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Highways Department Technical Circular No. 3/2000

Administrative Protection for Proposed Railway Routes

1. Introduction

1.1 This Circular sets out the revised procedures to be followed for administrative protection for the proposed railway routes. It updates and supersedes HyDTC No. 6/95 which is hereby cancelled.

2. Background

2.1 The first Railway Development Strategy for Hong Kong was formulated in December 1994. It set out a railway development programme, according priority to the implementation of four new rail projects. They are the KCR West Rail, the MTR Tseung Kwan O Extension, the Ma On Shan to Tai Wai Rail Link, and the Extension of the KCR East Rail from Hung Hom to Tsim Sha Tsui.

2.2 These four rail projects are now at different stages of implementation. Also, a decision was made in 1999 for the implementation of the Sheung Shui to Lok Ma Chau Spur Line to provide additional rail passenger crossing facilities between Hong Kong and Shenzhen to relieve the congestion at Lo Wu. In late 1999, Government decided to build the Penny's Bay Rail Link to open in time for the Disney Theme Park. Therefore, a total of six new rail projects are scheduled for completion between 2002 and 2005.

2.3 In order to cater for Hong Kong's continued population growth and the increasing cross boundary social and economic activities, Government commissioned the Second Railway Development Study (RDS-2) in March 1998 to examine how best to further expand the rail network to the year 2016. Based on the key findings of the RDS-2, Government in May 2000 announced the Railway Development Strategy 2000. This Strategy maps out the preferred railway network expansion plan for the HKSAR up to the year 2016.

2.4 The recommended Railway Network upon completion will feature six new rail projects and a potential Port Rail Line. They are as follows:

- (a) a North Hong Kong Island Line (NIL) formed by an extension of the existing Tung Chung Line along the north shore of Hong Kong Island to connect with the MTR Island Line at the Fortress Hill Station;
- (b) a West Hong Kong Island Line (WIL) formed by an extension of the MTR Island Line from Sheung Wan to Kennedy Town;
- (c) a Shatin to Central Link (SCL) formed by either running direct from Tai Wai or Ma On Shan to Hong Kong Island via South East Kowloon;
- (d) a Kowloon Southern Link (KSL) formed by a convenient connection between the KCR East Rail and West Rail via the Kowloon peninsula;
- (e) a Northern Link (NOL) formed by a connection between the KCR East Rail and West Rail at the northern part of the New Territories;
- (f) a Regional Express Line (REL) formed by a new rapid rail transport between the Boundary and the Metro areas; and
- (g) a Port Rail Line (PRL) formed by a connection between Lo Wu and the Kwai Chung terminals, via either East Rail or West Rail.

2.5 The Strategy has also identified a number of long term railway development possibilities. These include South Hong Kong Island Line, the Fifth Rail Harbour Crossing, the Outer Western Corridor, the Deep Bay Link, Chek Lap Kok Link, and the East-west Kowloon Link.

2.6 Unlike those existing and under-construction railway lines, the routes for the proposed railway lines are not protected by legislations. In order to ensure that these proposed railway projects will not be frustrated or complicated by other developments, their recommended route alignments would require to be protected by administrative means.

2.7 It is therefore necessary that the Regional Offices of Highways Department (HyD) and other concerned departments are well aware of the recommended new rail projects in the Strategy to ensure all their alignments to be

adequately protected. They will be requested to liaise with the Principal Government Engineer/Railway Development (PGE/RD) regarding railway route protection. This Circular sets out the procedures and provides some guidelines to follow.

3. Purpose

3.1 The purposes of administrative protection for the proposed railway routes are:

(a) to ensure through concerted efforts within Government that new works, land disposals or planning proposals, which may affect/be affected by the proposed railway routes are taken forward in such a manner as not to preclude, render unviable or otherwise jeopardize the construction and operation of the future railways;

(b) to identify Government land allocations, engineering works, reserves and private developments, which may affect/be affected by the proposed railway routes so that the interfacing implications can be assessed; and

(c) to ensure that the Secretary for Transport is able to consider the implications of any conflicts arising from development proposals likely to affect/be affected by the railway routes.

3.2 The intention of administrative route protection is not to create planning blight, nor freeze development unnecessarily. Rather, it is intended that by adopting administrative route protection procedures, departments will have an early understanding of the interfacing issues arising from the railway proposals. Where there are likely conflicts, necessary and appropriate actions in line with Government's objectives and policy could be taken timely to resolve them.

4. Procedures

4.1 At present, highway referrals on development proposals, land allocations, building submissions, town plan revisions etc., which may affect the proposed railway routes are directed in a variety of manner by the Lands, Buildings and Planning Departments to the Regional Offices and/or Railway Development Office of HyD for comments. In order to rationalize the administrative

protection for the proposed railway routes, the following procedures are to be followed with immediate effect:-

- (a) The PGE/RD will prepare and circulate to all Regional Offices and concerned departments relevant administrative route protection plans to alert them of the likely location of the proposed railway routes recommended in Government's Railway Development Strategy 2000. However, prior to the availability of the plans, the engineering alignments of the new rail projects as stipulated in the RDS-2 Final Report and attached as Annex I shall be used for reference;
- (b) Concerned departments are requested to check whether new works, land disposal, reserves and planning proposals under their control will affect/be affected by the proposed railway routes and to refer any such possible instances to the PGE/RD for consideration;
- (c) The PGE/RD should initiate discussions with the concerned departments with a view to exploring and developing means of resolving the identified interface issues. He should keep the Regional Offices informed of the latest developments arising from the discussions;
- (d) The Regional Offices should check against the latest administrative route protection plans and ensure that all highway referrals likely to affect the proposed railway routes are referred to the PGE/RD for comment;
- (e) The Regional Offices are responsible for the overall co-ordinating and consolidating comments within HyD including those by the PGE/RD on all highway referrals;
- (f) In those cases where identified conflicts with the proposed railway routes could not be resolved at the departmental level, or would have financial implications involving compensation or changes to lease conditions/land grants etc., the advice from the Secretary for Transport will be sought; and
- (g) The PGE/RD will be responsible for the updating of the administrative route protection plans.

5. General Guideline

- 5.1 Depending on the nature of the new works, land disposal or planning proposals involved, their impacts on the proposed railway routes or vice versa may still be significant even at a distance. As a general guide, uses within 30 metres of the nearside of the administrative route protection boundary should be referred to PGE/RD. For noise sensitive uses in the vicinity of above ground railway sections, the distance should be increased to within 150 metres of the nearside of the administrative route protection boundary.

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