

Railways Ordinance (Chapter 519)

Scheme annexed with General Layout Plan No. 278463/EAP/GZ/G01; and Control of Building Plans and Commencement of Work Plan No. 278463/EAP/GZ/P01 describing the Modification Works of MTR Emergency Access Point 26 in Tuen Mun

General Nature and Effects of the Scheme

The Secretary for Transport and Logistics proposes to execute the modification works of MTR Emergency Access Point (EAP) 26 in Tuen Mun, as described below and shown on General Layout Plan No. 278463/EAP/GZ/G01; and Control of Building Plans and Commencement of Work Plan No. 278463/EAP/GZ/P01 (the ‘Plans’).

2. The proposed works are required to modify MTR EAP 26 in Tuen Mun. The area of EAP 26 will be extended for reprovisioning of a part of the emergency vehicular access and assembly area which are necessary to be demolished for the roadworks of the Hung Shui Kiu /Ha Tsuen New Development Area. The proposed works include the followings:

- (a) construction of emergency vehicular access and assembly area at the proposed extension of EAP 26; and
- (b) ancillary works including associated civil engineering works, drainage works, waterworks, and electrical works.

Roads to be Closed or Substantially Altered

3. For the purposes of or incidental to the scheme, the Secretary for Transport and Logistics proposes that powers under section 22 of the Railways Ordinance (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 Plan No. 278463/EAP/GZ/G01; 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

4. For the purposes of or incidental to the scheme, the Secretary for Transport and Logistics 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 meters 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

5. For the purposes of the scheme, the Secretary for Transport and Logistics 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

6. For the purposes of or incidental to the scheme, the Secretary for Transport and Logistics 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

7. 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. 278463/EAP/GZ/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.

(LAM Sai-hung)
Secretary for Transport and Logistics

2 November 2022