

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

### **Scheme annexed with General Layout Plans Nos. LTS-G01 and LTS-G02; Creation of Rights of Temporary Occupation of Land Plan No. LTS-T01; and Control of Building Plans and Commencement of Work Plan No. LTS-P01 describing the MTR Wan Chai Station Lee Tung Street Subway**

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

The Secretary for Transport and Housing proposes to execute the station improvement works to the MTR Wan Chai Station as described below and shown on the General Layout Plans Nos. LTS-G01 and LTS-G02; the Creation of Rights of Temporary Occupation of Land Plan No. LTS-T01; and the Control of Building Plans and Commencement of Work Plan No. LTS-P01.

2. The proposed works are to construct a new pedestrian subway which will extend from the existing MTR Wan Chai Station concourse and run under Southorn Playground and across Johnston Road to the basement of the redevelopment of the Urban Renewal Authority (URA) at Site H15 (Inland Lot No. 9018), and to modify the existing railway facilities. The pedestrian subway will provide a direct, convenient, safe and comfortable access for pedestrians and MTR passengers for crossing Johnston Road. It will enhance the connectivity of pedestrian facilities between north and south Wan Chai. The proposed works involve the following:-

- (a) construction of
  - (i) a pedestrian subway of approximately 100 metres long underneath Southorn Playground and across Johnston Road;
  - (ii) an underground plant room in the south-eastern part of Southorn Playground;
  - (iii) an underground Station Entrance D at the interface of the proposed pedestrian subway and the basement of the redevelopment of the URA at Site H15 (Inland Lot No. 9018) at Lee Tung Street; and
  - (iv) ventilation facilities for the proposed pedestrian subway in the south-eastern part of Southorn Playground;

- (b) modification of the existing railway facilities;
- (c) construction of other associated railway facilities including communication facilities and electrical and mechanical plants;
- (d) reconstruction of affected existing roads including carriageways and footpaths;
- (e) civil and structural works, electrical works and mechanical works; and
- (f) ancillary works including associated drainage works, waterworks and landscaping works.

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

3. For the purposes of or incidental to the scheme, the Secretary for Transport and Housing proposes that powers under section 20 of the Railways Ordinance (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 Plan No. LTS-T01. 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.: Inland Lot No. 8562  
Address: Southorn Centre and Southorn Garden,  
130 Hennessy Road, Wan Chai, Hong Kong  
Nature: A portion of Inland Lot No. 8562, being approximately 25.2 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. LTS-T01 will be used as temporary works site for construction of the proposed pedestrian subway.

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

4. 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 the General Layout Plans Nos. LTS-G01 and LTS-G02 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**

5. 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**

6. 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 telecommunications 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**

7. 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**

8. 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. LTS-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.

( Professor Anthony BL Cheung )  
Secretary for Transport and Housing

3 September 2012