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Highways Department Technical Circular No. 3/2015

Administrative Protection for Proposed Railway Routes

Introduction

This Circular sets out the procedures to be followed for administrative protection for the proposed railway routes. It updates and supersedes HyDTC No. 3/2000 which is hereby cancelled.

Background

2. The first and second Railway Development Strategies for Hong Kong were formulated in December 1994 and May 2000 respectively. They set out the railway development programme for the implementation of new railway projects up to 2016.

3. Among these new railway projects, nine projects were completed in the year as shown. These projects are:

- (a) Tseung Kwan O Line (2002),
- (b) West Rail Line (2003),
- (c) East Rail Line Extension from Hung Hom to Tsim Sha Tsui (2004),
- (d) Ma On Shan Line (2004),
- (e) Disneyland Resort Line (2005),
- (f) Sheung Shui to Lok Ma Chau Spur Line (2007),
- (g) Tseung Kwan O Line Extension to the LOHAS Park Station (2009),
- (h) Kowloon Southern Link (2009), and
- (i) West Island Line (2015).

4. Another four new railway projects are now at different stages of implementation. These projects are:

- (a) South Island Line (East),
- (b) Kwun Tong Line Extension,
- (c) Hong Kong Section of the Guangzhou – Shenzhen – Hong Kong Express Rail Link, and
- (d) Shatin to Central Link.

5. In order to cater for Hong Kong's continued population growth and the increasing cross boundary social and economic activities, Government commissioned the review and update of the Railway Development Strategy 2000 (RDS-2U) in March 2011 to examine how best to further expand the railway network up to 2031. Based on the key findings of the RDS-2U, the Government in September 2014 announced the Railway Development Strategy 2014 (The Strategy). The Strategy maps out the preferred railway network expansion plan for the HKSAR up to 2031.

6. The recommended Railway Network upon completion will feature seven new railway projects. They are as follows:

- (a) Northern Link and Kwu Tung Station – a major regional line formed by linking the Kam Sheung Road Station on the West Rail Line to a new station at Kwu Tung on the Lok Ma Chau Spur Line;
- (b) Hung Shui Kiu Station – a new station on the section of West Rail Line between the existing Tin Shui Wai Station and Siu Hong Station;
- (c) Tung Chung West Extension – formed by extending the Tung Chung Line westward with a new station at Tung Chung West;
- (d) Tuen Mun South Extension – formed by extending the West Rail Line from Tuen Mun to Tuen Mun South;
- (e) East Kowloon Line – a new line running in the northern East Kowloon area connecting the Diamond Hill Station of the Kwun Tong Line (and the future Shatin to Central Link) and the Po Lam Station of the Tseung Kwan O Line;
- (f) South Island Line (West) – a new line linking the South Island Line (East) to the West Island Line; and
- (g) North Island Line – a new railway line on the northern shore of the Hong Kong Island formed by extending the Tung Chung Line eastward and the Tseung Kwan O Line westward.

7. The Strategy has also identified under the seven new railway projects a number of provisions for railway development possibilities. These include possible addition of intermediate stations along the Northern Link at Au Tau, Ngau Tam Mei and San Tin to serve the potential developments in future; the possible Northern Link Extension to serve the potential developments in the New Territories North area (such as Fanling North, Ping Che/ Ta Kwu Ling/ Hung Lung Hang); the possible bifurcation of the Northern Link to connect the Kam Sheung Road Station to the Lok Ma Chau Station direct; and the possible addition of Tung Chung East Station along the Tung Chung Line.

8. 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.

9. It is therefore necessary that the Regional Offices of Highways Department (HyD) and other concerned departments are well aware of the recommended new railway 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.

Purpose

10. The purposes of administrative protection for the proposed railway routes are:
- (a) to ensure through concerted efforts within the 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 the 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 and Housing is able to consider the implications of any conflicts arising from development proposals likely to affect/be affected by the railway routes.

11. 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 the Government's objectives and policy could be taken timely to resolve them.

Procedures

12. 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 regularly prepare and circulate to all Regional Offices and concerned departments relevant updated administrative route protection plans to alert them of the likely location of the proposed railway routes recommended in Government's Railway Development Strategy 2014 including the latest development of the railway development possibilities as mentioned in paragraph 7. Prior to the availability of the plans, the preliminary conceptual schemes as shown in the Strategy 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 and Housing will be sought; and
- (g) The PGE/RD will be responsible for the updating of the administrative route protection plans.

General Guideline

13. 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.

Original Signed

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