

## **Railways Ordinance (Chapter 519)**

**Scheme annexed with General Layout Plans Nos.  
KTE-G01 to KTE-G08 inclusive;  
Land Resumption Plans Nos.  
KTE-L01 and KTE-L02;  
Underground Strata Resumption Plans Nos.  
KTE-U01 to KTE-U03 inclusive;  
Creation of Rights of Temporary Occupation of Land Plans Nos.  
KTE-T01 and KTE-T02;  
Creation of Easements and/or Other Permanent Rights Plan No.  
KTE-R01 and  
Control of Building Plans and Commencement of Work Plan No.  
KTE-P01  
describing the Kwun Tong Line Extension**

### **General Nature and Effects of the Railway**

The Secretary for Transport and Housing proposes to construct the Kwun Tong Line Extension, as described below and shown on General Layout Plans Nos. KTE-G01 to KTE-G08 inclusive; Land Resumption Plans Nos. KTE-L01 and KTE-L02; Underground Strata Resumption Plans Nos. KTE-U01 to KTE-U03 inclusive; Creation of Rights of Temporary Occupation of Land Plans Nos. KTE-T01 and KTE-T02; Creation of Easements and/or Other Permanent Rights Plan No. KTE-R01; and Control of Building Plans and Commencement of Work Plan No. KTE-P01 (the 'Plans').

2. The proposed Kwun Tong Line Extension is an extension of the existing MTR Kwun Tong Line from Yau Ma Tei to Whampoa for the provision of domestic passenger service. It provides an approximately 2.6 kilometres long electrified double-track railway system with two proposed railway stations at Ho Man Tin and Whampoa. The station at Ho Man Tin will also provide an interchange with another railway project under planning. The proposed Kwun Tong Line Extension includes the following works:

- (a) construction of
  - (i) the underground railway stations and railway facilities at Ho Man Tin and Whampoa, and the associated station entrances, emergency accesses, emergency escape accesses and ventilation shafts;
  - (ii) two approximately 1.28 kilometres long underground bored or mined or drill and blast railway tunnels (eastbound and westbound tunnels) connecting the overrun tunnels of the existing MTR Yau Ma Tei Station with the proposed underground railway station at Ho Man Tin;
  - (iii) a ventilation and electrical and mechanical plant building (ventilation

and plant building) with emergency access and emergency escape access in Club de Recreio, near Wylie Road;

- (iv) an approximately 0.39 kilometre long underground bored or mined or drill and blast crossover tunnel containing a crossover track, running line, and turnback siding east of the proposed underground railway station at Ho Man Tin;
  - (v) an approximately 0.15 kilometre long underground bored or mined or drill and blast tunnel connecting the proposed crossover tunnel to the proposed underground railway station at Whampoa; and
  - (vi) an approximately 0.16 kilometre long refuge tunnel from the eastern end of the proposed underground railway station at Whampoa;
- (b) rail track formation works, earthworks, civil and structural works, electrical works and mechanical works;
  - (c) construction of other associated railway facilities including trackwork, train control and communication facilities, ventilation shafts and electrical and mechanical plants;
  - (d) the enabling works for another railway project under planning at the proposed underground railway station at Ho Man Tin;
  - (e) construction of a footbridge, with lift and stair, across Chatham Road North near the junction with Wuhu Street connecting to the proposed underground railway station at Ho Man Tin;
  - (f) construction of a network of footbridges, with lifts and stairs, and covered walkways along Chung Yee Street, across Fat Kwong Street and Sheung Lok Street connecting to the proposed underground railway station at Ho Man Tin;
  - (g) modification of the existing MTR Kwun Tong Line cable tunnel at the junction of Nathan Road and Gascoigne Road;
  - (h) reprovisioning of the existing footbridge across Hung Hom Road connecting to the podium of Bauhinia Mansions in-situ;
  - (i) construction of temporary barge loading facilities at MTR Hung Hom Station Freight Terminal;
  - (j) construction of a temporary magazine at Tseung Kwan O Area 137;
  - (k) associated reconstruction, modification and realignment of existing roads including carriageways, footpaths, footbridges, parks and open spaces;

- (l) preventive or remedial works including underpinning the foundations of existing structures and ground treatment; and
- (m) ancillary works including associated drainage works, waterworks, slope works, landscaping works and other road works, and reprovisioning of existing services and facilities.

### **Land and Underground Strata to be Resumed**

3. For the purposes of or incidental to the scheme, the Secretary for Transport and Housing proposes that powers under section 16 of the Railways Ordinance (the ‘Ordinance’) may be exercised to resume the land as shown on the Land Resumption Plans Nos. KTE-L01 and KTE-L02; and resume the underground strata of the land as shown on the Underground Strata Resumption Plans Nos. KTE-U01 to KTE-U03 inclusive. The land proposed to be resumed are described in the schedule below and shown on the Land Resumption Plans Nos. KTE-L01 and KTE-L02. The underground strata proposed to be resumed, for the purposes in connection with the construction of underground bored or mined or drill and blast railway tunnels and railway facilities are described in the Underground Strata Resumption Schedules shown on the Underground Strata Resumption Plans Nos. KTE-U01 to KTE-U03 inclusive. Further notice regarding the resumption will be issued under section 19 of the Ordinance as and when required.

#### Schedule

##### Land to be Resumed

- (a) Lot No. : Kowloon Inland Lot No. 11098  
 Address : Club de Recreio, No. 20 Gascoigne Road, Kowloon  
 Nature : To resume a portion of Kowloon Inland Lot No. 11098, being approximately 895.9 square metres as shown on the Land Resumption Plan No. KTE-L01, for the construction of the proposed ventilation and plant building with emergency access and emergency escape access.
  
- (b) Lot No. : The Remaining Portion of Kowloon Inland Lot No. 10750  
 Address : Shung King Street, Tak Ting Street and Tak On Street, Kowloon  
 Nature : To resume a portion of the Remaining Portion of Kowloon Inland Lot No. 10750, of approximately 41.6 square metres from level of +2.0 mPD to +12.0 mPD; to resume two portions of the lot, of approximately 198.4 square metres and 83.6 square metres from level of +2.0 mPD to +16.0 mPD; and to resume a portion of the lot, of approximately 13.0 square metres from level of +2.0 mPD

to +20.0 mPD, the total area being approximately 336.6 square metres, as shown on the Land Resumption Plan No. KTE-L02, for the construction of the proposed station entrances, emergency accesses, emergency escape accesses, ventilation shafts, lift and other railway facilities.

### **Creation of Rights of Temporary Occupation of Land**

4. For the purposes of or incidental to the scheme, the Secretary for Transport and Housing proposes that powers under section 20 of the Ordinance may be exercised to create, in favour of the Government of the Hong Kong Special Administrative Region (the 'Government'), rights of temporary occupation of land within the boundaries of the scheme described in the schedule below and shown on the Creation of Rights of Temporary Occupation of Land Plans Nos. KTE-T01 and KTE-T02. An order for the creation of rights of temporary occupation of land may contain such consequential and incidental provisions as appear to the Chief Executive to be necessary or expedient for the purposes of the order including in particular provisions for authorizing persons to enter upon land or building for the purposes of carrying out any operations or installing, maintaining or removing any structures or apparatus. Further notice regarding the creation of such rights will be issued under section 21 of the Ordinance as and when required.

#### Schedule

##### Rights of Temporary Occupation of Land

- (a) Lot No. : Kowloon Inland Lot No. 7068  
Address : Methodist College, No. 50 Gascoigne Road, Kowloon  
Nature : A portion of Kowloon Inland Lot No. 7068, being approximately 326.1 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T01, will be used as works site for the proposed slope stabilization works.
- (b) Lot No. : Kowloon Inland Lot No. 11095  
Address : India Club, No. 24 Gascoigne Road, Kowloon  
Nature : A portion of Kowloon Inland Lot No. 11095, being approximately 501.7 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T01, will be used as works site for the proposed slope stabilization works.
- (c) Lot No. : Kowloon Inland Lot No. 11105 and the Extension Thereto  
Address : YMCA King's Park Centenary Centre, No. 22 Gascoigne Road,

- Kowloon
- Nature : A portion of Kowloon Inland Lot No. 11105 and the Extension Thereto, being approximately 436.8 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T01, will be used as works site for the proposed slope stabilization works.
- (d) Lot No. : Kowloon Inland Lot No. 11098  
 Address : Club de Recreio, No. 20 Gascoigne Road, Kowloon  
 Nature : Two portions of Kowloon Inland Lot No. 11098, being approximately 5067.9 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T01, will be used as works site for the construction of temporary construction shaft, the construction of the proposed ventilation and plant building with emergency access and emergency escape access, and for the proposed slope stabilization works.
- (e) Lot No. : Kowloon Inland Lot No. 11096  
 Address : The Filipino Club, No. 10 Wylie Road, Kowloon  
 Nature : Portions of Kowloon Inland Lot No. 11096, being approximately 143.9 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T01, will be used as works site for the proposed slope stabilization works.
- (f) Lot No. : Kowloon Inland Lot No. 11048  
 Address : Hong Kong Chinese Civil Servants' Association, No. 8 Wylie Road, Kowloon  
 Nature : A portion of Kowloon Inland Lot No. 11048, being approximately 12.6 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T01, will be used as works site for the proposed slope stabilization works.
- (g) Lot No. : The Remaining Portion of Kowloon Inland Lot No. 10750  
 Address : Tak On Street, Tak Ting Street, Tak Fung Street, Shung King Street and Wan Hoi Street, Kowloon  
 Nature : A portion of the Remaining Portion of Kowloon Inland Lot No. 10750, excluding land and underground stratum proposed to be resumed and the existing structures of footbridges, being approximately 15334 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T02, will be used as works site for the construction of the proposed underground station and railway facilities at Whampoa.

- (h) Lot No. : Section F of Kowloon Inland Lot No. 10750  
 Address : Whampoa Plaza, No. 7 Tak On Street, Kowloon  
 Nature : A portion of Section F of Kowloon Inland Lot No. 10750, being approximately 170.8 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T02, will be used as works site for the construction of the proposed underground station and railway facilities at Whampoa.
- (i) Affected Land : Green Area attached to Kowloon Inland Lot No. 10750  
 Address : Hung Hom Road (near Man Siu Street), Kowloon  
 Nature : A portion of land and air stratum at and above the Green Area attached to Kowloon Inland Lot No. 10750 occupied by the existing structures of footbridge, being approximately 207.9 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. KTE-T02, will be used as works site for the construction of the proposed underground station and railway facilities at Whampoa.

### **Creation of Easement and/or Other Permanent Rights**

5. For the purposes of or incidental to the scheme, the Secretary for Transport and Housing proposes that powers under section 20 of the Ordinance may be exercised to create, in favour of the Government, easement and/or other permanent rights in, under or over the land within the boundaries of the scheme described in the schedule below and shown on the Creation of Easement and/or Other Permanent Rights Plan No. KTE-R01. An order for the creation of easement and/or other permanent rights may contain such consequential and incidental provisions as appear to the Chief Executive to be necessary or expedient for the purposes of the order including in particular provisions for authorizing persons to enter upon land or building for the purposes of carrying out any operations or installing, maintaining or removing any structures or apparatus. Further notice regarding the creation of such rights will be issued under section 21 of the Ordinance as and when required.

#### Schedule

##### Easement and/or Other Permanent Rights

- (a) Lot No. : The Remaining Portion of Kowloon Inland Lot No. 10750  
 Address : Shung King Street, Tak Ting Street, Tak On Street, Tak Hong Street and Tak Fung Street, Kowloon

Nature : A portion of the Remaining Portion of Kowloon Inland Lot No. 10750, of approximately 27465 square metres as shown on the Creation of Easements and/or Other Permanent Rights Plan No. KTE-R01 over which easements and other permanent rights will be created for the construction, installation, operation, inspection, repair, maintenance, modification and alteration of proposed railway station entrances and other railway facilities for the operation of the railway or associated purposes; and rights of way, free and unhindered passage and access for the Government, its employees, agents, licensees, contractors and other persons authorized or permitted by the Government (including the general public) in and on the railway station entrances and other railway facilities at all times.

### **Roads to be Closed or Substantially Altered**

6. For the purposes of or incidental to the scheme, the Secretary for Transport and Housing proposes that powers under section 22 of the Ordinance may be exercised to authorize the closure or substantial alteration of the roads or part thereof either permanently or temporarily as shown on General Layout Plans Nos. KTE-G01 to KTE-G08 inclusive and to declare that, or the extent to which, and the time at, or duration for which, any public or private right in, upon, under or over the roads is extinguished, modified or restricted. Further notice, setting out the manner in which the roads are to be closed or substantially altered, will be issued under section 23 of the Ordinance as and when required.

### **Inspection and Preventive and Remedial Work on Land and Buildings**

7. For the purposes of or incidental to the scheme, the Secretary for Transport and Housing proposes that powers under section 24 of the Ordinance may be exercised to enter any land or building situated wholly or partly within the boundaries of the scheme, or wholly or partly within 70 metres of the boundaries of the scheme to:

- (a) (i) inspect, value, investigate the site or test, including drilling, excavating and installing or removing instruments;
- (ii) survey or take levels; and
- (iii) set out any line of works,

for the scheme, an assessment of the value of any land, building or other property or to ascertain the condition of the land or building; and

- (b) carry out all reasonably necessary operations of a preventive or remedial nature.

Further notice, setting out the purpose of the entry and the nature of any operations to be carried out, will be issued under section 24 of the Ordinance as and when required.

### **Utility Services**

8. For the purposes of the scheme, the Secretary for Transport and Housing proposes that powers under section 25 of the Ordinance may be exercised to require the owner of any gas, electricity, water or telecommunication service apparatus situated on any unleased Government land to alter the course or position of any wire, line, cable, pipe, tube, casing, duct, post or other apparatus which belongs to or is maintained by that owner and to repair any road surface disturbed by the action. Further notice, setting out the nature of the apparatus, the manner in which the course or position of such apparatus is to be altered and the repair of any road surface, will be issued under section 25 of the Ordinance as and when required.

### **Removal of Objects or Structures Attached to or Projecting from Land or Buildings**

9. For the purposes of or incidental to the scheme, the Secretary for Transport and Housing proposes that powers under section 26 of the Ordinance may be exercised to require the owner of any land or building to remove any object or structure which is attached to or projects from the land or building. Further notice, setting out the object or structure to be removed and the period within which the work of removal is to be carried out will be issued under section 26 of the Ordinance as and when required.

### **Control of Building Plans and Commencement of Work Incompatible with the Scheme or the Operation or Maintenance of the Railway**

10. For the purposes of exercise of the powers of the Building Authority under section 27 of the Ordinance, the Control of Building Plans and Commencement of Work Plan No. KTE-P01 shows and describes the land on which control of building plans or commencement of building works including building works outside the boundaries of the scheme which are incompatible with the scheme or the operation or maintenance of the railway may be required.

(Eva CHENG)  
Secretary for Transport and Housing

20 November 2009