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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 2010-2011 legislative session.

The Subcommittee

2. The Panel on Transport (the Panel) decided at its first meeting in the last session on 14 October 2010 to form a subcommittee to oversee matters relating to railways. The terms of reference and membership list of the Subcommittee are at **Appendices I and II** respectively.

3. Under the chairmanship of Hon Miriam LAU, the Subcommittee has held nine meetings (up to early June 2011) with the Administration and the MTR Corporation Limited (MTRCL).

Major work

Shatin to Central Link (SCL)

4. The 17-kilometre (km) SCL is a territory-wide strategic railway

project with 10 stations¹. The SCL scheme was gazetted on 26 November 2010 and has started the statutory consultation process which is expected to be completed by early 2012. Thereafter, the Administration will seek funding approval for the remaining railway and non-railway works with a view to commencing construction works in 2012. The construction works for the Tai Wai to Hung Hom Section are expected to be completed in 2018, whereas the Hung Hom to Admiralty Section is expected to be completed by 2020.

5. The Administration and MTRCL briefed the Subcommittee on the progress of the SCL project at its meeting on 4 November 2010, and consulted the Subcommittee at its meetings on 6 December 2010 and 7 January 2011 on a funding application for the advance railway works and non-railway works of SCL. The Administration proposed to expand the Admiralty Station into an integrated station by constructing the SCL and South Island Line (East) (SIL(E)) works concurrently, and to build the new Ho Man Tin Station as an integrated station for passengers of SCL and Kwun Tong Line Extension (KTE) to interchange. In order to tie in with the implementation programme of SIL(E), which was scheduled to commence works in 2011 for completion in 2015, the SCL portion of Admiralty Station had to be constructed in advance of other SCL works. Similarly, the Ho Man Tin Station also had to be constructed in advance of other SCL works to tie in with the implementation programme of KTE, which was scheduled to commence in 2011 for completion in 2015. The advance non-railway works of the project included reprovisioning of the International Mail Centre at Hung Hom and reprovisioning works at Harcourt Garden and Hong Kong Park.

6. Subcommittee members expressed major concern about the on-cost payment by the Government to MTRCL, the rate of which was proposed to be 16.5% of the actual expenditure of the works undertaken. Some members were concerned about the substantial amount of money involved for the on-cost payment, which was estimated to be \$10 billion, and requested detailed information on the management and supervision services provided by MTRCL for the design and construction works. The Administration explained that the percentage was adopted with

¹ The 10 stations are: Tai Wai, Hin Keng, Diamond Hill, Kai Tak, To Kwa Wan, Ma Tau Wai, Ho Man Tin, Hung Hom, Exhibition and Admiralty.

reference to an agreement made in 2003 between the Government and MTRCL, which provided that if MTRCL was entrusted with civil engineering projects, an amount at 16.5% of the works undertaken would be payable to MTRCL as the on-cost for the design, construction supervision, contract administration and the relevant insurance premium of the project. The Administration would further seek independent consultancy advice in assessing the reasonableness of the on-cost rate for the SCL project. Since the audit conducted by the independent consultant would only be completed in 2012, the Administration had adopted the 16.5% on-cost rate for calculating the on-cost on a provisional basis. The Administration advised that it would adjust the on-cost rate when it sought funding approval from the Finance Committee (FC) for the SCL remaining railway and non-railway works in 2012 in the light of the final on-cost rate for the project.

7. Subcommittee members also expressed concerns on the arrangements of station entrances in Kowloon City and residents' request for constructing a fully sunken Diamond Hill stabling sidings. As regards the impact of changed location of the To Kwa Wan Station, the Administration explained that the railway catchment under the amended railway alignment would cover the more densely populated areas in To Kwa Wan and Kowloon City, thereby offering advantages for renewal of these areas.

Kwun Tong Line Extension

8. KTE is an extension of the existing MTR Kwun Tong Line from the Yau Ma Tei Station to Whampoa of approximately 2.6-km long, with two new stations at Ho Man Tin and Whampoa. The Administration and MTRCL briefed the Subcommittee on the progress of the KTE project and consulted the Subcommittee on a funding application for carrying out the essential public infrastructure works (EPIW) associated with KTE at its meetings on 6 and 16 December 2010. Construction of EPIW for KTE was scheduled to commence in mid-2011 for completion in tandem with KTE in 2015.

9. Subcommittee members were keen to ensure that residents would be provided with direct and convenient access to the proposed

stations. They requested the Administration to consider residents' request for provision of direct connection of the Whampoa Station entrance to the basement arcade of Whampoa Garden. The Administration and MTRCL agreed to actively pursue the proposal subject to its technical feasibility and other considerations. The Subcommittee also urged MTRCL to address residents' concerns about the potential impact posed by the ventilation shafts and to consider the alternative design counter proposed by residents. While MTRCL did not adopt the alternative design owing to technical difficulties, it agreed to make the best effort to minimize the size of the ventilation shafts to address residents' concerns.

10. The Subcommittee also followed up residents' request for provision of pedestrian subways along Hung Hom Road to connect Laguna Verde and Hok Yuen area to the Whampoa Station. The Administration explained that as the alignment of the subway suggested by the residents was similar to that of the existing footpath, its function duplicated the footpath and was not cost-effective.

South Island Line (East)

11. 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. The Administration and MTRCL briefed the Subcommittee on the progress of the SIL(E) project and consulted members on a funding application for carrying out the EPIW associated with SIL(E) at the meeting on 16 December 2010. Construction of EPIW for SIL(E) was scheduled to commence in mid-2011 for completion in tandem with SIL(E) in 2015.

12. The Subcommittee expressed concern about the impact of the proposed railway viaduct section of SIL(E) on the Tung Wah Group of Hospitals Jockey Club Rehabilitation Complex (JCRC) in the vicinity. To address concerns raised by members and stakeholders, MTRCL proposed amendments to the viaduct section, including erecting noise enclosures at the section adjacent to JCRC, moving the viaduct structure farther away to at least 18 metres from JCRC, and lowering the viaduct structure such that the top of the noise enclosure would be about the same

as the ground level of JCRC.

13. The Subcommittee also followed up the concern expressed by the local residents about the environmental impact that might be brought about by the barging point at Telegraph Bay. While the Administration advised that the proposed number of trucks using Telegraph Bay would be reduced to 150 per working day and would only operate for a short time daily, the Subcommittee suggested requiring some trucks to use other barging points with spare capacity. The Administration advised that apart from the barging point at Telegraph Bay, some excavated materials would also be handled by the barging point at Lee Nam Road whereas those arising from SIL(E) station construction at Admiralty would be handled by the barging point at the Western District Public Cargo Working Area. The Administration agreed to make appropriate arrangements for the barging point at Telegraph Bay to minimize impact on local traffic and environment.

Hong Kong section (HKS) of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL)

14. Following FC's approval on the funding applications for implementation of the railway and non-railway works of the HKS of XRL on 16 January 2010, the construction works commenced in end January 2010 for completion in 2015. The Administration provided half-yearly progress reports to the Subcommittee for consideration. At the meeting on 20 May 2011, the Subcommittee discussed the second report on construction progress and financial situation of the XRL project for the period between 1 July and 31 December 2010. Subcommittee members noted that 70% of the foundation works, including piling and diaphragm wall works, had been completed as scheduled.

15. Subcommittee members were concerned about the measures to be taken to alleviate the traffic impact of construction of the West Kowloon Terminus (WKT) on the West Kowloon area. The Administration advised that the temporary roads in the West Kowloon area for the five-stage Temporary Traffic Management Scheme (TTMS) had been completed and open to the public on 2 January 2011. With the implementation of TTMS in the West Kowloon area to facilitate construction of WKT and the 3-tier depressed road system, no adverse impact on the traffic had been observed. The Administration would

continue to engage in close consultation with the District Council concerned on the remaining stages of TTMS and closely monitor the traffic condition.

16. The Subcommittee also expressed concern about the arrangements made by MTRCL to address the concerns of Tai Kok Tsui (TKT) residents affected by strata resumption. The Administration informed members that representatives of the Government and MTRCL had continued to maintain close dialogue with TKT residents on the project progress update and residents' concerns. Home visits were made by the XRL Community Ambassadors to the TKT residents concerned. By end of December 2010, condition survey for about 600 individual units had been conducted. MTRCL had distributed the condition survey reports to individual owners and provided briefings to explain the content of the report. Moreover, professional consultation services on construction works and building surveying were offered free of charge to owners of buildings concerned.

Railway safety and incidents

Service disruption of the Tsuen Wan Line (TWL)

17. The Subcommittee closely followed up the service disruption of TWL on 21 October 2010 which had caused a three-hour suspension of train service between Yau Ma Tei and Jordan Stations. According to MTRCL, the incident was due to a power fault on a train which led to breakage in the overhead line at Yau Ma Tei Station. At the meeting on 4 November 2010, Subcommittee members expressed grave concern about the confusion caused to passengers during the incident by unsatisfactory arrangements in the dissemination of information and emergency bus arrangements, poor crowd control at the emergency bus pick-up points, and the ad hoc changes made to the locations of those pick-up points. The Subcommittee passed the following motion at the meeting -

"That, as quite a number of serious incidents and disruptions have occurred on the railway systems of MTRCL over the past several years and there has been no improvement in the

measures it has adopted in response to these incidents and the way it has handled them; its performance in handling the recent incidents has been more than disappointing and has aroused concern about and dissatisfaction with its railway operations among members of the public; this Subcommittee demands that MTRCL withholds the bonus payments for this year to its Chief Executive Officer and other management staff concerned as a punishment."

18. To follow up the discussion of the Subcommittee, MTRCL had submitted a detailed investigation report on the incident and a report of comprehensive improvement measures for consideration by the Subcommittee. At its meeting on 18 March 2011, the Subcommittee discussed the MTRCL's implementation of improvement measures in a number of areas including customer communication, shuttle bus arrangements, staff training on handling of service disruptions, and crowd management in and outside MTR stations during service disruptions. The Subcommittee noted that after the service disruption of TWL, the Secretary for Transport and Housing had served a notice to the Chief Executive Officer of MTRCL stating that the Government took a serious view of the MTRCL's handling of the incident, and that any failure of a similar scale and/or nature in the future could lead to punitive action to be taken under the Mass Transit Railway Ordinance (Cap. 556). The Administration pledged that it would closely monitor the progress of implementation of MTRCL's remedial measures to prevent recurrence of similar incidents in future.

Recent railway incidents involving rail cracks

19. The Subcommittee discussed several rail breakage incidents which occurred in January and February 2011, and examined the investigation reports submitted by MTRCL and the improvement measures suggested by the Electrical and Mechanical Services Department (EMSD) in the areas of track work process management in respect of rail installation, emergency repair and conformance to design standards for works. The Subcommittee noted that in each of the rail breakage incidents, MTRCL had immediately made temporary repair and reinforcement to the rails, lowered train speed and monitored operation

conditions closely. The Subcommittee also noted the assessment made by EMSD that railway safety was not compromised. The Subcommittee urged EMSD to follow up with MTRCL to ensure timely implementation of the improvement measures as appropriate. MTRCL assured members that apart from conducting a comprehensive investigation and review into every case of rail breakage and introducing the necessary improvement measures, the number of rail breakage cases would be made public regularly and uploaded to MTRCL's website as requested by the Subcommittee.

20. MTRCL also advised that with an aim to seek further improvements in the inspection and maintenance of its rail asset, a team of experts on rail technology from the Institute of Railway Technology of the Monash University was engaged to conduct a comprehensive review of MTRCL's rail procurement, quality control, inspection and maintenance regime with particular focus on rail cracks and breakages. EMSD had also separately commissioned a permanent way expert to scrutinize the Monash University's study. The review is expected to be completed in July 2011. The Subcommittee will hold a special meeting for follow up discussion on the review report when it is released.

Retrofitting of automatic platform gates (APGs)

21. The Subcommittee discussed the major findings of MTRCL's technical studies regarding the retrofitting of APGs on East Rail Line (ERL) at its meeting on 21 January 2011. According to MTRCL, if APGs were to be retrofitted on ERL, both the signalling system and the train fleet would have to be replaced to solve technical difficulties. Separately, under the SCL project, MTRCL also made a similar proposal of replacing the signalling system and new trains of the ERL in order to permit operation of the North-South Line² (NSL). As such, MTRCL was of the view that retrofitting of APGs in tandem with construction of the NSL of SCL would achieve synergy. Subcommittee members in general expressed strong dissatisfaction with the findings and the

² Under the SCL project, the existing ERL will be extended from Hung Hom, crossing the harbour to reach Admiralty, thereby forming a strategic line from the border at Lo Wu or Lok Ma Chau to the heart of the business centre on Hong Kong Island. This strategic line is termed NSL. The NSL completion date is forecast to be in 2020.

MTRCL's proposal of retrofitting of APGs in tandem with SCL project. MTRCL advised that both projects would require substantial work to be done on ERL platforms. If they were undertaken separately, it was almost certain that work would overlap at sites, causing delay to one project or the other, or once one had finished work on a particular platform, the other might go in to dismantle what had just been installed, thus creating waste and abortive work.

22. Some members suggested that consideration could be given to installing APGs at certain busy ERL stations, such as the Kowloon Tong Station, where the platforms were less curved. These members considered that MTRCL should not just emphasize cost considerations in contemplating whether the two projects should be implemented in tandem or separately. The Subcommittee passed the following motion at the meeting on 21 January 2011-

"That there have been as many as 48 accidents involving passengers falling onto rail tracks and 30 cases of suicide and attempted suicide over the past three years at MTRCL's stations which have not been retrofitted with platform screen doors or APGs, but MTRCL still refuses to immediately retrofit APGs on its ERL and Ma On Shan Rail Line (MOSRL) in disregard of both passenger safety and its corporate social responsibility, this Subcommittee therefore strongly condemns MTRCL for its indifference to passenger safety, and demands that MTRCL immediately retrofit APGs on its ERL and MOSRL to ensure passenger safety."

23. The Subcommittee urged MTRCL to make sustained efforts in exploring feasible solutions which could enable retrofitting APGs at ERL stations as early as possible, at least at those without wide platform gaps first, with a view to enhancing passenger safety.

Railway facilities and train compartment design

24. MTRCL previously provided one multi-purpose area in each of the eight compartments for trains on the MTR Island, Tsuen Wan, Kwun Tong, and Tseung Kwan O Lines for the convenience of passengers in

wheelchair and those with baby prams or luggage. In May 2008, MTRCL launched a trial to introduce six additional multi-purpose areas on three trains on the Island Line with a view to facilitating passengers in need. MTRCL planned to gradually introduce additional multi-purpose areas to the trains on TWL, the Kwun Tong Line and Tseung Kwan O Line, and the enhancement programme was expected to be completed in 2011. The Subcommittee did not raise objection to the enhancement programme but it requested MTRCL to seek improvements to the design of these multi-purpose areas to provide more convenience for passengers. MTRCL agreed to make improvements in the light of members' comments.

25. Given the overcrowded condition of MTR trains during busy hours, Subcommittee members in general considered that there was a need to introduce designated female-only compartments at least on a trial basis to enhance the protection of female passengers. Some members considered that MTRCL should strengthen publicity and public education in railway premises to encourage female passengers not to remain silent but to report crime immediately should they encounter indecent assaults. MTRCL, however, considered that introducing female-only compartments on trains was not practicable in Hong Kong's MTR system, which was one of the busiest railways in the world, and there would be difficulties in enforcement as well as adverse impact on smooth and efficient train operations. As members remained of the view that introducing female-only compartment was desirable, the Subcommittee passed a motion on 21 January 2011 urging MTRCL to introduce female-only compartment on a trial basis.

26. As regards provision of public toilets, the Subcommittee noted that with the exception of three stations, public toilets were available within a walking distance of 200 metres (i.e. about four-minute walk) from stations. At the suggestion of members, MTRCL also agreed to consider providing breast-feeding rooms in MTR stations to facilitate passengers in need.

27. In view of the general concern expressed by residents affected by railway projects on the design of the ventilation facilities of railway system in recent years, the Subcommittee discussed the functions and

design considerations of such facilities at its meeting on 6 May 2011. According to MTRCL, it is a statutory requirement that all ventilation openings are required to be at least five metres away from buildings nearby and at least three metres above the pedestrian level. It is also required to comply with the Noise Control Ordinance (Cap. 400) and the statutory codes of the Fire Services Department. Subcommittee members, however, expressed grave concern about the specified minimum distance of only "at least five metres away from buildings nearby". They considered that all ventilation openings should be located far away from residential buildings, and ventilation shafts should only be provided with the support of residents nearby. The Subcommittee further passed the following motion on 6 May 2011-

"That this Subcommittee strongly opposes MTRCL's design for its ventilation shafts, in which the minimum distance between ventilation shafts and residential buildings and community facilities nearby is just five metres, and demands that MTRCL locate its ventilation shafts far away from residential buildings and community facilities nearby and obtain the support from local residents for their construction."

28. To address public concern about the air quality of the exhaust from the MTR ventilation openings, the Subcommittee suggested that MTRCL should release the data recorded by MTRCL by the existing dust monitoring devices installed at the ventilation openings. MTRCL agreed to provide the information and data to the Subcommittee for members' reference.

Other issues

29. The Subcommittee also considered a funding application on the protection works at Causeway Bay typhoon shelter for SCL and another application for funding to review and update the Railway Development Strategy 2000. The Subcommittee has scheduled a special meeting for mid-June 2011 to discuss the funding arrangements of the KTE and SIL(E) projects.

Recommendation

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

Council Business Division 1
Legislative Council Secretariat
5 July 2011

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.

**Legislative Council
Panel on Transport**

Subcommittee on Matters Relating to Railways

Membership list for 2010-2011 session

Chairman	Hon Miriam LAU Kin-ye, GBS, JP
Members	Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP Hon LAU Kong-wah, JP Hon Andrew CHENG Kar-foo Hon Abraham SHEK Lai-him, SBS, JP Hon LI Fung-ying, SBS, JP Hon WONG Kwok-hing, MH Hon LEE Wing-tat (up to 22 November 2010) Hon Jeffrey LAM Kin-fung, GBS, JP Hon CHEUNG Hok-ming, GBS, JP Hon Ronny TONG Ka-wah, SC Hon KAM Nai-wai, MH Hon WONG Sing-chi Hon IP Wai-ming, MH Hon Mrs Regina IP LAU Suk-ye, GBS, JP Hon LEUNG Kwok-hung Hon Tanya CHAN Hon Albert CHAN Wai-yip (Total: 17 members)
Clerk	Ms Joanne MAK
Legal Adviser	Mr Kelvin LEE
Date	1 July 2011