

立法會
Legislative Council

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Tel : 2869 9205

Date : 4 June 2004

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 30 June 2004

**Proposed resolution under the
Buildings Ordinance**

I forward for Members' consideration a proposed resolution which the Secretary for Housing, Planning and Lands will move at the Council meeting of 30 June 2004 under the Buildings Ordinance. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. The speech, in both English and Chinese versions, which the Secretary for Housing, Planning and Lands will deliver when moving the proposed resolution, is also attached.

3. The Administration has forwarded to the Secretariat two sets of the plans referred to in the proposed resolution. One set of the plans has been deposited in the Legislative Council Library for Members' perusal. Members who wish to have sight of the plans in the Legislative Council Building may also contact Ms Miranda HON, Chief Council Secretary (3)2, at telephone no. 2869 9465.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

BUILDINGS ORDINANCE

RESOLUTION

(Under section 2(3) of the Buildings Ordinance (Cap. 123))

RESOLVED that the Fifth Schedule to the Buildings Ordinance be amended –

- (a) in area number 3(2), by repealing ", being the areas" and substituting –
"being –
 - (a) the areas";
- (b) in area number 3(2)(a), by repealing the full stop at the end and substituting ";
and";
- (c) in area number 3(2), by adding –
 - "(b) the areas delineated and shown edged black on the plans numbered KCR/ERE/TSTE/RP/100, KCR/ERE/TSTE/RP/101 and KCR/ERE/TSTE/RP/111, dated 1 June 2004, signed by the Secretary for Housing, Planning and Lands and deposited in the Land Registry."

**Speech by the Secretary for Housing, Planning and Lands,
Mr. Michael M Y Suen, JP in the Legislative Council on 30 June 2004**

Buildings Ordinance (Chapter 123)

Madam President,

I move the resolution standing in my name in the Agenda.

2. The motion seeks to amend the description of Scheduled Area No. 3 in the Fifth Schedule to the Buildings Ordinance to include the railway protection areas as shown on the plans dated 1 June 2004, which were signed by the Secretary for Housing, Planning and Lands and deposited in the Land Registry.

3. The railway protection areas are those within 30 metres from the edges of the railway structures. By virtue of sections 14(1), 41(3) and 41(3A)(f) of the Ordinance, ground investigation and underground drainage works carried out in the railway protection areas in Scheduled Area No. 3 require the Building Authority's prior approval of plans and consent for their commencement. This is to ensure the safety of the railway structures and hence the normal operation of the railway system.

4. At present, Scheduled Area No. 3(1) includes the railway protection areas along the Mass Transit Railway lines and Area No. 3(2) includes those along the railway lines of the West Rail (Phase 1) of the Kowloon-Canton Railway Corporation. Since the railway structures of the new East Rail Extensions - Hung Hom to Tsim Sha Tsui of the Kowloon-Canton Railway Corporation would be completed by September 2004, we therefore propose to include the railway protection areas along this new railway line into Scheduled Area No. 3(2). We have prepared a new set of plans to show correctly the railway protection areas along the East Rail Extensions - Hung Hom to Tsim Sha Tsui.

5. I invite Members to support this motion in order to ensure that structures of the East Rail Extensions - Hung Hom to Tsim Sha Tsui of the Kowloon-Canton Railway Corporation are protected.

6. Madam President, I beg to move.

