation of the building and the tunnel, and the geology of the site, etc.

8. The interests of the owners of the buildings and housing estates concerned are protected by the relevant legislation. The above provision is only a rough estimation for administrative purposes and shall not be construed as implying that the redevelopment of the lots will be affected. If the owners can prove that their properties have been affected, the amount of compensation will most probably be different from the estimated amount. Therefore, the Administration considers it not appropriate to disclose the amount reserved for individual buildings to avoid misunderstanding, and prevent people with ulterior motives from using the information to mislead the residents.

9. To allay the concerns of the residents, the Administration may provide information about their flats to individual residents, such as information on the building plans published by the Buildings Department, including the site area, gross floor area, plot ratio and the depth of piling, etc.

Yours sincerely,

Originally signed

(Fletch CHAN)
for Secretary for Transport and Housing

Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) 廣深港高速鐵路香港段 (高鐵)
Resumption of Underground Strata 收回地層

List of private multi-storey building and estate development 私人多層大廈及屋苑名單

| No. 號碼 | Lot No. 地段 | Name of Property 大廈名稱 | Address (For Reference Purpose) 地址 (供參考用途) | Gazette Scheme Drawing No. 刊憲圖號 | Remarks 備註 |
|---------------------|--|--|---|---------------------------------|---|
| Tai Kok Tsui | | | | | |
| 1 | KML 28 S.U RP 九龍海旁地段第28號U分段餘段 | Tai Chuen Building & Tai Shing Building 大成樓及大成樓 | Nos. 70-102 Ivy Street & No. 52 Kok Cheung Street 埃華街70-102號 及 角祥街52號 | XRL-U22 (Rev 1) | |
| 2 | KML 28 S.W RP 九龍海旁地段第28號W分段餘段 | Tai Fung Building & Tai Moon Building 大豐樓及大滿樓 | No. 15 Tai Ching Street & Nos. 27-59 Tai Tsun Street 大政街15號 及 大全街27-59號 | XRL-U22 (Rev 1) | |
| 3 | KML 28 S.Q RP 九龍海旁地段第28號Q分段餘段 | Tai Fong Building & Tai Chung Building 大方樓及大眾樓 | Nos. 51-87 Ivy Street & Nos. 97-105 Tai Kok Tsui Road 埃華街51-87號 及 大角咀道97-105號 | XRL-U23 (Rev 1) | |
| 4 | KML 28 S.D ss1 九龍海旁地段第28號D分段第1小分段 | Tsin Shui Building 千歲大廈 | Nos. 2-16 Li Tak Street & Nos. 87-93 Tai Kok Tsui Road 利得街2-16號 及 大角咀道87-93號 | XRL-U23 (Rev 1) | |
| | KML 28 S.D RP 九龍海旁地段第28號D分段餘段 | | | XRL-U23 (Rev 1) | |
| 5 | KML 28 S.E RP 九龍海旁地段第28號E分段餘段 | - | Nos. 20-26 Li Tak Street 利得街20-26號 | XRL-U23 (Rev 1) | According to relevant government documents, the building has no building name. Nevertheless, recent external inspection has revealed that the building bears the name '家慶樓'。 根據有關政府文件，該大廈並無名稱。但現場視察所見，該大廈名稱爲『家慶樓』。 |
| 6 | KML 28 S.L RP 九龍海旁地段第28號L分段餘段 | Hing Wong Mansion 興旺大廈 | Nos. 67-85 Tai Kok Tsui Road, Nos. 2-6 Fuk Chak Street & Nos. 1-5 Li Tak Street 大角咀道67-85號、福澤街2-6號 及 利得街1-5號 | XRL-U23 (Rev 1) | |
| 7 | KML 28 S.F RP 九龍海旁地段第28號F分段餘段 | Kar Hing Building 家慶樓 | Nos. 8-10 Fuk Chak Street & Nos. 7-9 Li Tak Street 福澤街8-10號 及 利得街7-9號 | XRL-U23 (Rev 1) | |
| 8 | KIL 10037 九龍內地地段第10037號 | Peony House, North Block 牡丹大廈 | Nos. 55-65A Tai Kok Tsui Road & Nos. 2-6 Ka Shin Street 大角咀道55-65A號 及 嘉善街2-6號 | XRL-U23 (Rev 1) | |
| 9 | KIL 10749 九龍內地地段第10749號 | New Kowloon Plaza 新九龍廣場 | No. 38 Tai Kok Tsui Road 大角咀道38號 | XRL-U23 (Rev 1) | |
| 10 | KML 28 S.B RP 九龍海旁地段第28號B分段餘段 | Chung Hing Building 中興樓 | Nos. 29-55 Chung Wui Street & Nos. 70-76 Kok Cheung Street 中匯街29-55號 及 角祥街70-76號 | XRL-U22 (Rev 1) | |
| 11 | KML 28 S.C ss.1 RP 九龍海旁地段第28號C分段第1小分段餘段 | Chung Yew Building 中耀樓 | Nos. 48-58 Chung Wui Street, Nos. 73-99 Kok Cheung Street & Nos. 78-90 Wong Tai Street 中匯街48-58號、角祥街73-99號 及 旺堤街78-90號 | XRL-U22 (Rev 1) | |

**Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) 廣深港高速鐵路香港段 (高鐵)
Resumption of Underground Strata 收回地層**

List of private multi-storey building and estate development 私人多層大廈及屋苑名單

| No. 號碼 | Lot No. 地段 | Name of Property 大廈名稱 | Address (For Reference Purpose) 地址 (供參考用途) | Gazette Scheme Drawing No. 刊憲圖號 | Remarks 備註 |
|----------------------------------|--|---|---|---------------------------------------|---------------|
| 12 | KML 28 S.C RP 九龍海旁地段第28號C分段餘段 | Chung Sing Building 中星樓 | Nos. 57-69 Chung Wui Street & Nos. 69-71 Kok Cheung Street 中匯街57-69號及角祥街69-71號 | XRL-U22 (Rev 1) | |
| 13 | KML 28 S.V RP 九龍海旁地段第28號V分段餘段 | Tai Kwei Building & Tai Wing Building 大貴樓及大榮樓 | Nos. 22-60 Tai Tsun Street 大全街22-60號 | XRL-U22 (Rev 1) | |
| 14 | KML 28 S.E ss.1 九龍海旁地段第28號E分段第1小分段 | | Nos. 28-30 Li Tak Street 利得街28-30號 | XRL-U23 (Rev 1) | |
| 15 | KML 28 S.M ss.1 RP 九龍海旁地段第28號M分段第1小分段餘段 | Hoi On Building 海安樓 | Nos. 11-33 & 11A-33A Li Tak Street 利得街11-33及11A-33A號 | XRL-U23 (Rev 1) | |
| Sham Shui Po / Nam Cheong | | | | | |
| 16 | KIL 11082 九龍內地段11082號 | Charming Garden 富榮花園 | No. 8 Hoi Ting Road 海庭道8號 | XRL-U24 (Rev 1) | |
| 17 | KIL 11141 九龍內地段11141號 | Hoi Fu Court 海富苑 | No. 2 Hoi Ting Road 海庭道2號 | XRL-U24 (Rev 1) | |
| 18 | KIL 11090 九龍內地段第11090號 | Olympian City Two, Central Park, Park Avenue 奧海城二期、帝柏海灣、柏景灣 | No. 18 Hoi Ting Road 海庭道18號 | XRL-U23 (Rev 1) | |
| 19 | NKIL 6031 新九龍內地段6031號 | Hong Kong Institute Vocational Education (Haking Wong Waterfront Annex) 香港專業教育學院 (黃克競海傍分校) | No. 879, Lai Chi Kok Road 荔枝角道879號 | XRL-U20 (Rev 1) | |
| 20 | NKIL 6363 新九龍內地段6363號 | CLP Sham Mong Road Substation 中華電力深旺道變電站 | Lai Chi Kok Road 荔枝角道 | XRL-U20 (Rev 1) | |
| 21 | NKIL 6436 新九龍內地段6436號 | MTR Nam Cheong Station 港鐵南昌站 | Sham Mong Road 深旺道 | XRL-U21(Rev 1) | |
| 22 | KIL 11174 九龍內地段11174號 | CLP Lai Cheung Road Substation 中華電力麗翔道變電站 | Junction of Lai Cheung Road and Hoi Wang Road 介乎麗翔道與海泓道之交界 | XRL-U24 (Rev 1) | |

**Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) 廣深港高速鐵路香港段 (高鐵)
Resumption of Underground Strata 收回地層**

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|--|---|--|---|---------------------------------|------------|
| <u>Kwai Chung / Lai Chi Kok</u> | | | | | |
| 23 | TWTL 344 荃灣市地段第344號 | Sun Fung Centre 新豐中心 | No. 88 Kwok Shui Road, Kwai Chung, N.T. 葵涌國瑞路88號 | XRL U12 (Rev 1) & XRL-U13 | |
| 24 | KCTL 55 葵涌市地段第55號 | Hung Wan Building 鴻運樓 | Nos. 470-480 Castle Peak Road, Kwai Chung, N.T. 青山公路葵涌段470-480號 | XRL-U13 | |
| | Lot No. 311 in DD 444 丈量約份第 444約地段第 311 號 | | | XRL-U13 | |
| 25 | Lot No. 690 RP in DD 445 丈量約份第 445約地段第 690 號 餘段 | Hensey Industrial Building 興時工業大廈 | Nos. 433-441 Castle Peak Road, Kwai Chung, N.T. 青山公路葵涌段433-441號 | XRL-U13 & XRL-U14 | |
| 26 | KCTL 49 & Ext RP 葵涌市地段第49號及擴展部份餘段 | Toppy Tower | Nos. 45-51 Kwai Shui Road, Kwai Chung, N.T. 葵涌國瑞道45-51號 | XRL-U13 | |
| 27 | KCTL 54 葵涌市地段第54號 | Yam Hop Hing Industrial Building 任合興工業大廈 | Nos. 40-44 Kwai Wing Road, Kwai Chung, N.T. 葵涌葵榮道40-44號 | XRL-U13 | |
| 28 | KCTL 136 葵涌市地段第136號 | Gold Peak Building 金山工業中心 | Nos. 30-34 Kwai Wing Road, Kwai Chung, N.T. 葵涌葵榮道30-34號 | XRL-U13 | |
| 29 | KCTL 148 葵涌市地段第148號 | Fang Brothers Textiles Limited Factory Building 華昌工業大廈 | Nos. 20-24 Kwai Wing Road, Kwai Chung, N.T. 葵涌葵榮道20-24號 | XRL-U13 | |
| 30 | KCTL 174 葵涌市地段第174號 | Shui Sum Industrial Building 瑞森工業大廈 | Nos. 8-10 Kwai Sau Road & Nos. 453-457 Castle Peak Road Kwai Chung 葵秀路8-10號及 青山公路葵涌段453-457 號 | XRL-U13 | |
| 31 | KCTL 182 葵涌市地段第182號 | Wai Yin Building 偉賢樓 | Nos. 430-436 Castle Peak Road, Kwai Chung, N.T. 青山公路葵涌段430-436號 | XRL-U13 | |
| 32 | KCTL 301 葵涌市地段第301號 | Hutchison Estate 和記新邨 | No. 2 Lei Muk Road & No. 482 Castle Peak Road Kwai Chung 梨木道2號及 青山公路葵涌段482號 | XRL-U13 | |
| 33 | KCTL 367 葵涌市地段第367號 | Kwai Sing Centre 葵星中心 | Nos. 412- 416 Castle Peak Road Kwai Chung & Nos. 1-3 Wo Yi Hop Road 青山公路葵涌段412-416號及 和宜合道1-3 號 | XRL-U13 & XRL-U14 | |
| 34 | Lot No. 696 RP in DD 445 丈量約份第 445約地段第 696 號 餘段 | Vanta Industrial Centre 宏達工業中心 | Nos. 21-33 Tai Lin Pai Road, Kwai Chung, N.T. 葵涌大連排道21-33號 | XRL-U14 | |
| 35 | KCTL 110 葵涌市地段第110號 | Kwai Chung Cold Storage 葵涌冷房 | Nos. 403-413 Castle Peak Road, Kwai Chung, N.T. 青山公路葵涌段403-413號 | XRL-U14 | |

**Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) 廣深港高速鐵路香港段 (高鐵)
Resumption of Underground Strata 收回地層**

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|-------------------------|--|--|--|---------------------------------------|---------------|
| 36 | KCTL 292 葵涌市地段第292號 | Bold Win Industrial Building 保盈工業大廈 | Nos. 16-18 Wah Sing Street, Kwai Chung, N.T. 葵涌華星街16-18號 | XRL-U14 | |
| 37 | KCTL 335 葵涌市地段第335號 | Wah Tat Industrial Centre 華達工業中心 | No. 8 Wah Sing Street, Kwai Chung, N.T. 葵涌華星街8號 | XRL-U14 | |
| 38 | KCTL 416 葵涌市地段第416號 | Greenknoll Court 嘉翠園 | No. 382 Castle Peak Road, Kwai Chung, N.T. 青山公路葵涌段382號 | XRL-U14 | |
| 39 | KCTL 369 RP 葵涌市地段第369號餘段 | Wonderland Villas 華景山莊 | No. 9 Wah King Hill Road 華景山路9號 | XRL-U15 (Rev 2) & XRL- U16 | |
| 40 | Lot No. 984 RP in DD 450 丈量約份第 450約地段第 984 號 餘段 | The Salvation Army Kwai Chung Girl's Home 救世軍葵涌女童院 | No. 1 Lei Muk Road, Kwai Chung, N.T. 葵涌梨木道1號 | XRL-U13 | |
| 41 | NKIL 5980 新九龍內地段第5980號 | CLP Lai Chi Kok Substation 中華電力荔枝角變電站 | Cheung Hang Road 長坑道 | XRL-U18 | |
| <u>Yuen Long</u> | | | | | |
| 42 | Lot No. 4754 SA in DD 104 丈量約份第104約地段第4754 號 A分段 | Royal Palms 加州豪園 | - | XRL-U02 (Rev 2) | |
| 43 | Lot No. 4773 RP & Ext in DD 104 丈量約份第104約地段第4773號 餘段及擴展部份 | The Vineyard 葡萄園 | - | XRL-U04 (Rev 1) | |
| 44 | Lot No. 2058 SA & RP in DD 105 丈量約份第105約地段第 2058 號A分段及餘段 | Maple Gardens Phase I 碧豪苑(第一期) | - | XRL-U03 | |
| 45 | Lot No. 2073 in DD 105 丈量約份第105約地段第 2073 號 | Maple Gardens Phase II 碧豪苑(第二期) | - | XRL-U03 | |
| 46 | Lot No. 4784 in DD 104 丈量約份第104約地段第4784 號 | Green Crest 翠巒 | - | XRL-U03 | |

Footnote : NT village house is not included in the above list
備註: 上列名單不包括新界村屋