For Information on
18 September 2008

LEGISLATIVE COUNCIL BRIEF

DEVELOPMENT OF LIANTANG/HEUNG YUEN WAI BOUNDARY CONTROL POINT

INTRODUCTION

At the meeting of the Executive Council on 24 June 2008, the Council ADVISED and the Chief Executive ORDERED that the development of a new Boundary Control Point (BCP) at Liantang/Heung Yuen Wai (LT/HYW) in the boundary of North-eastern New Territories **(Plan 1)** should be endorsed and detailed planning should proceed on the following basis:

(a) the new BCP would adopt the separate-location model (兩地兩檢) but design of the control point facilities should maximise convenience to users;

(b) the new BCP on Hong Kong (HK) side would require resumption of Chuk Yuen Village (竹園村);

(c) the connecting road with the new BCP on HK side would adopt the preferred alignment leading to Tolo Highway in the eastern direction; and

(d) the design and construction of the new BCP should be packaged with the improvement works of Liantang section of the Shenzhen (SZ) River.

JUSTIFICATIONS

The Proposal of Liantang/Heung Yuen Wai BCP

2. The Chief Secretary agreed with the SZ Mayor at their meeting on 23 February 2006 to set up a joint study group to consider the development of a new BCP at LT/HYW. As a result, both sides commissioned a joint Preliminary Planning Study on Developing LT/HYW Control Point (the Joint Study) （深港興建蓮塘/香園圍口岸前期規劃研

究）in December 2006 to examine the need, benefits and functions of the proposed BCP. Planning Department also commissioned a consultancy study in January 2007 to examine its land, planning, traffic and engineering implications and its associated connecting road within HK territory. Both studies have been completed.

3. At the first meeting of the HK-SZ Joint Task Force on Boundary District Development (港深邊界區發展聯合專責小組) (the Joint Task Force) on 10 March 2008, both HK and SZ Governments agreed to set up the "Working Group on Preliminary Planning of Control Point at LT/HYW" (蓮塘/香園圍口岸前期規劃工作小組) to expedite the related work. They supported in principle the recommendation of the Joint Study to further examine the proposed mode of operation by locating cross-boundary facilities separately in their respective jurisdiction, and agreed that the details and way forward of the proposal would be discussed at the second meeting in September 2008. At the second Joint Task Force meeting on 18 September, both sides agreed to proceed with the BCP project.

The Need and Benefits

4. With closer economic integration with the Mainland in particular the neighbouring cities and provinces, there is a need to further facilitate movement of people and goods across the boundary in the east. By connecting with the Eastern Corridor (東部過境通道)[1] in SZ, the new BCP will provide an efficient access to the eastern part of Guangdong Province (GD) and adjacent provinces via Shenzhen-Huizhou (深惠高速) and Shenzhen-Shantou Expressways (深汕高速) (**Plan 2**). This will significantly shorten the distance between HK/SZ and the eastern part of GD, Fujian (福建) and Jiangxi (江西) Provinces, and greatly facilitate future regional cooperation and development. It will also help extend the economic hinterland of HK and SZ and promote regional development. The proposed BCP has strategic significance for a closer integration of HK and SZ, which is in line with our policy to consolidate HK's status as a global city for sustained development in the future.

5. From the local perspective, improvement to existing Man Kam To (MKT) and Sha Tau Kok (STK) BCPs could hardly meet the current expectations of travelling convenience and comfort. Furthermore, the

[1] The proposed Eastern Corridor (東部過境通道) aims to realise the SZ Municipal Government's transport planning principle of "East in-East out" for goods vehicles. It is a dual 3-lane expressway, linking up the proposed BCP at LT/HYW with the existing Shenzhen-Huizhou Expressway (深惠高速) to Huizhou (惠州) and Shenzhen-Shantou Expressway (深汕高速) to Shantou (汕頭). Construction is scheduled for 2009-2010.

scope for comprehensive upgrading of these BCPs would be very limited due to various constraints. The proposed new BCP will satisfy the long term transport needs and help re-distribute the cross-boundary traffic amongst the crossings in the eastern part of the territory. This will alleviate the frequent traffic congestion at MKT BCP and provide room for improvement at MKT and STK BCPs. The resulting overall handling capacity and the quality of service of these BCPs (including LT/HYW, MKT and STK) would be greatly enhanced. It is estimated that by 2030, these three BCPs will handle about 5% of the total cross-boundary passenger flow and about 21% of the total vehicular flow, as compared to 1% and 10% respectively without the proposed BCP.

Function

6. The new BCP will serve cross-boundary goods vehicles (excluding those for fresh food, livestock and poultry, which would continue to use MKT BCP) and passengers travelling between HK and SZ East, Huizhou, the eastern part of GD, Jiangxi and Fujian. It is estimated to have about 20,600 vehicles and 30,700 passengers per day in 2030. Details of relevant facilities and operation hours will be examined in the implementation stage of the project.

Separate HK/SZ BCP Locations

7. After detailed examination, the Joint Study recommends to adopt the separate-location model for the HK and SZ BCPs. The co-location model (一地兩檢) is not pursued on the following grounds:

(a) there is almost no distinct geographical separation between SZ and HK at the proposed BCP. The section of SZ River separating the two sides is very narrow, making the need for co-location not apparent;

(b) through the provision of an integrated passenger hall, the separate-location model could achieve a similar level of convenience as the co-location model, as passengers need not walk a long distance to the other side within an integrated building, thus weakening the case for co-location; and

(c) it is difficult to accommodate all the cross-boundary facilities of the BCP (a total area of about 35.7 hectares) within either HK or SZ's own territories due to land

constraints. On SZ side, unlike the SZ Bay Port area, Liantang is a built-up area with only 18.3 hectares of land available for the BCP development. On HK side, most of the land is under private ownership with the presence of indigenous villages and graves. The co-location model might otherwise require extensive land resumption, rendering implementation work very difficult and complicated.

BCP Layout

8. We have examined different layout options for the BCP. The adopted design provides a more compact and coherent BCP layout which would basically address all the environmental and operational problems (**Plan 3**). It also provides a larger separation between the BCP and the nearby villagers, thus resulting in less environmental nuisances, reduces the land requirement, and involves less vegetation clearance and slope cutting. Its compact layout will also make the operation of the BCP more efficient. The adopted design, however, requires resumption and resite of Chuk Yuen Village whose current location is the result of an earlier relocation after some serious floods in the 1970s. Unlike some other villages in the area, no cultural or historic heritage has been identified in Chuk Yuen Village. The number of indigenous villagers and current residents is relatively small[2].

9. We have separately embarked on a study to identify a site for village re-settlement, and will put forward alternative sites to the affected villagers and landowners for their consideration.

10. Subject to detailed investigation study, the proposed BCP would adopt a "2-storey concept" design, with a footprint of about 18 hectares on HK side. Facilities for goods vehicles and public transport interchange are all located at the ground level. The upper level, preliminarily estimated to be about 4.6 hectares (i.e. one-fourth of the size of the ground level footprint), will serve passengers as well as private cars and coaches. The distance between the passengers' immigration kiosks and customs checkpoints of the two sides will be minimized through an integrated passenger hall across the SZ River (**Plan 4**).

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[2] According to the records of North District Office, there are 207 indigenous villagers and 166 non-indigenous villagers registered as electors for village representatives election in Chuk Yuen Village. However, in theory, other than these 373 registered voters, there could be other indigenous and non-indigenous villagers who have not registered as voters but may appear to claim that they are eligible for interests in the land resumption exercise.

11. The whole process of land acquisition, clearance and re-siting of Chuk Yuen Village would take at least 4.5 years.

New Connecting Road

12. A new dual-2 lane trunk road is required to connect the proposed BCP with other parts of the territory. We have considered a number of alignment options and their impacts on planning and land[3], environment, transport, local community, and their performance in costs, programme and engineering. In view of various technical and environmental constraints in the area, we have adopted the road alignment in the eastern direction linking the new BCP with the Tolo Highway via Fanling Highway (**Plan 5**). This proposed connecting road is about 10 km in length, comprising 3 sections of tunnel (total length about 3.5 km). Detailed engineering feasibility study will be carried out to ascertain its alignment, technical details and implications.

Improvement Works to Shenzhen River (Liantang Section)

13. The BCP may bring about changes to the drainage and flood protection requirements of SZ River. It is thus necessary to mitigate the drainage impacts of the BCP by incorporating its requirement in the improvement works of the Liantang section of the SZ River. As the future alignment of the improved river will also affect the design and layout of the BCP, the river improvement works will be packaged with the proposed BCP development. A joint study with the SZ side to delineate the scope of improvement works and river alignment is required.

Implementation

14. The proposed BCP together with its connecting road and SZ River improvement (Liantang section) will be implemented in phases. Taking into account the requirement of 4.5 years for village resumption and resettlement and other statutory requirements[4] , the proposed BCP is expected to be operational in 2018.

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[3] It is estimated that about 337 agricultural lots, 22 house lots and 50 graves would be affected by the proposed road alignment. Resite of the affected house lots is envisaged.

[4] Statutory requirements include those stipulated under the Lands Resumption Ordinance [Cap.124], Foreshore and Sea-bed (Reclamations) Ordinance [Cap.127], Roads (Works, Use and Compensation) Ordinance [Cap.370], and Environmental Impact Assessment Ordinance [Cap.499].

IMPLICATIONS OF THE PROPOSAL

15. The proposed BCP development is in conformity with the Basic Law, including the provisions concerning human rights. The environmental, sustainability, financial and civil service, and economic implications of the proposed BCP development are set out at **Annex**.

PUBLIC CONSULTATION

16. The concept of a new control point at LT/HYW to connect with the Eastern Corridor was put forward for public consultation under Stage 3 of the "Hong Kong 2030: Planning Vision and Strategy" Study in 2003. The Study recommended that further studies on the need and major issues of the BCP were required. Subsequently the public has been made aware of the progress of the planning studies on various public occasions.

17. Public consultation on the proposal will commence after announcement of the construction of the BCP. On the announcement day, appropriate actions will be taken to 'freeze' the on-site situations so as to safeguard Government's commitment on land compensation and other possible entitlements arising from land resumption and clearance. Subject to funding approval by the LegCo, the Civil Engineering Development Department will commission a detailed engineering study (including preliminary design) for the project in the second quarter of 2009. Public views collected will be taken into consideration and concerns on environmental, landscape and traffic impacts, design of the BCP and connecting road, and facilities to be provided will be addressed in the study.

PUBLICITY

18. We have arranged to promulgate the decision to proceed with the proposal jointly by the co-Chairpersons of the Joint Task Force immediately after its second meeting on 18 September 2008. On the announcement day, we have arranged to provide a media stand-up to explain the details of the proposal, issue a press release and upload summary of the planning studies onto the Planning Department's website for public's views, assign a spokesman to answer public and media enquiries, distribute information flyers covering the planning concept and related project information to the affected villagers, and explain to the affected villagers and landowners the proposal including the village removal and compensation. A dedicated team from the Lands

Department (LandsD) will initiate contact with the affected villagers/landowners shortly after the announcement of the project and answer queries on matters relating to the village removal exercise. The dedicated team will request villagers to set up a Village Removal Committee (VRC) to represent them in negotiations on matters relating to the relocation of the existing village and on matters relating to compensation, etc. Meetings with VRC will be arranged by LandsD as soon as possible and sufficient time will be allowed for the removal and resite of Chuk Yuen Village. Briefings to the relevant Legislative Council Panels, Heung Yee Kuk and relevant District Councils and Rural Committees to apprise them of our consideration and concepts of the proposed development including the BCP layout, connecting road, related SZ River improvement and village resumption will be arranged shortly after the announcement.

ANNEX

Implications of the Proposal

Development Bureau
18 September 2008

Annex

Environmental, Sustainability, Financial and Civil Service, and Economic Implications of the Recommendation

Environmental Implications

A preliminary environmental assessment on ecology, cultural heritage, noise, vehicular emissions, waste management and water quality for the proposed development has been carried out for the proposed BCP and connecting road. Environmental impacts during construction stage have also been assessed. It concludes that with the implementation of effective control and mitigation measures, the environmental impacts of the proposed BCP and connecting road could be appropriately controlled to meet the established criteria. The proposed development including the BCP, connecting road and improvement works to SZ River will fulfil statutory and administrative requirements including the Environmental Impact Assessment Ordinance as part of the implementation process.

Sustainability Implications

2. According to the preliminary sustainability assessment, the proposed BCP development helps improve mobility and brings positive impacts to the economy. However, it would also cause changes to the existing rural landscape character and adverse impacts on environment, natural resources and cultural vibrancy. As the development will require clearance and resettlement of the whole Chuk Yuen Village, effects on the local community are also anticipated. Furthermore, with the development of BCP, price of housing and local services in the area may increase. The improvement in transportation network would also hasten community disintegration in the area.

3. The impacts resulted to the residents and the nearby communities should be properly considered and proper mitigation measures be arranged to avoid possible disturbance to the community as far as possible. Detailed sustainability assessment will be carried out at a later stage when the Government draws up concrete details of the proposal including the layout, connecting road and SZ River improvement works, taking into account comments received during the public consultation exercise.

Financial and Civil Service Implications

4. The total capital cost of the proposed development is estimated to be $8.6 billion* (in September 2007 prices). The project is estimated to incur an additional cost of $1 billion for land clearance. Funding has been earmarked for the project.

5. Bureaux and departments concerned will absorb the additional workload arising from the implementation of the proposal as far as possible. In particular, they are expected to meet the additional costs in relation to project delivery with their existing allocations. However, they may seek additional resource requirements in accordance with the established resource allocation procedures if necessary.

Economic Implications

6. The new cross boundary access will provide a direct and efficient access to the eastern part of GD and adjacent provinces like Jiangxi and Fujian by linking up HK with the SZ Eastern Corridor. The closer transport links will further extend economic hinterland of HK, boost local economy and promote regional development. The provision of a higher quality, comfortable and convenient access will also facilitate passengers' flows and foster social and economic integration between HK and SZ.

7. The new BCP will help re-distribute cross-boundary traffic among existing control points like MKT and STK BCPs, thus alleviating the traffic problems and enhancing the handling capacity and service quality of these BCPs.

8. Besides, construction of the connecting road will also enhance the overall transport network in the eastern part of New Territories, including in particular the New Development Areas in Kwu Tung North, Fanling North and Ping Che/Ta Kwu Ling, which have been earmarked in the Policy Address as one of the ten major infrastructure projects for economic growth.

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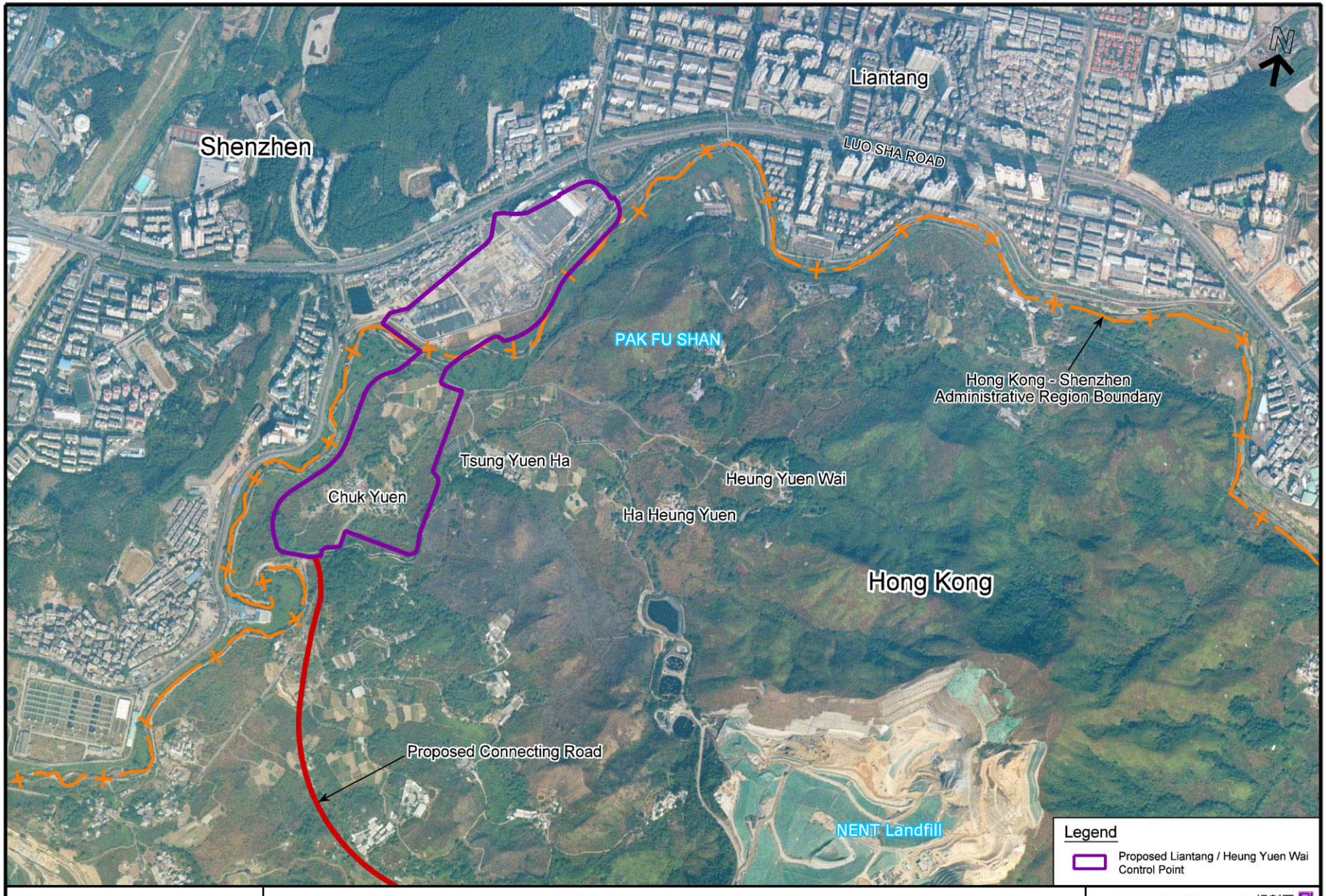
* This includes $6.1 billion for the capital costs for roads and civil works for the BCP, $1.9 billion for capital works for BCP building and associated works, and $0.6 billion for the SZ River improvement works.



Location and the Surrounding Environment of the
Proposed Liantang / Heung Yuen Wai Control Point

PLANNING DEPARTMENT 規劃署

Plan No. 圖則編號： M/CID/08/008A_e

Date 日期： 25/08/2008

圖 PLAN 1

Liantang / Heung Yuen Wai Control Point and Eastern Corridor

SCALE

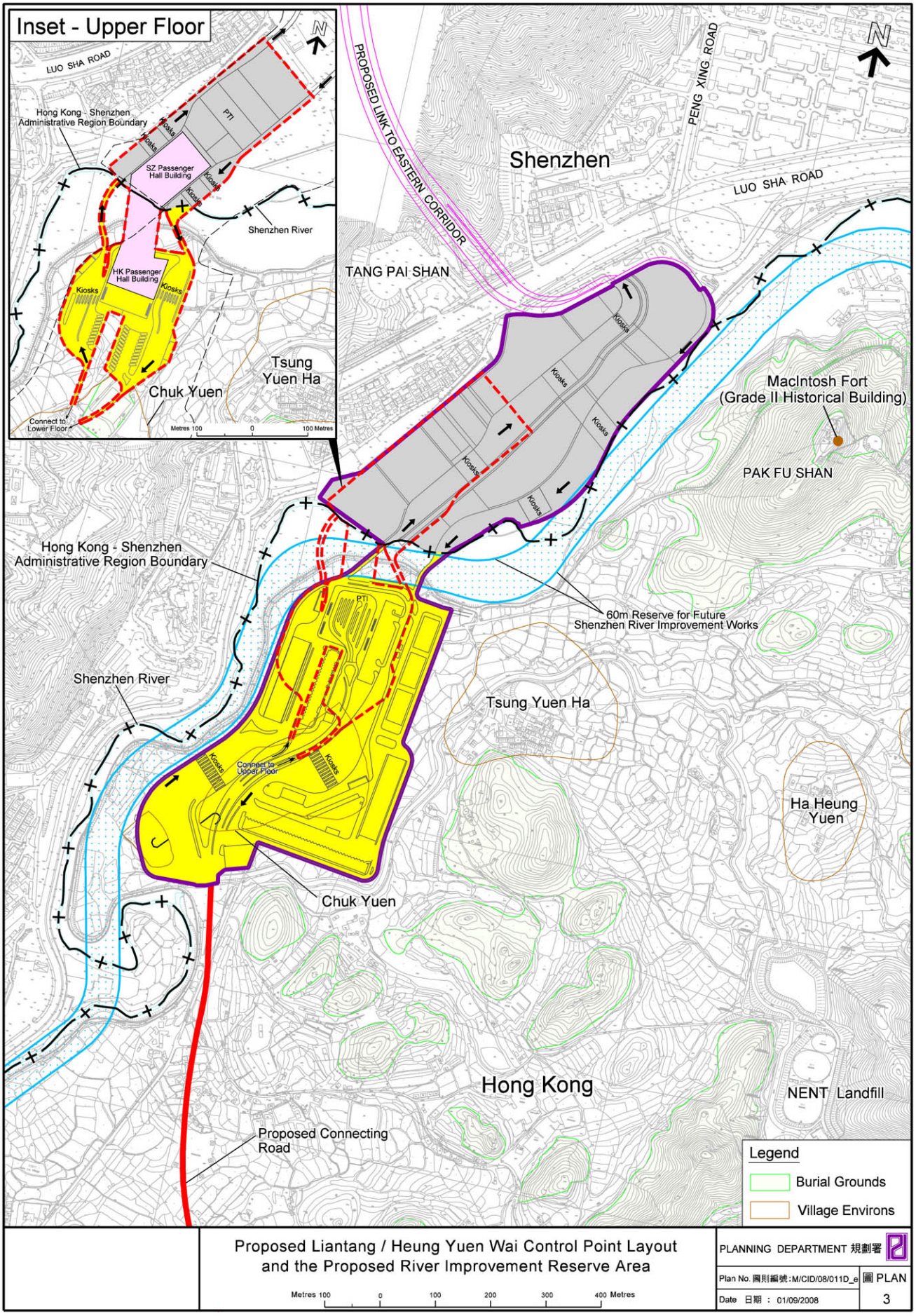
km 0 2 4 6 8 10 12 km

PLANNING DEPARTMENT 規劃署

Plan No. 圖則編號: M/SP/06/032E_e

Date 日期 : 02/09/2008

圖 PLAN 2


Inset - Upper Floor
N
LUO SHA ROAD
Hong Kong - Shenzhen Administrative Region Boundary
PTI
Kiosks
SZ Passenger Hall Building
Shenzhen River
HK Passenger Hall Building
Connect to Lower Floor
Chuk Yuen
Tsung Yuen Ha
Metres 100 0 100 Metres
PROPOSED LINK TO EASTERN CORRIDOR
PENG XING ROAD
Shenzhen
TANG PAI SHAN
MacIntosh Fort (Grade II Historical Building)
PAK FU SHAN
60m Reserve for Future Shenzhen River Improvement Works
Connect to Upper Floor
Ha Heung Yuen
Hong Kong
NENT Landfill
Proposed Connecting Road
Legend
Burial Grounds
Village Environs
Proposed Liantang / Heung Yuen Wai Control Point Layout and the Proposed River Improvement Reserve Area
Metres 100 0 100 200 300 400 Metres
PLANNING DEPARTMENT 規劃署
Plan No. 圖則編號: M/CID/08/011D_e
圖 PLAN
Date 日期 : 01/09/2008
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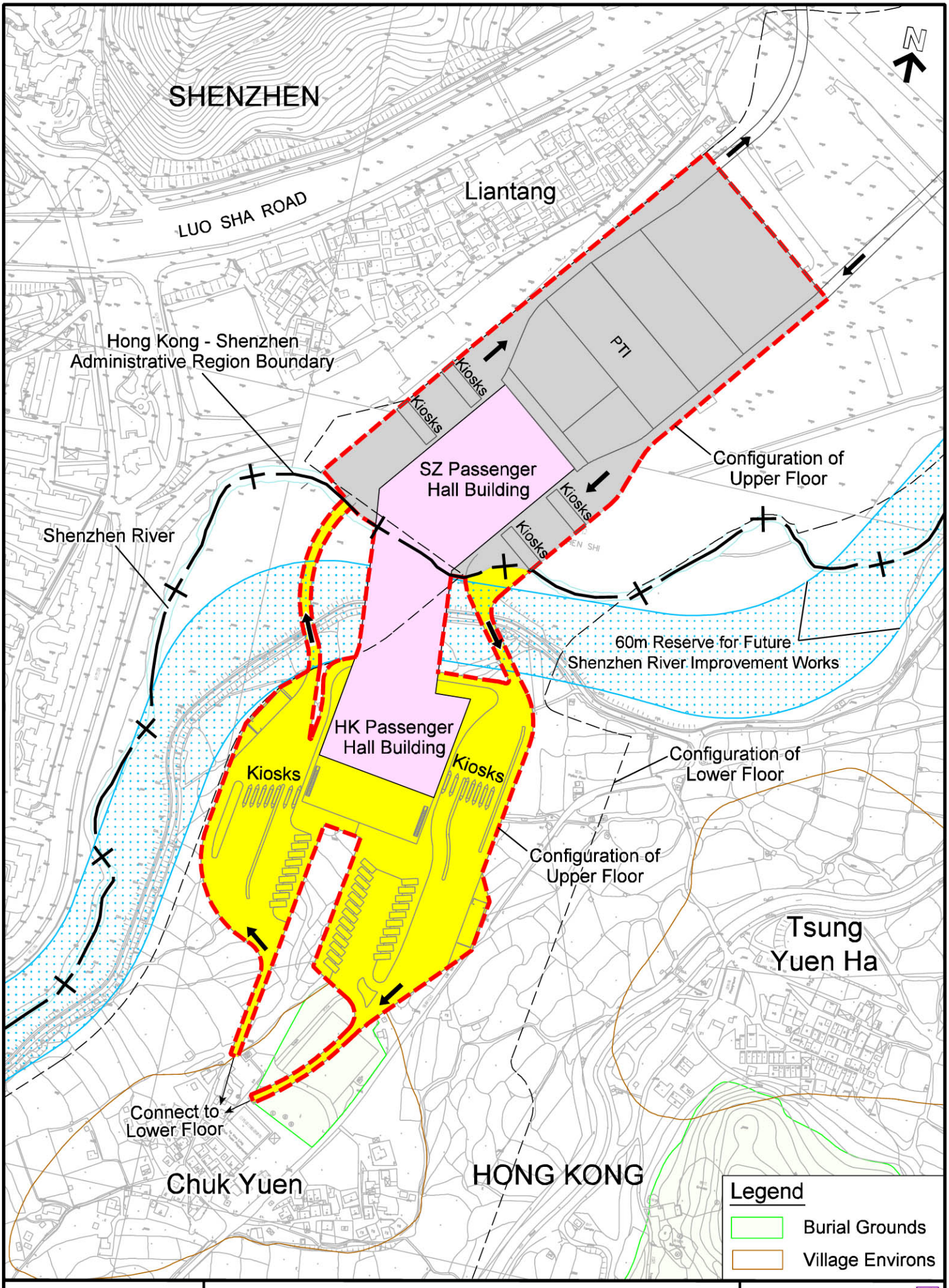


Concept of Connecting the Passenger Hall Buildings

Scale

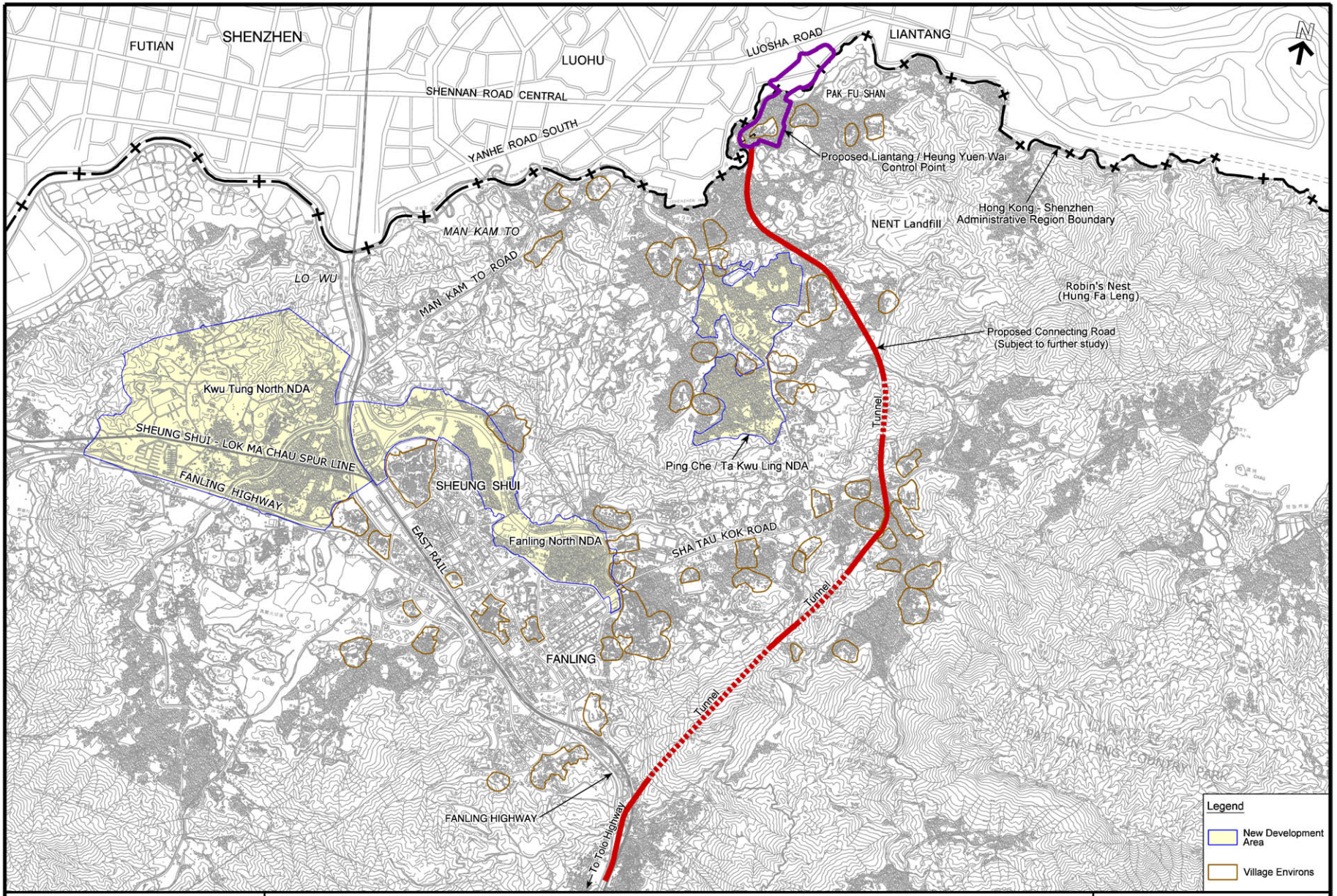
METRES 50 0 50 100 150 200 METRES

PLANNING DEPARTMENT 規劃署

Plan No. 圖則編號:M/CID/08/015C_e

圖 PLAN 4

Date 日期 : 01/09/2008



Proposed Alignment of the Connecting Road from the Proposed Liantang / Heung Yuen Wai Control Point

PLANNING DEPARTMENT 規劃署

Plan No. 圖則編號： M/CID/08/009D_e

Date 日期： 02/09/2008

圖 PLAN 5