

立法會 *Legislative Council*

LC Paper No. CB(1)215/04-05

Ref : CB1/PS/1/04

Panel on Transport

Subcommittee on matters relating to railways

Background brief on Ma On Shan Rail

Purpose

This paper sets out the background to the development of Ma On Shan Rail (MOSR) by Kowloon-Canton Railway Corporation (KCRC), and summarizes the major views and concerns expressed by Members at previous meetings of the Legislative Council.

Background

2. MOSR is a new rail line connecting the existing KCR East Rail (ER) at Tai Wai Station. MOSR has nine stations, namely Tai Wai, Che Kung Temple, Sha Tin Wai, City One, Shek Mun, Tai Shui Hang, Heng On, Ma On Shan and Wu Kai Sha. MOSR is targeted for commissioning by end 2004. During the initial stage of its operation, the frequency of MOSR will be at about 2.5 minutes, and the carrying capacity will be as high as 32 000 passengers per hour per direction.

3. The rail alignments and station arrangements of MOSR are set out in **Annex A**.

Financing arrangements

4. On 26 May 2000, the Administration sought the approval of the Finance Committee (FC) for a commitment of \$8,500 million under the Capital Investment Fund for equity injection into KCRC to allow major works on the MOSR and the KCR Extension from Hung Hom to Tsim Sha Tsui (TSTE) to

proceed. According to the FC paper, the initial cost estimate for MOSR and TSTE is \$16.3 billion (in money-of-the-day prices (MOD)), broken down as follows:

	\$ billion (MOD)
Capital cost	15.1
Financing cost	<u>1.2</u>
Total	16.3

5. At the FC meeting on 26 May 2000, the Administration advised that it had studied KCRC's capital structure, borrowing power, property development proposals and other commitments such as the West Rail and the Sheung Shui to Lok Ma Chau Spur Line to evaluate the Corporation's borrowing capacity and an appropriate mix of debt and equity financing for MOSR and TSTE. The Administration had agreed with KCRC on an optimal financing arrangement that would minimize the use of public funds and at the same time allow the Corporation to service its capital in the most cost-effective manner. The proposed financing arrangements were as follows:

	\$ billion (MOD)
KCRC borrowing	7.8
Government equity	<u>8.5</u>
Total	16.3

Property development

6. The Administration also advised that KCRC proposed to help support their borrowing programme by seeking property development rights on the MOSR alignment above Tai Wai Station and depot, and Lee On (now renamed as Wu Kai Sha) and Sha Tin Tau (now renamed as Che Kung Temple) Stations, and on two ER sites at Fo Tan and Ho Tung Lau. According to the then estimates, this would generate profits of up to \$4.3 billion which would contribute to KCRC's debt repayment and thus strengthen its financial position in the early years of its new projects' operations. Government and KCRC also agreed in principle that any property development profits in excess of the estimated figure should be distributed to Government in full by means of extraordinary dividends, unless they are required to finance other railway projects.

7. On 26 May 2000, FC approved the equity injection of \$8.5 billion from the Capital Investment Fund to KCRC to finance the construction of MOSR and TSTE.

Essential public infrastructure works

8. To tie in with the commissioning of MOSR, the Administration advised that it had to carry out a number of public infrastructure works. To this end, the Administration submitted a number of funding proposals to FC for consideration. Details are set out below.

9. On 9 March 2001, FC approved the funding proposal for the construction of part of the essential public infrastructure works (EPIW) for MOSR, comprising four subways at Tai Wai Station, Che Kung Temple Station, Tai Shui Hang Station and Heng On Station respectively, and one footbridge connecting to City One Station, at an estimated cost of \$117.9 million in MOD prices. Details of the proposal are set out in PWSC(2000-01)86.

10. On 24 May 2002, FC approved the funding proposal for the construction of a public transport interchange (PTI) to serve the integrated Tai Wai Station of the existing ER and MOSR, and a PTI to serve Wu Kai Sha Station of MOSR at an estimated cost of \$92.1 million in MOD prices. Details of the proposal are set out in PWSC(2002-03)18.

Major views and concerns expressed at previous meetings

11. On the planning and implementation of MOSR, Members raised a number of concerns, including its interface with other rail links in urban areas, the capacity of ER to cope with future demand and the overcrowding situation in Tai Wai Station as well as the noise impact of the projects during the construction and operational phases. Concern had also been raised over the commercial viability of MOSR in the absence of a direct rail link to Kowloon upon its commissioning.

12. Regarding the provision of EPIW, members' views were that the PTIs should be carefully designed to ensure adequate provision of headroom, ventilation and lighting. Adequate facilities should be provided to cater for the demand of passengers and various public transport modes.

13. The relevant extracts from the minutes of the Finance Committee meeting held on 26 May 2000 and the Subcommittee on matters relating to railways meeting held on 4 January 2001 are enclosed in **Annex B** and **Annex C** for members' information.

14. At members' request, the Administration provided an information paper on 13 January 2001 on the design of PTIs at Tai Wai Station and Wu Kai Sha Station, the noise impact arising from the construction and operation of MOSR,

and the adequacy of train service of ER upon commissioning of MOSR. A copy of the paper is in **Annex D**.

15. The Subcommittee was briefed on 8 January and 29 June 2004 on the progress of the projects, as well as the preliminary public transport plan upon the commissioning of MOSR.

16. The Subcommittee was concerned about the public transport reorganization plan to tie in with the commissioning of MOSR and measures to be taken by KCRC to ensure smooth running of the railway line. The Subcommittee also called on the Administration and KCRC to formulate a competitive pricing strategy and introduce convenient interchange facilities and feeder services to boost the attractiveness of the new railway line.

17. At members' request, the Administration provided a supplementary information paper on the comparison of the services provided by MOSR and franchised buses in terms of their transport performance and convenience for the passengers in August 2004. A copy of the paper is in **Annex E**.

18. The Administration and KCRC will brief the Subcommittee on the progress of MOSR and better co-ordination of public transport services arising from the commissioning of the railway on 19 November 2004. They will also brief the Panel on MOSR fares at its meeting on 26 November 2004.

19. A list of relevant papers is in **Annex F**.

Council Business Division 1
Legislative Council Secretariat
12 November 2004



立法會
Legislative Council

Annex B

LC Paper No. FC162/99-00
(These minutes have been seen
by the Administration and
cleared by the Chairman)

Ref : CB1/F/1/2

Finance Committee of the Legislative Council

**Minutes of the 12th meeting
held at the Legislative Council Chamber
on Friday, 26 May 2000, at 2:30 pm**

Members present:

Hon Ronald ARCULLI, JP (Chairman)
Hon CHAN Kam-lam (Deputy Chairman)
Hon Kenneth TING Woo-shou, JP
Hon James TIEN Pei-chun, JP
Hon David CHU Yu-lin
Hon Cyd HO Sau-lan
Hon Edward HO Sing-tin, SBS, JP
Hon Albert HO Chun-yan
Hon Michael HO Mun-ka
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Wing-tat
Hon Martin LEE Chu-ming, SC, JP
Hon LEE Kai-ming, SBS, JP
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, JP
Hon NG Leung-sing
Prof Hon NG Ching-fai
Hon Mrs Selina CHOW LIANG Shuk-ye, JP
Hon MA Fung-kwok
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching
Hon CHAN Kwok-keung
Hon CHAN Yuen-han
Hon Bernard CHAN
Hon CHAN Wing-chan
Dr Hon LEONG Che-hung, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, JP

Hon LEUNG Yiu-chung
Hon Gary CHENG Kai-nam, JP
Hon SIN Chung-kai
Hon Andrew WONG Wang-fat, JP
Hon WONG Yung-kan
Hon Jasper TSANG Yok-sing, JP
Dr Hon YEUNG Sum
Hon YEUNG Yiu-chung
Hon LAU Chin-shek, JP
Hon LAU Kong-wah
Hon LAU Wong-fat, GBS, JP
Hon Mrs Miriam LAU Kin-yee, JP
Hon Ambrose LAU Hon-chuen, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
Hon LAW Chi-kwong, JP
Hon TAM Yiu-chung, GBS, JP
Hon FUNG Chi-kin
Dr Hon TANG Siu-tong, JP

Members absent:

Hon HO Sai-chu, SBS, JP
Hon LEE Cheuk-yan
Hon Eric LI Ka-cheung, JP
Dr Hon David LI Kwok-po, JP
Hon Margaret NG
Hon Christine LOH
Dr Hon Philip WONG Yu-hong
Hon Howard YOUNG, JP
Hon Timothy FOK Tsun-ting, SBS, JP

Public officers attending:

Miss Denise YUE, JP	Secretary for the Treasury
Mrs Carrie LAM, JP	Deputy Secretary for the Treasury (1)
Mr Joseph Y T LAI	Deputy Secretary for Education and Manpower (3)
Mr Peter P Y LEUNG	Assistant Director of Education
Mr K S SHUM	Chief Technical Adviser, Architectural Services Department
Mr TAM Wing-pong, JP	Deputy Director, Beijing Office

Mr HUI Chiu-kin	Chief Property Services Manager, Architectural Services Department
Mrs Mimi BROWN	Deputy Government Property Administrator
Mr Martin GLASS, JP	Deputy Secretary for the Treasury (2)
Mr Kevin HO, JP	Deputy Secretary for Transport
Mr C K MAK	Principal Government Engineer/Railway Development, Highways Department
Mr James BLAKE, JP	Senior Director, Capital Projects, Kowloon-Canton Railway Corporation
Mr Samuel M H LAI	Senior Director, Finance and Management, Kowloon-Canton Railway Corporation
Mr K K LEE	Director, East Rail Extension, Kowloon-Canton Railway Corporation
Ms Annie CHOI	Principal Assistant Secretary for the Environment and Food
Mr LEUNG Cham-tim, JP	Director of Electrical and Mechanical Services
Mr LAM Kam-kuen	Chief Engineer (Energy Efficiency) of Electrical and Mechanical Services Department
Mrs Margaret CHAN	Principal Assistant Secretary for Education and Manpower (9)
Mr J D WILLIS	Controller, Student Financial Assistance Agency
Mr Ivan K B LEE	Principal Assistant Secretary for Education and Manpower (5)
Mr Y M MO	Principal Education Officer, Vocational Training Council
Mr Philip K F CHOK, JP	Deputy Secretary for Education and Manpower (1)
Ms Michelle LI	Principal Assistant Secretary for Education and Manpower (1)
Mr Matthew K C CHEUNG, JP	Commissioner for Labour
Mr D W PESCOD, JP	Deputy Secretary for the Civil Service
Mr Thomas CHAN	Principal Assistant Secretary for the Civil Service

Clerk in attendance:

Ms Pauline NG	Assistant Secretary General 1
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Staff in attendance:

Miss Polly YEUNG
Mrs Eleanor LAM

Chief Assistant Secretary (1)3
Senior Assistant Secretary (1)2

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Item No. 2 - FCR (2000-01) 15

CAPITAL INVESTMENT FUND

HEAD 957 - KOWLOON-CANTON RAILWAY CORPORATION

♦ New Subhead "Ma On Shan to Tai Wai Rail Link and Kowloon-Canton Railway Extension from Hung Hom to Tsim Sha Tsui"

13. Members noted that the present proposal included funding for the Ma On Shan to Tai Wai Rail Link (MOS Rail) and the Kowloon-Canton Railway Extension from Hung Hom to Tsim Sha Tsui (TST Extension). Mrs Miriam LAU, Chairman of the Transport Panel, expressed the disappointment of the Panel that despite repeatedly urging the Administration to put forward its findings in the Second Railway Development Study (RDS2) for prior consultation before finalizing its proposals, the Government announced its Railway Development Strategy 2000 (RDS2000) on 25 May 2000 without any consultation with the Panel. Mrs Lau emphasized, in particular, the problems arising from the time gap between the completion of the MOS Rail in 2004 and the second rail connection from Tai Wai to Kowloon as part of the Sha Tin to Central Link scheduled for completion between 2008 to 2011.

14. In response, the Deputy Secretary for Transport (DS(T)) advised that the interim report of RDS2 had been released for consultation last year and the proposals contained therein were very much the same as those in the RDS2000. He nevertheless pointed out that RDS2000 had only outlined the proposed railway links, details on the actual alignments, location of stations and other technical arrangements were still under consultation.

15. Mrs LAU remained dissatisfied with the lack of discussion on the subject by the Panel. She nevertheless indicated support for the present proposal in order that the railway projects concerned would not be further delayed.

16. Mr Andrew CHENG Kar-foo said that Members of DP were in support of the TST extension, but not the MOS unless a firm commitment on the second rail connection from Tai Wai to Kowloon was given. He asked whether the funding requests for the two railways projects could be considered and voted on separately.

17. In reply, DS(T) confirmed that the MOS Rail and TST Extension would form an integral part of the East Rail Extension and their services were inter-related. The Administration therefore would not split the present proposal.

18. Miss Emily LAU said that Members of the Frontier supported the development of railway systems for better environmental protection but highlighted the need for a timely rail link with MOS Rail well before 2008 in view of the current congestion at Tai Wai Station.

19. Mr LAU Kong-wah stated that he would support the present proposal in view of the Administration's commitment on the second rail connection from Tai Wai to Kowloon. However, he asked whether it was possible to expedite the construction of the section from Tai Wai to Diamond Hill first to facilitate travel for commuters bound for East Kowloon and Hong Kong Island East. Dr Raymond HO also concurred with the suggestion that the construction of the second rail link in phases should be actively considered.

20. DS(T) acknowledged the concerns expressed by members and Shatin residents about early rail connection from Tai Wai to Kowloon but pointed out there might not be a lot of room for advancement as the construction of a railway would normally take some eight to ten years. Moreover, the Sha Tin to Central Link would also be subject to other constraints such as the programme for the Wan Chai reclamation. He further advised that according to the consultants' report, the Tai Wai to Kowloon Tong line of the existing East Rail would not reach its full capacity until 2011.

21. On the feasibility of constructing the Sha Tin to Central Link by phases, DS(T) confirmed that the prospective railway operator would be allowed to build the Link in phases, subject to factors such as passenger demand. The Senior Director, Finance and Management, Kowloon-Canton Railway Corporation (SD, F&M, KCRC) said that KCRC might be prepared to consider a phased approach, if necessary and commercially viable.

22. Dr Raymond HO supported the present proposal but disagreed with the Administration's remark that it would take some eight or ten years to build a railway. He urged the Administration to critically review whether it was possible to advance the second rail link from Tai Wai to Kowloon before 2008, bearing in mind that past extensions of the Mass Transit Railway Corporation (MTRC) lines had been completed in a much shorter period of time.

23. DS(T) assured members that the Administration would make a decision on the Sha Tin to Central Link as soon as possible after the consultation on RDS2000. As to whether it was possible to expedite construction works, the Principal Government Engineer/Railway Development, Highways Department (PGE/RD, HyD) explained that as a result of the enactment of legislation to deal

with environmental impacts and objections in recent years, more time was required for works projects in order to complete all the statutory procedures such as gazettal and handling objections. In the light of the experience of the West Rail Phase 1 and MTR Tseung Kwan O Extension, he pointed out that the eight-year period could hardly be further expedited.

24. Mrs Miriam LAU and Mr Andrew WONG cast doubt on the commercial viability of the proposed MOS Rail in the absence of a second rail link from Tai Wai to Kowloon/Hong Kong Island. Mr Andrew WONG commented that it would be much faster to travel from MOS to Kowloon by bus. He further said that it might be possible to entrust the construction of the railway to property developers, some of which had indicated interest a few years ago, and to invite interested companies to operate the railway.

25. On the commercial viability of MOS Rail, SD, F&M, KCRC pointed out that commuters could change for Kowloon-bound train conveniently at the future expanded Tai Wai Station. Moreover, railway services were free from traffic congestion, rendering it a reliable and competitive mode of transport. The future fare of MOS Rail would also be competitive.

26. Miss Emily LAU was concerned about the level of fares for the future Sha Tin to Central Link and asked whether higher costs would be incurred if the project was awarded to MTRC which would need to interface its network with that of the East Rail operated by KCRC. In response, DS(T) pointed out that irrespective of the prospective operator for the Sha Tin to Central Link, interfacing arrangements would still be required as some stations en route the Link such as the Diamond Hill and Admiralty Stations came under MTRC while some stations such as Tai Wai and Hung Hom belonged to KCRC.

27. On the level of fare, SD, F&M, KCRC advised that the fare for the proposed MOS Rail would not be determined until nearer the time of its commissioning having regard to the need to maintain its competitiveness and commuters' affordability. He clarified that the base fare of \$8.2 was only an assumed figure for the purpose of making financial projections. DS(T) added that while fare determination was a matter for the railway corporation concerned, he believed that the company would definitely take into consideration the fares of alternative modes of transport when setting its fare.

28. Miss Emily LAU sought the Administration's assurance that after commissioning of MOS Rail, bus service would still be available in the district to provide competition and a choice for residents. In response, DS(T) confirmed the Administration's policy stance that railway and bus services would co-exist.

29. In response to Mr LAU Kong-wah's enquiry about the noise impacts of the project on residents of the Ma On Shan Centre, the Director, East Rail Extension, KCRC (D, ERE, KCRC) confirmed that as a result of noise

abatement measures, the noise impact would be contained within the statutory limit of 55 dB.

30. On whether a station would be provided at Hin Keng, D, ERE, KCRC confirmed that a site had been reserved south of Tai Wai Depot. Where there was sufficient demand, a station could be provided for Hin Keng.

31. In reply to Miss Emily LAU's enquiry about the 67 objections to the MOS Rail, DS(T) advised that the majority of objections were about the noise and visual impacts of the project for which the Administration and KCRC had provided detailed explanations to the objectors. Of the 1 035 standard objection letters, more than 250 had been withdrawn. Some objections were on the lack of a second rail link to Kowloon. The Senior Director, Capital Projects, KCRC (SD, CP, KCRC) added that to allay residents' concern about the environmental impact of the proposed MOS Rail, KCRC had organized exhibitions. The relevant Environmental Permits for MOS Rail and TST Extension had also been obtained. For illustration, SD, CP, KCRC said that the noise impact of MOS Rail on the most sensitive receiver in early morning was calculated to be no more than that caused by a window air-conditioner.

32. On the composition of the panel of independent persons (the Independent Panel) to hear the objections, DS(T) informed members that the panel comprised a chairman who was a member of the Transport Advisory Committee and other members selected from other districts. He reported that invitations had been issued to all objectors but only 27 of them had attended the panel's hearings at which no strong objection had been expressed.

33. Noting that the Independent Panel would hear the unwithdrawn objections to the TST Extension scheme in June 2000 after which a report would be submitted to the Chief Executive (CE) in Council for consideration, Mr Albert HO queried whether approval of the present funding proposal would pre-empt the decision of the CE in Council on the matter and whether the funds, if approved, would be aborted.

34. In response, DS(T) explained that the CE in Council would consider the unwithdrawn objections and make a decision after taking into account all relevant factors. He confirmed that the present proposal was only seeking the FC's approval in principle for a commitment of \$8,500 million for future equity injection by the Government as the sole shareholder of KCRC. He assured members that funds would not be made available to KCRC until the alignment had been finalized by the CE in Council. Pending formal approval, the railway corporation could proceed with the detailed design having regard to the objections received. For example, KCRC had relocated its TST Extension station to Salisbury Road so as to avoid the impact on Signal Hill.

35. Mr Andrew CHENG stated that Members of DP had all along supported

the development of railway systems as a mode of transport. They however would object to the present proposal on the following grounds -

- (a) The MOS Rail project was a planning blunder in the absence of a second rail link to re-divert passengers from Tai Wai to Kowloon. The owners' incorporations and other resident groups of 15 residential estates in the district had raised their objection to the proposed MOS Rail Link in the absence of a direct rail link to Kowloon until 2008 or even later.
- (b) Under the present plan, Tai Wai Station would become a serious bottleneck. The patronage of East Rail would be much higher than the forecast currently made by KCRC. Even with the increase in the capacity of the Station as a result of improved signalling, it was unlikely that Tai Wai Station could cope with the additional passengers from MOS Rail and the Sheung Shui to Lok Ma Chau Spur Line by year 2004.
- (c) The Administration's argument that it would take ten years to complete a railway link was not acceptable having regard to the much shorter time span for the completion of Penny's Bay Rail Link, which was approved in late 1999 and scheduled for completion by year 2004 or 2005.
- (d) The commercial viability of MOS was highly questionable. According to DP's survey, about 40% of the residents would continue to use their existing mode of transport despite the provision of the proposed MOS Rail. The estimated internal rate of return of 8.4% could not be attained unless some existing bus routes were abolished or high train fares were charged, both of which would adversely affect the residents.

36. In response, DS(T) clarified that the Administration had all along agreed with the need to provide a second rail link to the proposed MOS Rail but the timing of its provision would have to await the outcome of RDS2. He re-assured members that bus routes would not be cut arbitrarily in favour of MOS Rail although some rationalization of bus services might be required for environmental or other service needs.

37. On the forecast patronage, PGE/RD, HyD pointed out that the average weekday patronage forecast given in Enclosure 2 to the discussion paper referred to passenger flow in both northbound and southbound directions while the morning peak hourly flow was for the southbound direction only. He confirmed that having regard to the projections made in RDS2, the Administration considered the KCRC's forecasts reasonable. SD, CP, KCRC supplemented that the existing passenger demand at Tai Wai Station within the peak hour of 8 am to

9 am was about 45 000 while the existing capacity of East Rail trains during the same hour was about 70 000 passengers. During recent years, the peak-hour demand had eased as commuters did not all travel during the busy hour. Pending the completion of MOS Rail in 2004, KCRC did not anticipate a sharp rise in passenger demand at Tai Wai. Moreover, the upgrading of the signalling systems would increase the capacity of the East Rail trains to 88 000 passengers in 2004.

38. As regards the shorter completion time-frame for the Penny's Bay Rail Link, PGE/RD, HyD advised that its design and construction were relatively less complicated as the Link would be built upon a piece of newly reclaimed land which was free from pre-existing facilities.

39. Mr Andrew CHENG remained unconvinced and reiterated his objection to the present proposal. In this connection, Miss Emily LAU referred to residents' complaints about congestion at Tai Wai Station and considered that KCRC should make better arrangements as apparently, there was sufficient capacity to cope with the passenger demand.

40. In response, D, ERE, KCRC advised that one of the reasons for the congestion was commuters' tendency to board the train at cars no. 4, 5, 6 and 7 to facilitate onward change of trains. He assured members that the design of the proposed MOS Rail would ensure a more even distribution of passenger load among the train cars. Members noted that to deal with passengers' complaints and suggestions, KCRC had set up passenger liaison groups.

41. The Chairman put the proposal to vote. 31 members voted for the proposal, 11 voted against and none abstained :

For:

Mr Kenneth TING Woo-shou

Mr David CHU Yu-lin

Mr Edward HO Sing-tin

Mr LEE Kai-ming

Mr NG Leung-sing

Mrs Selina CHOW LIANG Shuk-ye

Mr CHAN Kwok-keung

Mr CHAN Wing-chan

Dr LEONG Che-hung

Mr Andrew WONG Wang-fat

Mr Jasper TSANG Yok-sing

Mr LAU Kong-wah

Mrs Miriam LAU Kin-ye

Miss Emily LAU Wai-hing

Mr TAM Yiu-chung

Dr TANG Siu-tong

(31 members)

Mr James TIEN Pei-chun

Miss Cyd HO Sau-lan

Dr Raymond HO Chung-tai

Dr LUI Ming-wah

Prof NG Ching-fai

Mr HUI Cheung-ching

Miss CHAN Yuen-han

Mr CHAN Kam-lam

Mrs Sophie LEUNG LAU Yau-fun

Mr WONG Yung-kan

Mr YEUNG Yiu-chung

Mr LAU Wong-fat

Mr Ambrose LAU Hon-chuen

Miss CHOY So-yuk

Mr FUNG Chi-kin

Against:

Mr Albert HO Chun-yan
Mr LEE Wing-tat
Mr James TO Kun-sun
Mr SIN Chung-kai
Mr Andrew CHENG Kar-foo
Mr LAW Chi-kwong
(11 members)

Mr Michael HO Mun-ka
Mr Fred LI Wah-ming
Mr CHEUNG Man-kwong
Dr YEUNG Sum
Mr SZETO Wah

42. The Committee approved the proposal.

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Legislative Council Secretariat
October 2000

立法會
Legislative Council

LC Paper No. CB(1)475/00-01
(These minutes have been
seen by the Administration)

Ref: CB1/PS/2/00/1

Legislative Council
Panel on Transport

**Subcommittee on matters relating to the
implementation of railway development projects**

Meeting on
Thursday, 4 January 2001, at 10:45 am
in Conference Room A of the Legislative Council Building

Members present : Hon Mrs Miriam LAU Kin-yee, JP (Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon CHAN Kwok-keung
Hon LAU Kong-wah
Hon Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon LAU Ping-cheung

Members absent : Hon LAU Chin-shek, JP
Hon Andrew CHENG Kar-foo

Non-Subcommittee : Hon WONG Sing-chi
Member attending

Public officers : **Agenda Item II**
attending

Transport Bureau

Mr William SHIU
Principal Assistant Secretary for Transport (4)

Mr M L WAN
Principal Assistant Secretary for Transport (7)

Highways Department

Mr John CHAI
Principal Government Engineer/Railway Development

Mr L T MA
Government Engineer/Railway Development

Transport Department

Mr Harry CHAN
Chief Engineer/Strategic Roads

Attendance by invitation : **Kowloon-Canton Railway Corporation**

Mr K K LEE
Director, East Rail Extensions

Mr Hugh WU
General Manager, Construction (ERE)

Mr Thomas TAM
Project Manager (MOS)

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

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

Action

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II Ma On Shan to Tai Wai Rail Link and Kowloon-Canton Railway Extension from Hung Hom to Tsim Sha Tsui - Essential Public Infrastructure Works
(LC Paper No. CB(1)304/00-01 - Information paper provided by the Administration)

2. At the invitation of the Chairman, the Principal Assistant Secretary for Transport (4) (PAS for T(4)) briefed members on the scope of essential public infrastructure works (EPIW) required for the Ma On Shan to Tai Wai Rail Link (MOS

Action

Rail) and Kowloon-Canton Railway (KCR) Extension from Hung Hom to Tsim Sha Tsui (TST Extension) and the costs of these works, as set out in the information paper provided by the Administration (LC Paper No. CB(1)304/00-01). Subject to members' views, the Administration planned to submit to the Public Works Subcommittee (PWSC) for upgrading part of the EPIW for the MOS Rail comprising four subways and a footbridge and the EPIW for the TST Extension to Category A on 17 January 2001. Subject to PWSC's endorsement, the proposal would then be submitted to the Finance Committee for consideration in February 2001.

3. With the aid of PowerPoint, the Government Engineer/Railway Development (GE/RD) presented members with detailed plans on the various items of EPIW for the MOS Rail and TST Extension.

* * * * *

MOS Rail

Admin. & KCRC 15. In order to facilitate members' understanding on the technical details of the project, Mr Albert CHAN requested that copies of the Final EIA Study Report and Feasibility Study Report of the MOS Rail project be provided to members for reference.

(Post-meeting note: The said reports had been deposited in the Library of the Legislative Council.)

Public transport interchanges

16. Referring to the two covered public transport interchanges (PTIs) under the proposed EPIW for MOS Rail, Mr LAU Ping-cheung opined that these PTIs should be properly designed to allow for natural ventilation and lighting. In addition, suitable measures should be put in place to deal with potential traffic congestion problems in the vicinity of the PTIs. Taking note of the member's views, PAS for T(4) advised that the design of the PTIs would take these considerations into account and further consultation would be conducted pending the completion of the detailed design.

Noise impact

17. Citing the grave concerns of residents in Shatin on the significant noise impact to be created inevitably by the construction and operation of MOS Rail, especially the Heng On station and City One station where existing schools were just about 10 m away, Mr LAU Kong-wah enquired about the safeguards to be put in place to address the concerns of local residents, school authorities and parents, and to ensure that domestic premises (including Sha Kok Estate, City One Shatin and Ma On Shan Centre) and local schools within close proximity of the railway alignment would not be adversely affected. In this connection, he sought information on how the effectiveness of the new noise barriers to be installed along the railway alignment

Action

compared with the existing noise barriers along the East Rail.

18. In reply, PAS for T(4) advised that MOS Rail was a designated project under the Environmental Impact Assessment Ordinance (Cap. 499), and KCRC was required to adopt appropriate measures to minimize the nuisance of noise caused by the project and to ensure that stringent conditions under the environmental permit would be complied with.

19. To supplement, Mr K K LEE, the Director, East Rail Extensions of KCRC (D/ERE of KCRC) explained that unlike the East Rail which relied on noise barriers to mitigate operation noise, the MOS Rail was better designed and engineered to reduce railway noise at source. He also pointed out that all mitigation measures proposed in the Environmental Impact Assessment (EIA) Study were designed for the operation of an eight-car train every two minutes during peak period, and KCRC was confident that the impact of railway noise in nearby areas of the MOS Rail would be kept within the statutory limit. During its initial operation, four-car trains at a two-and-a-half-minute interval would be deployed, hence providing further margin.

20. However, Mr LAU Kong-wah considered that KCRC should adopt effective mitigation measures in the light of actual circumstances, as railway noise would still create nuisance to local residents, especially to schools located in the vicinity, even though the noise levels were kept within the limit set out in the EIA Study. D/ERE of KCRC replied that in accordance with the statutory requirements and the data obtained from modelling in the EIA Study, the noise levels should be kept under 55 dB(A).

21. Regarding the response given by KCRC, Mr LAU Kong-wah queried whether there were any measures that could keep railway noise down to a level that was comparable with ordinary traffic noise. D/ERE of KCRC explained that firstly, a multi-plenum noise attenuation system would be adopted for the MOS Rail. Trains would have side skirts and underbody noise absorption lining to trap and absorb noise caused by contact between train wheels and tracks, and railway tracks would be laid on a resilient base plate and floating slabs on rubber mountings to absorb the vibration noise. Secondly, airborne noise would be further blocked by the parapets of the viaduct structures, which were built with allowance for further increase of the height of the parapets from the existing 1.2 m to 4 m. He assured members that notwithstanding the increase in noise levels in areas along the railway alignment as a result of railway operation, KCRC was confident that with the implementation of the two sets of measures as mentioned above, most of the areas along the MOS Rail alignment, including the school situated near the railway track in City One Shatin, would not be exposed to noise levels exceeding 55 dB(A) as specified by the Technical Memorandum of the Noise Control Ordinance (Cap. 400). At the Chairman's request, D/ERE of KCRC agreed to provide detailed information on the future noise levels of areas along the whole MOS Rail alignment.

KCRC

(Post-meeting note: The requested information was circulated to members vide LC Paper Nos. CB(1)467/00-01 and CB(1)469/00-01.)

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22. Mr Albert CHAN asked about the remedial measures to be taken should the noise level could not be kept at 55 dB(A) or below as promised and whether compensation would be paid to the affected residents. In reply, PAS for T(4) emphasized that MOS Rail was a designated project under the Environmental Impact Assessment Ordinance (Cap. 499) and stringent conditions had been imposed on its construction and operation under the environmental permit granted by the Environmental Protection Department (EPD). In case of non-compliance, construction work would be suspended until suitable remedial measures were taken. In this connection, KCRC was required to employ professionals to monitor and audit the environmental impacts of the project to ensure that noise nuisance would be kept to a minimum. In order to address members' concerns, he undertook to confirm with EPD the permissible noise limits for the relevant educational institutions under the environmental permit.

(Post-meeting note: The Administration's response was circulated to members vide LC Paper Nos. CB(1)467/00-01 and CB(1)469/00-01.)

Overcrowding in Tai Wai station

23. In response to members' concern about the overcrowding situation in Tai Wai station, D/ERE of KCRC said that KCRC had been closely monitoring the demand-capacity of the critical Tai Wai to Kowloon Tong section. In anticipation of the additional loads generated from MOS Rail, measures were being taken to increase the passenger handling capacity, including refurbishment of train compartments and upgrading of signalling system. By the time all improvement measures were completed in 2003, East Rail would be able to operate up to 27 trains per hour during the peak period handling close to 100 000 passengers.

24. Mr WONG Sing-chi however opined that KCRC's projections might have failed to take into account the additional passengers attracted to the East Rail by extended service to TST. In reply, D/ERE of KCRC advised that in order to cope with the passenger demand generated by the MOS Rail, the interchange facilities at Tai Wai station would be designed in such a way so that passengers would be diverted to the front-end or back-end of the platform where train compartments had more spare capacity. Moreover, with the signalling system upgrade in 2003, it would be possible to deploy more empty despatches from Fo Tan to relieve the bottleneck in Tai Wai station if necessary. In that case, Mr WONG requested that the same flexible arrangement be made to relieve the demand in Fanling station.

25. Mr LAU Kong-wah pointed out that the crux of the problem lied in the fact that after 2003, nothing more could be done by KCRC to further increase the capacity of East Rail. In view of the continuous growth of population in the New Territories, he was unconvinced that without a second rail connection from Tai Wai to Kowloon, the East Rail would be able to cope with the passenger demand up to 2011 and Tai Wai station would not be overloaded to an unacceptable extent. In response, D/ERE of

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KCRC stressed that with the committed expansion and upgrading measures, the East Rail would have capacity to handle 100 000 passengers per hour vis-à-vis the projected demand of 80 000 passengers in 2011. He undertook to provide members with projections on passenger demand and train service of the East Rail up to 2011 for information.

(Post-meeting note: The requested information was circulated to members vide LC Paper Nos. CB(1)467/00-01 and CB(1)469/00-01.)

26. Re-iterating his grave concerns about further aggravation of the overcrowding situation in Tai Wai station by the interchange from the MOS Rail, Mr LAU Kong-wah requested that a firm undertaking be made by KCRC to MOS Rail passengers that they would be able to board on the first train to Kowloon at the Tai Wai Interchange during the morning peak period. In response, D/ERE of KCRC agreed to give this undertaking subject to the following conditions:

- (a) Trains were under normal operation;
- (b) The passengers did not choose to board a particular compartment of the train, specifically the middle section of the train for easy access to exits when alighting; and
- (c) The undertaking did not apply during "peak of the peak", i.e. the ten minutes or so from 8:30 am.

Regarding the above conditions imposed by KCRC, Mr LAU Kong-wah said that they should not create much difficulties. First of all, normal operation of trains would certainly be a pre-requisite. Secondly, regarding the problem of passengers choosing to board a particular compartment of the train, KCRC had undertaken to adopt improvement measures in Kowloon Tong Station accordingly, and to design the interchange facilities at Tai Wai Station in such a way that passengers would be diverted to the front-end or back-end of the platform. Thirdly, the undertaking required from KCRC should apply generally in the morning peak period, and not specifically during "peak of the peak". Mr LAU Kong-wah requested that the undertaking made by KCRC at the meeting be put on record. He said that if KCRC failed to honour its promise, D/ERE of KCRC should be held responsible.

General concerns

27. Regarding the two undertakings made by KCRC that most of the areas along the MOS Rail alignment, including the school in City One Shatin, would not be exposed to noise levels exceeding 55 dB(A), and that MOS Rail passengers would be able to board on the first train to Kowloon at the Tai Wai Interchange during the morning peak period, Mr LAU Kong-wah enquired about the actions to be taken by the Transport Bureau (TB) if those undertakings did not stand. In reply, PAS for T(4) advised that the Administration would closely monitor KCRC's compliance with the

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Admin. requirements stipulated under the environmental permit of the MOS Rail project. If KCRC was in breach of any statutory requirements, penalty would be incurred. He undertook to provide relevant information to members after the meeting. As regards the second undertaking, he said that as a responsible public corporation, KCRC should stand by its word. The Government would ensure that a safe, efficient and reliable service was provided by KCRC under the relevant legislation.

(Post-meeting note: The requested information was circulated to members vide LC Paper Nos. CB(1)467/00-01 and CB(1)469/00-01.)

28. Responding to Mr LAU Kong-wah's enquiry about the second rail connection from Tai Wai to Kowloon, the Principal Assistant Secretary for Transport (7) (PAS for T(7)) advised that this rail connection from Tai Wai to Diamond Hill together with the Fourth Rail Harbour Crossing and the East Kowloon Line had been grouped into the Shatin to Central Link (SCL) project under the Railway Development Strategy 2000 as part of the next phase of railway network expansion. Bids for the project would be invited from the two railway corporations in early 2001. During tender evaluation, higher marks would be given if the corporation concerned had the ability to complete the whole or part of the project within a shorter time-frame.

29. Mr Albert CHAN expressed serious concerns about the ability of TB to oversee the implementation of the MOS Rail and TST Extension projects. Citing controversies arising from the construction of West Rail such as the floodings in Yuen Long and Tun Mun which caused serious property damage to many villagers, he pointed out that under the existing arrangements, the affected residents would have to hire professionals to prove their claims and sue KCRC for compensation if responsibility was denied by the corporation. Without the financial resources, many affected residents were forced to give up their cases. As such, he sought assurance from the Administration that KCRC would be held responsible for the damages caused by its railway works to private citizens and that the rights of those residents affected by the construction works would be properly safeguarded by allowing them to claim compensation more easily.

30. In response, PAS for T(4) assured members that every effort would be made by the Government to ensure that construction works of railway projects would not cause undue disturbance. As far as the MOS Rail and TST Extension were concerned, inter-departmental meetings were being held under the established mechanism to discuss issues related to KCRC's traffic management schemes, site activities and environmental protection measure so that the disturbances created by construction works could be minimized. To supplement, GE/RD said that specifically, Site Liaison Groups would be established to consider the temporary traffic management schemes put forward by KCRC. The Groups would include representatives from the Highways Department, the Transport Department, the Police and the local District Offices. Moreover, KCRC was required to have dedicated teams of staff for site supervision and environmental monitoring and auditing. In order to ensure a speedy response to community concern on the railway projects, community liaison offices and

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community liaison groups, with representatives from the relevant District Councils and local concern groups would also be set up by KCRC and the public views collected would be relayed to the Administration for consideration, action and monitoring purposes. In this connection, Ir Dr Raymond HO opined that special arrangements should be made for the transportation of pre-fabricated parts for the construction of viaducts of MOS Rail project to ensure that local traffic would not be disrupted.

31. Given that the West Rail project was also placed under similar monitoring mechanism, Mr Albert CHAN had serious doubts over its efficacy and he was not at all convinced that livelihood problems caused by railway works could thus be prevented. He strongly requested that in order to restore public confidence on the Government's ability to safeguard their interests impartially and righteously, an independent panel should be established to hear and arbitrate the claims put forward by affected residents.

32. In response, PAS for T(4) stressed that an established mechanism had already been provided under the Railways Ordinance (Cap. 519) for those affected by the construction of railways to claim compensation for losses thus caused and the Administration would continue to work within the statutory requirements in accordance with law. As regards the proposed EPIW for MOS Rail and TST Extension, both the Government and KCRC were confident that the projects would be taken forward in a satisfactory manner and that inconvenience caused to individuals and the community as a whole would be kept to a minimum. Expressing utmost disappointment with the reply, Mr Albert CHAN opined that the Administration would clearly fail to perform its monitoring role by adopting such a bureaucratic approach.

33. Dissatisfied with the dismissive way KCRC had handled previous claims put forward by residents affected by its railway works, Mr Albert CHAN suggested that KCRC should consider setting up an independent panel to deal with any future claims, such as those arising out of the EPIW under the present proposal. In response, D/ERE of KCRC said that he could not concur with the member's view that KCRC had disregarded the rights of the affected residents in the past. He stressed that under the existing arrangement, independent professionals had been/would be engaged to conduct pre-construction surveys and every claim would be considered carefully by independent loss adjusters. As a public corporation, KCRC would have to ensure that any compensation payable were justified. In terms of the proposed EPIW, he assured members that care would be exercised to ensure that disturbances to residents would be kept to a minimum. Unconvinced by KCRC's reply, Mr Albert CHAN said that in order to safeguard the interests of the affected residents, he would consider adding this condition to the funding request for the EPIW when the item was submitted to PWSC for approval.

34. Notwithstanding KCRC's explanation, the Chairman pointed out that the affected residents would have no other recourse if their claims were rejected by KCRC. As many of them could not afford the money to hire professionals to refute KCRC's decision and pursue their claims through legal action, they were left in a very

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KCRC difficult position. In view of members' concerns, D/ERE of KCRC agreed to consider Mr Albert CHAN's suggestion.

(Post-meeting note: KCRC's response was circulated to members vide LC Paper Nos. CB(1)467/00-01 and CB(1)469/00-01.)

35. Responding to Mr Albert CHAN's concern about land resumption arrangements for the MOS Rail and TST Extension, PAS for T(4) confirmed that no resumption of land was required for the two railway projects.

36. Referring to paragraph 17 of the Chinese version of the paper, Mr LAU Kong-wah took the view that the statement “(沙田)區議員並沒有就這些工程提出異議” was misleading and did not reflect the many views and suggestions put forward by Sha Tin District Council (STDC) members on the MOS Rail project when they were consulted by the Administration. In fact, some of those concerns had been relayed to KCRC for consideration. As such, Mr LAU requested that the Administration should retract this statement in its paper. Moreover, he suggested that all the concerns expressed by STDC members should be listed out in the discussion paper to be submitted to PWSC so that Members could have a clear understanding on the views of the local community. His suggestion was supported by the Chairman.

37. In response, PAS for T(4) clarified that there was no intention whatsoever to mislead Members and he referred members to the English version of the paper which stated that “Members of the Sha Tin District Council did not raise any adverse comments on the EPIW”. While the subject matter was the EPIW, the statement simply pinpointed the fact that no objection had been raised by STDC members on the EPIW. Nevertheless, he undertook to provide members with a summary of the views put forward by STDC members on the EPIW.

Admin.

(Post-meeting note: The requested information was circulated to members vide LC Paper No. CB(1)482/00-01.)

38. On behalf of the Members of the Democratic Party, Mr Albert CHAN expressed reservation on the funding proposal.

39. Mr Abraham SHEK expressed support for the proposed EPIW but requested that information on the 16.5% on-cost be provided to members before the item was submitted to PWSC.

40. Mr LAU Kong-wah requested that all the information he had requested from the Administration and KCRC be provided before the item was submitted to PWSC.

Action

41. The Chairman invited the Administration to note the views and suggestions put forward by members at the meeting.

* * * * *

Legislative Council Secretariat
7 February 2001

**Legislative Council Panel on Transport
Subcommittee on Matters related to the
Implementation of Railway Development Projects**

**Ma On Shan to Tai Wai Rail Link
and KCR Extension from Hung Hom to Tsim Sha Tsui
Essential Public Infrastructure Works**

Supplementary Information

PURPOSE

At the meeting on 4 January 2001, Members discussed an information paper on the Essential Public Infrastructure Works (EPIW) for the Ma On Shan to Tai Wai Rail Link (MOS Rail) and KCR Extension from Hung Hom to Tsim Sha Tsui (TST Extension), i.e. public works projects 47TR and 48TR. The main points raised by Members are summarized below -

On EPIW for MOS Rail

- (a) the public transport interchanges (PTI) should be carefully designed to ensure adequate provision of height, ventilation and lighting;
- (b) the reasons for adopting the on-cost percentage of 16.5% should be provided. This is also applicable to the EPIW for the TST Extension;
- (c) the Kowloon-Canton Railway Corporation (KCRC) should provide information on the measures to be undertaken to mitigate the noise impact arising from the construction works and railway operation, and remedial measures to be undertaken in case the actual noise level exceeded the stipulated standards;

On EPIW for TST Extension

- (d) feasibility of installing a pair of travelators along the Middle Road Subway and the Interchange Subway should be explored;
- (e) information on the services and facilities that will be provided to the disabled to facilitate their use of the subways should be provided;

- (f) Government should consider to construct a subway link from the Middle Road subway to the southern concourse of MTR Tsim Sha Tsui (TST) station; and
- (g) a plan showing the entrances/exits of the subways should be provided and a forecast on the pedestrian flow in the subways and their vicinity should be prepared.

We have carefully considered these points. This note sets out our response.

POINTS CONCERNING EPIW FOR MOS RAIL

Design of the Public Transport Interchanges

2. The detailed design of the PTI at Tai Wai Station and the PTI at Wu Kai Sha Station is underway. We will take into account Members' views on the height, ventilation and lighting of the PTIs.

On-cost Percentage of 16.5%

3. As set out in an information note for the Public Works Sub-Committee referenced PWSCI(2000-01)42 and issued on 5 January 2001, the 16.5% on-cost formula was derived on the basis of experience in the handling of design services, project management, site supervision, insurance and associated recurrent requirements, which are typical of entrustment assignments. The rough cost of these services or requirements averages at about 16.5% of the estimated capital cost of the works in question. The formula approach is a more pragmatic and convenient alternative to seeking reimbursement on an actual cost basis. Since the formula approach is meant to be applied on a reciprocal basis to projects which the Government intends to entrust to third parties (in this case the railway corporations) and vice versa, the on-cost percentage has been designed to be fair.

4. The Administration has recently completed an internal review on whether the 16.5% on-cost formula should continue to be applied to various entrustment works. Having compared the 16.5% on-cost formula for entrustment works with comparable on-costs for recently-completed and on-going government projects that have been outsourced to consultants, Government is of the view that the 16.5% on-cost for entrustment works remains appropriate.

Measures to mitigate the noise impact arising from the construction works and railway operation

5. KCRC will implement noise mitigation measures for construction activities throughout the construction period and railway operation in accordance with the relevant Environmental Impact Assessment (EIA) reports approved by the Environmental Protection Department (EPD) and the conditions stipulated in the Environmental Permit issued under the EIA Ordinance. Under the Noise Control Ordinance, the construction and maintenance of a railway are controlled similar to construction activities of other developments or projects, i.e. by means of a Construction Noise Permit. Depending on the type of area, the noise limits range from 45 to 55 dB(A) at night (11 pm to 7 am) and 60 to 70 dB(A) during the evening (7pm to 11 pm) and during daytime and evening of holidays. The noise mitigation measures to be adopted by KCRC for construction activities include the following –

- (a) use of low noise level plant and working method;
- (b) use of temporary and movable noise barriers where necessary; and
- (c) reduction in the number of plants operating at the same time in critical areas close to noise sensitive receivers.

6. The MOS Rail will operate under the control of the Noise Control Ordinance (NCO) and the relevant Technical Memorandum. The Technical Memorandum specifies the Acceptable Noise Levels (ANL) which are used as the noise criteria for railway operation. The ANL are dependent on the Area Sensitivity Rating (ASR) defined and the time period of the day. The following table shows the ANL corresponding to the assigned ASRs for the MOS Rail.

<u>Area Sensitivity Rating</u> <u>(ASR)</u>	<u>Acceptable Noise Level (ANL), Leq 30 min</u>	
	0700 – 2300 hours	2300 – 0700 hours
A	60 dB(A)	50 dB(A)
B	65 dB(A)	55 dB(A)
C	70 dB(A)	60 dB(A)

The locations of the noise sensitive receivers along the MOS Rail and the predicted operational noise level are summarized in Annexes F1 and Annex G of Volume 2 of the Environmental Impact Assessment (EIA) Report on MOS Rail¹ respectively. The education institutions near City One Station are of ASR C. With mitigation measures the operational noise levels will be 53-54 dB(A).

7. In accordance with the approved EIA report and the Environmental Permit, a series of noise mitigation measures will be implemented to bring the railway operational noise levels to within the required noise criteria. The mitigation measures include –

- (a) a specially designed noise abatement system for viaduct sections will be used to trap the noise arising from wheels/rails. The system comprises various noise-screening devices such as vehicle skirts and side panels underneath the side walkways, coupled with noise-absorptive linings and edge walls on the outer side of walkways. For twin viaducts, an additional central noise-screening device will be installed with a capped central wall, thereby further reducing airborne noise levels;
- (b) noise barriers and enclosures will be used on certain sections of the alignment. Floating slab track (i.e. track mounted on a soft baseplate upon a floating mini slab) will be installed to reduce vibration and re-radiated noise; and
- (c) noise from the Tai Wai Depot will be controlled using enclosure and the plant involved will be limited by maximum sound power levels defined by the EIA Report for MOS Rail.

8. Various measures will be put in place to ensure compliance with the Environmental Permit. KCRC has appointed an Independent Environmental Checker to provide an independent check on the environmental performance of construction works and to oversee the entire environmental protection process. To monitor the operational performance, KCRC is required by EPD under the Environmental Permit for MOS Rail to submit documents on the environmental performance of the railway. In case there are noise exceedances, KCRC will carry out remedial actions in accordance

¹ Two copies of the EIA report respectively on MOS Rail and TST Extension have been deposited at the LegCo Secretariat.

with the requirements in the Environmental Permit. KCRC may also be required under the Noise Control Ordinance to abate the exceedances such as a check of the plant and equipment for operating the railway to identify any associations with the exceedance for rectification, reduction of train speed and increase the height of noise barriers. The penalties for breach of the Environmental Permit are provided under section 26 of the EIA Ordinance which stipulates that the person concerned is liable to -

- (a) on a first conviction on indictment to a fine of \$2 million and to imprisonment for six months;
- (b) on a second or subsequent conviction on indictment to a fine of \$5 million and to imprisonment for two years;
- (c) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;
- (d) on a second or subsequent summary conviction to a fine of \$1 million and to imprisonment for one year; and
- (e) in any case where the offence is of a continuing nature, the court or magistrate may impose a fine of \$10,000 for each day on which he is satisfied the offence continued.

~~POINTS CONCERNING EPIW FOR TST EXTENSION~~

~~Feasibility of installing a pair of travelators along the Middle Road Subway and the Interchange Subway~~

9. The width of the subways is determined by existing building lines, street geometry and the premise that, where possible, construction operation is kept within the carriageway. Extending the construction works to pavement will necessitate diversion of utility services located thereunder, and more importantly obstruct the frontages of buildings and frustrate fire escape routes. The relationship between the buildings, carriageways and three main sections of the subways are indicated on the sketches at **Annex A**.

10. According to the pedestrian flow forecast (details at paragraph 13), during the morning peak the pedestrian flow in the Interchange Subway will be going mainly

from the KCR station to the MTR station. If a pair of bi-directional travelators is installed in the Mody Road subway, the usage of the two travelators will be uneven. More importantly, even if the walkway left behind is controlled to allow uni-directional flow to the MTR station, the total capacity of this walkway and a travelator will not be able to cope with the forecast morning peak flow westbound to the MTR station, and may thus lead to safety problems. The relevant technical assessment is at **Annex B**. The case in the Blenheim Avenue will be worse still as its internal subway width is less than that of the Mody Road section. The Middle Road Subway is further constrained by the existence of a large box culvert and the MTR tunnel under Nathan Road. The subway structure has to fit into the limited space between the underside of the culvert and at the same time keep the minimal clearance distance over the MTR tunnel. In doing so, ventilation and other equipment normally located above subway ceiling have to be accommodated at the sides of the subway which in turn will further reduce the width of the subway.

Services and facilities to facilitate the use of subways by the disabled

11. We recognize the importance of providing adequate facilities for the disabled to use the subways. Lifts at the junction of Mody Road and Hanoi Road and at the entrance in Centennial Garden will be installed to facilitate access to the subways. The lifts at the railway stations may also be used to access the subways as all the subways and stations connected are purposely designed at the same level. The subways and lifts will be installed with "Help Phones" through which KCRC staff can be contacted in case of need.

Subway link between the Middle Road Subway and MTR TST Station

12. We are considering the further expansion of the subway network in the Tsim Sha Tsui area. The Nathan Road subway link as suggested by Members is one of the schemes being considered. The relevant technical assessment is underway and will be completed by mid-2001. Whilst we need to take time to go through the planning and design processes, the planned modification works at MTR TST station will not exclude the possibility of pursuing the Nathan Road subway link proposal.

Forecast of the Pedestrian Flow in the Subways

13. The relevant drawings showing the locations of the entrances/exits of the subways and the forecast pedestrian flow are at **Annex C**. A table showing the forecast of the hourly flow of both rail and non-rail users is as follows -

Subway	Year 2004		Year 2011	
	AM Peak	PM Peak	AM Peak	PM Peak
Mody Road	14,300 (westbound) 4,900 (eastbound)	9,300 (westbound) 7,000 (eastbound)	15,300 (westbound) 5,000 (eastbound)	10,900 (westbound) 7,400 (eastbound)
Blenheim Avenue	11,600 (northbound) 1,900 (southbound)	7,700 (northbound) 4,900 (southbound)	13,700 (northbound) 3,400 (southbound)	9,900 (northbound) 5,000 (southbound)
Middle Road	4,200 (westbound) 2,800 (eastbound)	3,200 (westbound) 4,100 (eastbound)	7,100 (westbound) 3,500 (eastbound)	4,300 (westbound) 5,300 (eastbound)

OTHER POINTS

14. Members also made comments on the MOS Rail and TST Extension projects at the meeting on 4 January 2001. The main points are –

- (a) a copy of the EIA report and feasibility study reports on the MOS Rail and TST Extension should be provided²;
- (b) KCRC should consider reviewing the monitoring mechanism for construction works for MOS Rail and TST Extension and forming an independent panel to assess claims for compensation; and
- (c) KCRC should provide a forecast on the loading of East Rail during morning peak hours and take measures to ensure that passengers at the Tai Wai station would normally be able to board on the first train arriving at the platform before the commissioning of the Shatin to Central Link.

The response from KCRC is set out below.

Monitoring mechanism for construction works

15. KCRC has set up an East Rail Extensions (ERE) Division which is a dedicated team of some 400 professional engineers, functional specialists and supporting staff. The design and supervision of ERE construction contracts is also supported by

² Two copies of the relevant EIA reports and feasibility study reports have been deposited at the LegCo Secretariat.

appointed consultants. There will be intensive construction supervision with ultimate responsibility on KCRC to deliver the railway on time, in a safe manner, with minimum disturbance to the public and compliance with all statutory requirements. The construction supervision will be provided by resident site staff and KCRC's project management staff.

16. KCRC will continue to consult the relevant District Councils and the local communities on the railway projects throughout the construction stage. In addition, community liaison groups and community liaison offices will be set up by KCRC to provide a direct and effective channel of communication between KCRC, the local communities and the relevant government departments, and at the same time ensure speedy response to public views.

17. KCRC and its contractors have put in place mechanisms to handle claims for compensation. Pre-construction condition surveys of the existing buildings, structures and slopes adjacent to the sites are being carried out by both KCRC and its contractors. The conditions of these structures will be continuously monitored using strategically placed instruments throughout the construction period. The Corporation is committed to expediting both the investigation into the cause and effect of construction-related incidents and the payment of compensation. It will continue to work closely with its contractors and independent loss adjustors to bring about speedy response to claims. KCRC is aware of Members' concern regarding the timely settlement of construction-related claims and is considering any need to set up an independent body on this matter.

Forecast on passenger demand and train service of the East Rail

18. Using the latest population data, KCRC has estimated the average weekday patronage figures for the East Rail and the MOS Rail for the years 2004, 2006 and 2011, which are shown below -

<u>Year</u>	<u>East Rail</u>	<u>MOS Rail</u>
2004	1,032,000	264,000
2006	1,082,000	284,000
2011	1,232,000	295,000

19. Comparing with the 1999 average weekday patronage of 748,000, the East Rail is forecast to have an additional patronage of 284,000, 334,000 and 484,000 in the years 2004, 2006 and 2011 respectively. On the section between the Tai Wai and Kowloon Tong stations, the forecast southbound passenger flows during the morning peak hours for the years 2004, 2006 and 2011 are shown in the table below -

<u>Year</u>	<u>No. of passengers for the Tai Wai - Kowloon Tong section</u>
2004	60,000
2006	69,000
2011	78,000

20. With signal system upgrading and train car refurbishment, the capacity of the East Rail has been increased by more than 35%. The above forecast peak hourly flows are within the capacity of the East Rail of 90,000 passengers per hour per direction. KCRC is implementing a project to further increase the capacity of the East Rail vis-à-vis advancement of signalling technology. KCRC will also expand and modify the Tai Wai station to facilitate MOS Rail passengers to board on the first train arriving at the Tai Wai station during the morning peak period. The patronage growth of the East Rail will be closely monitored as part of the on-going planning process for railway development.

Transport Bureau
13 January 2001

**Legislative Council Panel on Transport
Subcommittee on matters relating to railways**

**Better co-ordination of Public Transport Services arising from the
Commissioning of Ma On Shan Rail**

Supplementary Information

At the meeting of the Subcommittee on matters relating to railways on 29 June 2004, the Administration was requested to provide supplementary information on the comparison of the services provided by Ma On Shan Rail (“MOSR”) and franchised buses in terms of their transport performance and convenience for the passengers.

2. A comparison of the journey time and number of interchanges involved in taking MOSR and franchised buses from Ma On Shan to different destinations is provided in the table below for Members’ information. The table shows that although passengers travelling on MOSR to those destinations would require interchange with East Rail or Mass Transit Railway (“MTR”) (one interchange in most cases), the travelling time is much shorter than taking franchised buses.

From Ma On Shan to	MOSR to interchange with East Rail / MTR		Franchised Bus	
	Estimated Journey Time (mins.)	No. of interchanges	Journey Time (mins.)	No interchange is required
Kowloon Tong	20	1	38 - 48	-
Mong Kok	22	1	53	-
Hung Hom	27	1	73 - 79	-
Tsim Sha Tsui	28	1	68	-
Central	42	2	50* - 70	-

* The journey time refers to that of express services by Routes 681, 681P and 680X.

Ma On Shan Rail Link

List of relevant papers

Council/Committee	Date of meeting	Paper
Transport Panel (TP)	23 Oct 1998	<p>Kowloon-Canton Railway Corporation (KCRC)'s proposal to implement the Ma On Shan to Tai Wai Rail Link (MOSR) and KCR Extension to Tsim Sha Tsui (TSTE) (LC Paper No. CB(1)339/98-99(03)) http://www.legco.gov.hk/yr98-99/english/panels/tp/papers/tp2310_4.htm</p> <p>MOSR and other transport services — Comparison of fares and travelling time (LC Paper No. CB(1)470/98-99) http://www.legco.gov.hk/yr98-99/english/panels/tp/papers/p470e.pdf</p>
TP	25 Jun 1999	<p>Financing of MOSR and TSTE (LC Paper No. CB(1)1612/98-99(01)) http://www.legco.gov.hk/yr98-99/english/panels/tp/papers/tp2506_6.htm</p> <p>Supplementary information requested by members at the meeting (LC Paper No. CB(1)1648/98-99) http://www.legco.gov.hk/yr98-99/english/panels/tp/papers/p1648e1.pdf</p>
Finance Committee (FC)	2 July 1999	<p>Funding proposal for MOSR and TSTE (FCR(1999-2000)30) http://www.legco.gov.hk/yr98-99/english/fc/fc/papers/fc020730.htm</p>
TP	29 Mar 2000	<p>Executive Summary of the Environment Impact Assessment Report of MOSR (LC Paper No. CB(1)1071/99-00)</p>

		Financial Study Report of MOSR and TSTE (LC Paper No. CB(1)1255/99-00(02)) Progress update on MOSR and TSTE (LC Paper No. CB(1)1234/99-00(03)) http://www.legco.gov.hk/yr99-00/english/panels/tp/papers/a1234e03.pdf
TP	28 Apr 2000	Implementation of MOSR and TSTE — supplementary information requested by members at the meeting on 29 March 2000 (LC Paper No. CB(1)1435/99-00(03)) http://www.legco.gov.hk/yr99-00/english/panels/tp/papers/a1435e03.pdf
FC	26 May 2000	Funding proposal for MOSR and TSTE (FCR(2000-01)15) http://www.legco.gov.hk/yr99-00/english/fc/fc/papers/f00-15e.pdf
Subcommittee on matters relating to railways (SC on Railways)	4 Jan 2001	MOSR and TSTE — Essential Public Infrastructure Works (EPIW) (LC Paper No. CB(1)304/00-01) http://www.legco.gov.hk/yr00-01/english/panels/tp/tp_rdp/papers/a304e01.pdf Supplementary information requested by members at the meeting (LC Paper No. CB(1)467/00-01) http://www.legco.gov.hk/yr00-01/english/panels/tp/tp_rdp/papers/a467e.pdf

<p>Public Works Subcommittee (PWSC)</p>	<p>14 Feb 2001</p>	<p>Funding proposal for the construction of EPIW at Tai Wai Station, Che Kung Temple Station, City One Station, Tai Shui Hang Station and Heng On Station along MOSR (PWSC(2000-01)86) http://www.legco.gov.hk/yr00-01/english/fc/pwsc/papers/pw00-86e.pdf</p> <p>Funding proposal for the construction of EPIW for the East Tsim Sha Tsui Station (PWSC(2000-01)87) http://www.legco.gov.hk/yr00-01/english/fc/pwsc/papers/pw00-87e.pdf</p>
<p>FC</p>	<p>9 Mar 2002</p>	<p>Recommendations of the PWSC made at its meeting on 14 February 2001 regarding the construction of EPIW at Tai Wai Station, Che Kung Temple Station, City One Station, Tai Shui Hang Station and Heng On Station along MOSR (FCR(2000-01)80) http://www.legco.gov.hk/yr00-01/english/fc/fc/papers/f00-80e.pdf</p>
<p>PWSC</p>	<p>8 May 2002</p>	<p>Funding proposal for the design and construction of two public transport interchanges at Tai Wai Station and Wu Kai Sha Station of MOSR (PWSC(2002-03)18) http://www.legco.gov.hk/yr01-02/english/fc/pwsc/papers/p02-18e.pdf</p> <p>Supplementary information requested by members at the meeting (PWSCI(2002-03)21) http://www.legco.gov.hk/yr01-02/english/fc/pwsc/papers/pwsci0508cb1-21-e.pdf</p>
<p>FC</p>	<p>24 May 2002</p>	<p>Recommendations of the PWSC made at its meeting on 8 May 2002 regarding the design and construction of two public transport interchanges at Tai Wai Station and Wu Kai Sha Station of MOSR (FCR(2002-03)15) http://www.legco.gov.hk/yr01-02/english/fc/fc/papers/f02-15e.pdf</p>

SC on Railways	27 Jun 2002 (in the context of the discussion of the Shatin to Central Link project)	Supplementary information on interchange flow at Tai Wai Station and cross-boundary passenger flow (LC Paper No. CB(1)2403/01-02(01)) http://www.legco.gov.hk/yr01-02/english/panels/tp/tp_rdp/papers/tp_rdp0627cb1-2403-1e.pdf
SC on Railways	8 Jan 2004	Progress update on MOSR and TSTE and better co-ordination of public transport services arising from the commissioning of the two railways (LC Paper No. CB(1)690/03-04(02)) http://www.legco.gov.hk/yr03-04/english/panels/tp/tp_rdp/papers/tp_rdp0108cb1-690-2e.pdf
Council	23 Jun 2004	Hon Andrew CHENG raised a question on MOSR http://www.legco.gov.hk/yr03-04/chinese/counmtg/floor/cm0623ti-confirm-c.pdf
SC on Railways	29 Jun 2004	Better co-ordination of public transport services arising from the commissioning of MOSR (LC Paper No. CB(1)2242/03-04(01)) http://www.legco.gov.hk/yr03-04/english/panels/tp/tp_rdp/papers/tp_rdp0629cb1-2242-1e.pdf Progress update on MOSR and TSTE (LC Paper No. CB(1)2242/03-04(02)) http://www.legco.gov.hk/yr03-04/english/panels/tp/tp_rdp/papers/tp_rdp0629cb1-2242-2e.pdf