

立法會
Legislative Council

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by the Administration)

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Panel on Transport
Subcommittee on matters relating to railways

Minutes of meeting on
Friday, 6 June 2003, at 10:45 am
in Conference Room A of the Legislative Council Building

Members present : Hon Miriam LAU Kin-ye, JP (Chairman)
Dr Hon David CHU Yu-lin, JP
Ir Dr Hon Raymond HO Chung-tai, JP
Hon CHAN Kwok-keung
Hon LAU Kong-wah
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi
Hon LAU Ping-cheung

Non-Subcommittee : Hon Cyd HO Sau-lan
Members attending Hon Eric LI Ka-cheung, JP

Public Officers : **Agenda Item IV**
attending

Environment, Transport and Works Bureau

Mr Paul TANG
Deputy Secretary for the Environment, Transport and
Works

Mr Raymond HO
Principal Assistant Secretary for the Environment,
Transport and Works

Highways Department

Mr WAN Man-lung
Principal Government Engineer/Railway
Development

Attendance by invitation : Kowloon-Canton Railway Corporation

Mr Samuel LAI
Senior Director, Finance & Management

Mr James BLAKE
Senior Director, Capital Projects

Mr K K LEE
Director, East Rail Extensions

Mr Stephen CHIK
General Manager, Capital Works Planning

Mrs Irene YAU
General Manager, Corporate Affairs

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

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

Mr Anthony CHU
Assistant Secretary (1)2

Miss Winnie CHENG
Legislative Assistant 5

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I Confirmation of minutes and matters arising
(LC Paper No. CB(1)1835/02-03 - Minutes of meeting held on 4 April
2003)

1 The minutes of meeting held on 4 April 2003 were confirmed.

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II Information papers issued since last meeting

2. Members noted that no information paper was issued since last meeting.

III Items for discussion at the next meeting

(LC Paper No. CB(1)1836/02-03(01) - List of railways and projects)

3. Members went through the list of railways and projects (LC Paper No. CB(1)1836/02-03(01)) and agreed to discuss the following items at the next Subcommittee meeting scheduled for 18 July 2003:

- (a) Commissioning of the West Rail (WR); and
- (b) Reorganization of Light Rail and other public transport services in North West New Territories upon the WR commissioning.

4. In view of the Administration's decision not to allow for any railway station or tunnel, or other public transport facilities directly underneath the new Central Government Complex and the Legislative Council Complex at Tamar, Mr Albert CHAN said that the Subcommittee should follow up on the design and interchanging arrangements for the Shatin to Central Link (SCL). Representatives of the Kowloon-Canton Railway Corporation (KCRC) should be invited to brief members on the latest planning of the SCL.

- Admin 5. After deliberation, the Chairman concluded that the Administration should first be requested to provide a written paper on the progress of the SCL for consideration by the Subcommittee. The Subcommittee would decide on how to follow up on the project upon receipt of the paper from the Administration.

IV Kowloon Southern Link

(LC Paper No. CB(1)1836/02-03(02) - Information paper provided by the Administration)

6. The Chairman recapped that at the meeting on 27 September 2002, the Administration and KCRC introduced the proposed alignment of the Kowloon Southern Link (KSL) to the Subcommittee. The Administration and KCRC agreed to revert to the Subcommittee in six to eight months' time about the detailed planning and design of the KSL.

7. The Deputy Secretary for the Environment, Transport and Works (DS for ETW) briefed members on the latest progress of the implementation of the KSL as set out in the paper (LC Paper No. CB(1)1836/02-03(02)).

8. Mr Samuel LAI, Senior Director, Finance & Management, KCRC (SD/F&M,

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KCRC) gave further details on the planning and design of the KSL. He said that the KSL would provide an efficient east-west link in the southern part of the Kowloon peninsula. Upon KSL's completion, both WR and East Rail (ER) would terminate with cross-platform interchange at the Hung Hom Mass Transportation Centre, where interchange with the SCL was also possible. He said that the Canton Road Alignment of the KSL was the preferred option as it provided an acceptable alignment for rail operation which would also minimize land resumption and disruption to existing major development/facilities in the area. KCRC was giving very careful attention to minimizing to the maximum practicable extent any possible adverse impacts on the public, traffic flows and sensitive buildings, both during the construction and operational phases.

9. With the aid of PowerPoint, Mr K K LEE, Director, East Rail Extensions, KCRC (D/ERE, KCRC) briefed members on the design of the KSL. KSL would have two stations, one at West Kowloon and the other at Canton Road. From East Tsim Sha Tsui Station to Former Marine Police Headquarter and along Canton Road, cut-and-cover construction method would be adopted. Tunnelling method would be adopted underneath Former Marine Police Headquarter. From West Kowloon Station to Nam Cheong Station, a mixture of bored tunnelling and cut-and-cover construction method would be employed. To mitigate any noise or vibration arising from the operation of trains, a special double-floating track slab would be provided inside tunnels to ensure that the adjacent Cultural Centre facilities would not suffer from noise or vibration which would exceed statutory limits.

(Post-meeting note: A set of presentation materials prepared by KCRC was tabled at the meeting and was subsequently issued to members vide LC Paper No. CB(1)1900/02-03(01).)

Planning for the KSL

10. Ir Dr Raymond HO was worried that in the absence of a finalized layout plan for the development of the art and culture belt at the southern tip of the West Kowloon Reclamation, the design of the KSL might have to be altered at a subsequent stage, thereby leading to an upsurge in project cost as was the case for the SCL.

11. DS for ETW replied that the Planning Department was aware of the proposed implementation of the KSL and adequate protection works had already been undertaken. Mr James BLAKE, the Senior Director, Capital Projects, KCRC (SD/CP, KCRC) added that whilst the development plan for West Kowloon Reclamation had yet to be decided, the road network design had already been finalized. Further, KCRC and its consultants had been working hand-in-hand with the Administration and they were confident that the West Kowloon station of KSL would not be affected by future developments in the areas.

12. Ir Dr Raymond HO reminded the Administration and KCRC of the need to make better planning in advance so as to avoid last-minute change to the scope of the

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project, thereby leading to an upsurge in project cost. Mr Albert CHAN echoed the view of Ir Dr HO and opined that necessary provisions should be included in the project brief so that KCRC could seek compensation from the Government in case there were last-minute changes to the land use planning in the area.

13. Ir Dr Raymond HO and Mr Albert CHAN considered it necessary to put in place an efficient pedestrian walkway system to enhance pedestrian accessibility. To this end, pedestrian linkages should be provided not only to link up railway stations, but also public transport interchanges/bus termini as well as surrounding buildings. There was also a need to synchronize the completion date of the pedestrian walkway system with that of the railway system to ensure the timely completion of construction works in one go to minimize the nuisance caused to local residents and shop owners/business operators.

Consultation with local bodies

14. Mr Albert CHAN emphasized the need to consult the relevant District Councils on the route alignment, design and location of the stations before gazettal of the railway project. D/ERE, KCRC took note of the member's view and said that KCRC would arrange to consult the local District Councils in due course before gazettal of the railway project.

Land resumption and compensation mechanism

15. Citing the example of Wah Kai Industrial Centre in Tsuen Wan where some factory operators who were affected by the land resumption of the Government had to move out or close down their factories before the compensation issue was duly resolved, Mr Albert CHAN opined that there was a need to improve the land resumption procedure, simplify the mechanism for appeal, enhance the transparency for the calculation of the amount of compensation, etc. Notwithstanding the passage of a motion on "Reviewing the compensation policy on land resumption" at the Council meeting on 5 July 2001, there was little progress on the matter. He urged the Administration to speed up the related work.

16. Echoing Mr CHAN's view, Mr Abraham SHEK also criticized the way the Administration handled the claims for compensation by affected parties. He opined that in taking forward railway projects, the Environment, Transport and Works Bureau should assume a leading role to co-ordinate the work of various departments so as to minimize the loss and nuisance caused to affected parties.

17. DS for ETW said that as the compensation policy on land resumption fell under the purview of the Housing, Planning and Lands Bureau, he would relay members' concern to the Bureau.

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Business impact assessment

18. Mr TAM Yiu-chung urged the Administration and KCRC to introduce measures to minimize the adverse impact of the project on shop owners and business operators, and assist them to maintain their businesses during the construction stage. Mr Tommy CHEUNG and Mr Abraham SHEK also expressed grave concern about the impact of the project on business operation in the area. They requested the Administration and KCRC to conduct a business impact assessment study on the proposed implementation of the KSL and draw up a detailed compensation plan for the affected parties. Mr Tommy CHEUNG also urged the Administration and KCRC to consult the affected shop owners and business operators, and inform them of the details of the proposed work plan and compensation arrangements.

19. DS for ETW replied that the Administration had not conducted a business impact assessment study on the KSL, but KCRC would arrange to consult the affected shop owners and business operators and come up with proposals to minimize the disturbance caused to them.

20. D/ERE, KCRC added that whilst the construction at Canton Road would last for 16 months, the works would be carried out on a section-by-section basis. As such, the period when hoarding or fencing would be placed in front of individual premises along the road would be minimized to four months. Shop owners and business operators would also be consulted on the design of the hoarding.

21. On community liaison, D/ERE, KCRC advised that a Community Liaison Group would be set up. At the moment, KCRC was in contact with the relevant District Councils. It would also discuss with the affected shop owners and business operators in July or August this year with a view to identifying ways to minimize the nuisance caused to them.

Traffic impact assessment

22. Mr Andrew CHENG expressed grave concern about the possible traffic disruption in Tsim Sha Tsui area during the construction stage of the KSL. Noting that different construction methods would be deployed at different sections of the KSL, he asked whether KCRC would consider using the bored tunnel option in busy corridor, thereby minimizing the disruption caused to traffic.

23. SD/CP, KCRC explained that in deciding on whether cut and cover option or bored tunnel option should be adopted, KCRC would take into account a number of factors, including land resumption requirements, availability of road and footpath space, site conditions, and other technical considerations. Cost alone was not a factor of determination. The current schematic design envisaged cut and cover methods of excavation and construction. Canton Road and Salisbury Road would be temporarily decked for traffic and construction purposes for a period of about 48 months. During this period, at least two through lanes would be maintained for road users, with

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additional space provided for vehicle loading/unloading and for entry into/exit from commercial buildings and car parks.

Environmental impact assessment

24. Ms Cyd HO and Mr LAU Kong-wah were concerned that the Cultural Centre facilities would be affected by the noise and vibration generated during both construction and operational stages.

25. SD/CP, KCRC replied that the Corporation would address the problem to stop noise at source. A special double-floating track slab would be provided inside tunnels to ensure that the adjacent Cultural Centre facilities did not suffer from noise or vibration which exceeded statutory limits. The planning intent was that people inside the Cultural Centre facilities would not be aware of the construction and operation of the KSL.

26. DS for ETW said that upon the completion of the Environmental Impact Assessment (EIA) Study by KCRC, the Environmental Protection Department (EPD) would consult the Leisure and Cultural Services Department on whether the proposed mitigation measures were sufficient for the purpose. SD/CP, KCRC added that when the EIA report was available for public inspection, various parties could offer their views and comments on the subject matter.

27. Noting that the KSL railway alignment was only 50 to 100 metres away from the Cultural Centre facilities and in the light of the experience of the impact of the implementation of the Ma On Shan (MOS) Rail on surrounding buildings, Mr LAU Kong-wah was not convinced of the replies. Notwithstanding the requirement for compliance with a statutory limit for various noise sensitive receivers, such limit might not be adequate in the case of cultural and performing facilities, bearing in mind their distinct characteristics. He also enquired whether vibration level was subject to a statutory limit. To this end, he asked if KCRC was prepared to give an absolute undertaking that the Cultural Centre facilities would not be affected by the implementation of the KSL in one way or another.

28. D/ERE, KCRC clarified that a new method of erecting sheet piles using hydraulic press would be used for the construction of the KSL near the Cultural Centre, which would be different from that used in the MOS Rail. As such, the Cultural Centre facilities would be protected from vibration and noise so generated. Whilst he could not give a 100% guarantee that there would not be any impact on the near-by facilities, the present design had already incorporated adequate and necessary precautionary measures with the deployment of the latest technology to minimize the noise or vibration impact on near-by facilities.

29. DS for ETW also said that EPD would examine the EIA report prepared by KCRC in detail. If the Director of Environmental Protection was not satisfied with the findings and rectification measures contained therein, he would not issue an

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Environmental Permit to the Corporation.

30. In reply to Mr LAU Kong-wah's question about the progress of the EIA report, D/ERE, KCRC explained that the EIA report had yet to be finalized and could not be released for public exhibition in May 2003 as originally planned. DS for ETW also said that the timing for the release of the EIA report and gazettal of the project had yet to be determined.

31. Ms Cyd HO maintained her view that there was a need to invite experts outside the Government to assess whether the impacts of the construction and operation of the KSL on the performing venues in Tsim Sha Tsui were acceptable or not, bearing in mind the stringent acoustics requirements which the facilities of performing venues had to meet.

Alignment and interconnectivity with MTR

32. Mr Abraham SHEK asked if KCRC had considered shifting the alignment away from the Cultural Centre so as to minimize the potential impact of KSL on the cultural and performing facilities there.

33. D/ERE, KCRC replied that KCRC had considered a number of route alignment proposals. Among the four alignment options which had been considered by KCRC, the present one was the preferred one as it provided an acceptable alignment for rail operation and generated the least disruption to existing major development/facilities.

34. Mr Abraham SHEK also opined that in the light of a possible merger between MTR Corporation Limited (MTRCL) and KCRC, the Administration should review the design of the KSL and its interchange with the MTR system. This could maximize the value of the project and avoid wasting public resources. Mr LAU Kong-wah shared Mr SHEK's view and expressed concern about the overlapping route alignments and service between MTR and KSL.

35. DS for ETW replied that the merger proposal was still under consideration. In any circumstances, the KSL was needed to connect WR with ER and the present alignment was already the best option which could be identified. It could also help relieve the congestion along the MTR Nathan Road corridor. Hence, the merger proposal would not affect the need for the KSL. SD/CP, KCRC said that KCRC had already taken into account the interchanging requirement with MTR. Further, as MTR and KCR were two different railway systems, direct connectivity between the two systems was not possible.

Tendering arrangement

36. Mr LAU Ping-cheung commented that under the proposed "Design-Build" approach, contractors would only fulfil the requirements in accordance with the least acceptable standard. He also remarked that if a particular construction method was

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specified in the tender document, it would effectively bar small and medium firms from bidding the project.

37. SD/F&M, KCRC said that KCRC would include all necessary technical requirements and specifications in the tender documents. The Corporation would assess the bids received in accordance with a set of pre-determined criteria. SD/CP, KCRC added that the "Design-Build" approach would allow contractors a certain degree of flexibility so that they could apply their own expertise knowledge in the design process and come up with a solution which could meet the stringent requirements set by the Corporation. Technical and financial assessments of the bidding proposals would be made independently by two separate panels.

38. In reply to Mr LAU Ping-cheung, SD/F&M, KCRC said that the cost estimate of the KSL was \$10.3 billion, including finance charge. SC/CP, KCRC said that the project would provide 3 000 job opportunities.

Way forward

39. The Chairman concluded that members were very concerned about the design and implementation of the KSL, particularly its impact on traffic flow and business operation during construction stage as well as other cultural and performing facilities during both construction and operational stages. Members considered it necessary to convene another meeting, prior to gazettal of the project, to review the design of the project with the Administration and KCRC. Members requested the Administration and KCRC to provide further information on the following to facilitate their consideration:

- (a) works programme for the proposed implementation of the KSL, including the organization, sequence, and timing of the execution of works;
- (b) traffic impact assessment of the proposed implementation of the KSL;
- (c) business impact assessment of the proposed implementation of the KSL, including the arrangement for affected parties to claim compensation for disturbance payment;
- (d) environmental impact assessment of the proposed implementation of the KSL, particularly its impact on the continued operation of the Cultural Centre facilities;
- (e) financing of the project, including the need for Government equity;
- (f) criteria for the choice of construction methods for different sections of the KSL, and the respective cost of the construction methods; and

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- (g) KCR-MTR interchange arrangements and the need for revising the design of the KSL if the merger proposal of KCRC and MTRCL were to be taken forward.

40. Mr Albert CHAN and Mr Abraham SHEK also requested the Administration to review the land resumption and compensation policies, the mechanism for the calculation of disturbance payment, and the appeal mechanism.

41. Members also called on the Administration to consult the local bodies and shop owners and business operators prior to gazettal of the project.

Admin/
KCRC 42 The Administration and KCRC took note of the members' request. DS for ETW also undertook to brief members further before gazettal of the project.

V Any other business

43. There being no other business, the meeting ended at 12:45 pm.

Council Business Division 1
Legislative Council Secretariat
15 July 2003