

Railways Ordinance (Chapter 519)

**Scheme annexed with General Layout Plans Nos.
SILE-G01 to SILE-G16 inclusive;
Land Resumption Plans Nos.
SILE-L01 and SILE-L02;
Underground Strata Resumption Plans Nos.
SILE-U01 to SILE-U06 inclusive;
Creation of Rights of Temporary Occupation of Land Plans Nos.
SILE-T01 to SILE-T06 inclusive;
Creation of Easements and/or Other Permanent Rights Plans Nos.
SILE-R01 to SILE-R03 inclusive and
Control of Building Plans and Commencement of Work Plans Nos.
SILE-P01 to SILE-P03 inclusive
describing the South Island Line (East)**

General Nature and Effects of the Railway

The Secretary for Transport and Housing proposes to construct the South Island Line (East), as described below and shown on General Layout Plans Nos. SILE-G01 to SILE-G16 inclusive; Land Resumption Plans Nos. SILE-L01 and SILE-L02; Underground Strata Resumption Plans Nos. SILE-U01 to SILE-U06 inclusive; Creation of Rights of Temporary Occupation of Land Plans Nos. SILE-T01 to SILE-T06 inclusive; Creation of Easements and/or Other Permanent Rights Plans Nos. SILE-R01 to SILE-R03 inclusive; and Control of Building Plans and Commencement of Work Plans Nos. SILE-P01 to SILE-P03 inclusive (the 'Plans').

2. The proposed South Island Line (East) is a medium capacity railway providing domestic passenger service between Admiralty and South Horizons. It provides an approximately 7 kilometres long electrified double-track railway system with five proposed railway stations at Admiralty, near the Ocean Park, and at Wong Chuk Hang, Lei Tung Estate and South Horizons. The proposed South Island Line (East) includes the following works:

- (a) construction of
 - (i) the underground railway stations and railway facilities at Admiralty, Lei Tung Estate and South Horizons, and the associated station entrances and ventilation shafts;
 - (ii) the elevated railway stations and railway facilities near the Ocean Park and at Wong Chuk Hang, and the associated station entrances and ventilation shafts;
 - (iii) an approximately 3.3 kilometres long underground bored or mined or drill and blast railway tunnel connecting the proposed

underground railway station at Admiralty and the proposed tunnel approach near Nam Fung Path;

- (iv) an approximately 1.9 kilometres long railway viaduct including the railway bridge across the Aberdeen Channel connecting the proposed tunnel approach near Nam Fung Path and the proposed tunnel portal with ventilation facilities near the Sham Wan Towers;
- (v) an approximately 0.3 kilometre long underground cut-and-cover and bored or mined or drill and blast railway tunnel connecting the proposed tunnel portal with ventilation facilities near the Sham Wan Towers and the proposed underground railway station at Lei Tung Estate;
- (vi) an approximately 0.7 kilometre long underground bored or mined or drill and blast railway tunnel connecting the proposed underground railway station at Lei Tung Estate and the proposed underground railway station at South Horizons;
- (vii) the at-grade railway depot at Wong Chuk Hang and the associated ventilation shafts;
- (viii) an approximately 0.9 kilometre long underground bored or mined or drill and blast railway single track service connection between the proposed South Island Line (East) and the existing Island Line of the MTR;
- (ix) a new substation at the western side of the existing MTR substation in the vicinity of Harcourt Garden;
- (x) a ventilation and electrical and mechanical plant building (ventilation and plant building) with associated access adit at Hong Kong Park adjacent to the British Council;
- (xi) a ventilation and electrical and mechanical plant building (ventilation and plant building) at Nam Fung Road adjacent to St. Paul's Co-educational College Primary School;
- (xii) two ventilation and electrical and mechanical plant buildings (ventilation and plant buildings) with associated access adit at Lee Nam Road; and
- (xiii) proposed protection works for another railway project under planning at Admiralty and modifications to the existing MTR Admiralty Station;

- (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, electrical and mechanical plants and electrical catenary installations;
- (d) demolition, diversion and reinstatement of a section of existing footbridge above the Harcourt Garden;
- (e) provision of park and ride facilities underneath the proposed railway station near the Ocean Park;
- (f) construction of a footbridge connecting the proposed railway station near the Ocean Park and the entry plaza (under construction) in the Ocean Park;
- (g) construction of a temporary bus terminus near the junction of Police School Road and Nam Long Shan Road;
- (h) construction of a public transport interchange underneath the proposed railway station at Wong Chuk Hang;
- (i) construction of a footbridge, with lifts and stairs, across Wong Chuk Hang Road and Heung Yip Road connecting the proposed railway station at Wong Chuk Hang and the industrial area around Wong Chuk Hang;
- (j) conversion of a section of Wong Chuk Hang Nullah between Ocean Park Road and Nam Long Shan Road to box culverts;
- (k) construction of two temporary bridges across Wong Chuk Hang Nullah as temporary construction access;
- (l) modification and reprovisioning of part of the existing bus terminus at Lei Tung Estate;
- (m) construction of a footbridge, with lift and stairs, across Ap Lei Chau Bridge Road connecting the proposed railway station at South Horizons and Ap Lei Chau Estate;
- (n) construction of temporary barge loading facilities at Lee Nam Road and Kellett Bay along Tin Wan Praya Road;
- (o) construction of a temporary magazine at Chung Hom Kok;
- (p) construction of waterworks, drainage works, other utility facilities and other facilities ancillary to the operation of the railway in Little Sisters of the Poor St. Mary's Home for the Aged;

- (q) associated reconstruction, modification and realignment of existing roads including carriageways, bridges, footpaths, footbridges, subways, parks and open spaces;
- (r) preventive or remedial works including ground treatment and underpinning the foundations of existing bridges and buildings; and
- (s) 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. SILE-L01 and SILE-L02; and resume the underground strata of the land as shown on the Underground Strata Resumption Plans Nos. SILE-U01 to SILE-U05 inclusive. The land proposed to be resumed are described in the schedule below and shown on the Land Resumption Plans Nos. SILE-L01 and SILE-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 Schedule shown on the Underground Strata Resumption Plan No. SILE-U06. 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. : Rural Building Lot No. 315
 Address : Holy Spirit Seminary, No. 6 Welfare Road, Wong Chuk Hang, Hong Kong
 Nature : To resume two portions of Rural Building Lot No. 315, being approximately 152.2 square metres as shown on the Land Resumption Plan No. SILE-L01, for the construction of the proposed railway viaduct of South Island Line (East).

- (b) Lot No. : Ap Lei Chau Inland Lot No. 133
 Address : Lei Tung Estate, No. 5 Lei Tung Estate Road, Hong Kong
 Nature : To resume a portion of Ap Lei Chau Inland Lot No. 133, being approximately 1225.3 square metres as shown on the Land Resumption Plan No. SILE-L02, for the construction of the proposed reprovisioned Bus Terminus.

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. SILE-T01 to SILE-T06 inclusive. 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 (at Ground Level, Above and Below Ground)

- (a) Affected Land : Portion of Landscaped Area attached to Inland Lot No. 8571
Address : Queensway, Admiralty
Nature : A portion of the Landscaped Area attached to Inland Lot No. 8571 of approximately 1290.2 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. SILE-T02 will be used for the construction of the proposed single track service connection near Admiralty and the proposed temporary construction shaft.
- (b) Lot No. : Rural Building Lot No. 315
Address : Holy Spirit Seminary, No. 6 Welfare Road, Wong Chuk Hang, Hong Kong
Nature : Two portions of Rural Building Lot No. 315 of approximately 465.7 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. SILE-T03 will be used as temporary working space for the construction of the proposed railway viaduct and the proposed preventive or remedial works including ground treatment and underpinning.
- (c) Affected Land : Yellow Area attached to Ap Lei Chau Inland Lot No. 128
Address : Sham Wan Towers, No. 3 Ap Lei Chau Drive, Hong Kong
Nature : The Yellow Area attached to Ap Lei Chau Inland Lot No. 128 of approximately 1208.5 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. SILE-T04 will be used as temporary working space for the construction of the proposed railway tunnels and the proposed

preventive or remedial works including ground treatment and underpinning.

- (d) Lot No. : The Remaining Portion of Aplichau Inland Lot No. 121
Address : South Horizons, South Horizon Drive, Hong Kong
Nature : A portion of the Remaining Portion of Aplichau Inland Lot No. 121 of approximately 854.4 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. SILE-T05 will be used as temporary working space for the construction of the proposed station entrance / railway facilities at South Horizons.
- (e) Affected Land : Portion of Yellow Area attached to Aberdeen Inland Lot No. 443
Address : No. 3 Wah Kwai Road, Aberdeen
Nature : A portion of the Yellow Area attached to Aberdeen Inland Lot No. 443 of approximately 13377.8 square metres as shown on the Creation of Rights of Temporary Occupation of Land Plan No. SILE-T06 will be used for setting up of the proposed temporary barge loading facilities and the proposed temporary works area.

Rights of Temporary Occupation of Land (Underground Strata)

- (f) Lot No. : Inland Lot No. 8762
Address : Admiralty Car Park, Rodney Street, Admiralty
Nature : A portion of underground stratum of Inland Lot No. 8762 as shown on the Creation of Rights of Temporary Occupation of Land Plan No. SILE-T01 will be used for the construction of the proposed railway station / railway facilities at Admiralty as well as demolition, reprovisioning and reinstatement insitu of an underground fire services water tank attached to the existing underground carpark underneath the Harcourt Garden.
- (g) Lot No. : Rural Building Lot No. 315
Address : Holy Spirit Seminary, No. 6 Welfare Road, Wong Chuk Hang, Hong Kong
Nature : A portion of underground stratum of Rural Building Lot No. 315 as shown on the Creation of Rights of Temporary Occupation of Land Plan No. SILE-T03 will be used as temporary working space for the proposed preventive or remedial works including ground treatment and underpinning.

- (h) Lot No. : Ap Lei Chau Inland Lot No. 128
Address : Sham Wan Towers, No. 3 Ap Lei Chau Drive, Hong Kong
Nature : A portion of underground stratum of Ap Lei Chau Inland Lot No. 128 as shown on the Creation of Rights of Temporary Occupation of Land Plan No. SILE-T04 will be used as temporary working space for the proposed preventive or remedial works including ground treatment and underpinning.

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 Plans Nos. SILE-R01 to SILE-R03 inclusive. 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 Rural Building Lot No. 1020 and the Extensions Thereto
Address : The Ocean Park, No. 180 Wong Chuk Hang Road, Hong Kong
Nature : Easements and other permanent rights for the construction, installation, operation, inspection, repair, maintenance, modification and alteration of a footbridge connecting the proposed railway station near the Ocean Park and the entry plaza (under construction) in the Ocean Park for the operation of the railway or associated purposes in, under and/or over a portion of the Remaining Portion of Rural Building Lot No. 1020 and the Extensions Thereto, of approximately 1037.0 square metres from level of +14.0mPD to +28.0mPD and approximately 50.0 square metres from level of -60.0mPD to +14.0mPD as shown on the Creation of Easements and/or Other Permanent Rights Plan No. SILE-R01, 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 footbridge at all times.

- (b) Lot No. : The Remaining Portion of Aberdeen Inland Lot No. 171
Address : Little Sisters of the Poor St. Mary's Home for the Aged, No. 2 Welfare Road, Hong Kong
Nature : Easements and other permanent rights for the construction, installation, operation, inspection, repair, maintenance, modification and alteration for the operation of the waterworks, drainage works, other utilities facilities and other facilities ancillary to the operation of the railway for the purposes of or incidental to the railway in, under and/or over a portion of the Remaining Portion of Aberdeen Inland Lot No. 171, of approximately 407.6 square metres excluding the airspace above +20.0mPD and the underground stratum below -2.0mPD as shown on the Creation of Easements and/or Other Permanent Rights Plan No. SILE-R02, and for 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 in and on the land at all times.
- (c) Lot No. : The Remaining Portion of Aplichau Inland Lot No. 121
Address : South Horizons, South Horizon Drive and The Oasis, Yi Nam Road, Hong Kong
Nature : Easements and other permanent rights for the construction, installation, operation, inspection, repair, maintenance, modification and alteration of railway station entrances and other railway facilities for the operation of the railway or associated purposes in, under and/or over portions of the Remaining Portion of Aplichau Inland Lot No. 121, of approximately 535.1 square metres from level of +12.9mPD to +33.0mPD and approximately 471.4 square metres from level of -25.0mPD to +12.9mPD as shown on the Creation of Easements and/or Other Permanent Rights Plan No. SILE-R03, 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 at all times, and rights of carrying out modification, demolition and alteration works to part of the road decking structure and planters to accommodate the railway station entrance and other railway facilities.

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. SILE-G01 to SILE-G16 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.

Reclamation of or Other Works over or upon the Government Foreshore or Sea-bed

7. 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 reclamation of or other works over or upon the Government foreshore or sea-bed or part thereof either permanently or temporarily as shown on General Layout Plans Nos. SILE-G08 to SILE-G12 inclusive and SILE-G14; 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 Government foreshore or sea-bed is extinguished, modified or restricted. Further notice, describing the area of the foreshore or sea-bed affected and the manner in which it will be affected, will be issued under section 23 of the Ordinance as and when required.

Inspection and Preventive and Remedial Work on Land and Buildings

8. 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

9. 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 Building

10. 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

11. 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 Plans Nos. SILE-P01 to SILE-P03 inclusive show and describe 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 July 2009