

Section 16 Application

Proposed Underground Vehicular Tunnel (Connecting Lee Garden One and Lee Garden Two) in “Commercial” zone and an area shown as “Road”, Area below Yun Ping Road between Lee Garden One (33 Hysan Avenue) and Lee Garden Two (2-38 Yun Ping Road) (Tunnel T2)

Perfect Win Properties Limited and Barrowgate Limited

August 2024

Executive Summary
(Tunnel T2)

- S.1 This application is a section 16 application made for an underground vehicular tunnel connecting Lee Garden One and Lee Garden Two on the Causeway Bay Outline Zoning Plan Number S/H6/17. The original approval letter for the application No. A/H6/79 is dated 15 July 2016 and the s.16A extension of time application approval letter is dated 23 June 2020. The approval letters are attached in **Appendix 1** and the permission has expired on 24 June 2024.
- S.2 The Tunnel T2 is located between Lee Garden One and Lee Garden Two under a section of Yun Ping Road. Yun Ping Road is a one-way local road providing access from Hysan Avenue to Lan Fong Road, Pak Sha Road and Kai Chiu Road.
- S.3 This application is to obtain approval for the Tunnel T2 to be implemented. The desire is to have the approval, including the Approval Conditions on the original application, to be extended for an additional 4 years. The applicant is eager to implement the approval, and has made significant progress on discharging the approval conditions and on the lease modification process. The main delay relates to the lease modification process which is yet to be completed.
- S.4 The Planning Statement demonstrates that there have been no material changes to the situation since the application was Approved in 2016, and it would be beneficial to approve the Tunnel T2 Application again. The construction of Tunnel T2 would continue to be of benefit to the area in vehicular traffic terms, for the pedestrians and also for the improvement of the air quality. The construction would not cause disruption to the existing traffic flow. The only impacts of the proposal to the traffic, and the public realm in Causeway Bay are public planning gains.

行政摘要

(以英文版本為準)

(T2 隧道)

- S.1 本第 16 條申請旨在希望城市規劃委員會(城規會)核准涉及銅鑼灣分區計劃大綱核准圖編號 S/H6/17 上接連利園一期及利園二期的地下行車隧道。上述擬議用途和地點的第 16 條和第 16A 條申請已獲得批准。先前的第 16 條申請編號 A/H6/79 的批准信於 2016 年 7 月 15 日發出，而根據第 16A 條延長期限申請的批准信於 2020 年 6 月 23 日發出，並附在附錄一中。其規劃許可的期限直至 2024 年 6 月 24 日。
- S.2 T2 隧道位於連接利園一期及利園二期的恩平道地底。恩平道是一條單向區內道路，連接希慎道至蘭芳道、白沙道和啓超道。
- S.3 此規劃申請旨在獲得申請許可令隧道 T2 得以實施，希望將先前的規劃申請包括履行其附帶條件的期限延長四年。申請人積極實行已核准計劃，並在履行附帶條件和契約修訂方面有很大的進展。延誤的主要原因是契約修訂尚未完成。
- S.4 本規劃綱領闡明自 2016 年核准申請以來，情況並無重大改變，再次核准 T1 隧道的申請能帶來好處。建設 T1 隧道能為區內交通帶來好處，不但方便行人，還能改善空氣質素。有關的建設工程不會影響現行的交通，亦不會為希慎道的珍貴古樹帶來負面影響，涉及交通和公眾的影響只會為公眾帶來規劃增益。

Contents

	Page
1. Introduction	1
2. The Application Site and Surrounding Area	1
3. Land Administration	2
4. The Planning Context	3
5. Purpose of this Application	3
6. Background	4
7. The Proposal	8
8. Implementation	9
9. Discharge of Conditions Progress	10
10. Planning Assessment and Justification	11
11. Conclusion	13

Appendices

1. S.16 Approval Letters and s.16A Extension of Time Approval Letters for Application Number A/H6/79
2. Letter Accepting the Provisional Basic Terms Offer
3. Letter from Buildings Department Rejecting the Tunnel T2 General Building Plans Application
4. A&A Works General Building Plans Approval Letter
5. Location Plan and Sectional Plans
6. Plan showing Excavation Area

Consultants

Masterplan Limited
Ove Arup & Partners Hong Kong Limited
Ronald Lu & Partners (Hong Kong) Limited
Savills (Hong Kong) Limited
SYSTRA MVA Asia Limited

Section 16 Application
Proposed Underground Vehicular Tunnel (Connecting Lee Garden One and Lee Garden Two) in “Commercial” zone and an area shown as “Road”, Area below Yun Ping Road between Lee Garden One (33 Hysan Avenue) and Lee Garden Two (2-38 Yun Ping Road) (Tunnel T2)

1. Introduction

- 1.1 This application is a section 16 application made for an underground vehicular tunnel connecting Lee Garden One and Lee Garden Two on the Causeway Bay Outline Zoning Plan Number S/H6/17. The original approval letter for the application No. A/H6/79 is dated 15 July 2016 and the s.16A extension of time application approval letter is dated 23 June 2020. The approval letters are attached in **Appendix 1** and the permission has expired on 24 June 2024. Since the s.16A approval letter stated that “...*any further extension of time for commencement of the development would require a fresh application under section 16 of the Town Planning Ordinance*”, this application is prepared.

2. The Application Site and Surrounding Area

- 2.1 The application site is shown on **Figure 1**. It is located between Lee Garden One and Lee Garden Two under a section of Yun Ping Road. Yun Ping Road is a one-way local road providing access from Hysan Avenue to Lan Fong Road, Pak Sha Road and Kai Chiu Road. The site is bounded by the basement car parks of Lee Garden One to the west and Lee Garden Two to the east. The site involves three planning zones; Lee Garden One is zoned “Commercial (2)”, Lee Garden Two is zoned “Commercial”, and Yun Ping Road is zoned as “Road”.
- 2.2 The two buildings Lee Garden One and Lee Garden Two are owned by the Applicants. Yun Ping Road, which the tunnel will pass under, is a public road.
- 2.3 Causeway Bay is a key decentralized commercial node in Hong Kong. It is also one of the most popular shopping destinations in Hong Kong featuring high end retail spaces. The larger Causeway Bay area also includes a component of residential developments. There is good access to public transport through the MTR, the tram, and a comprehensive bus network. The site involves three planning zones; Lee Garden One is zoned “Commercial (2)”, Lee Garden Two is zoned “Commercial”, and Yun Ping Road is zoned as “Road”.

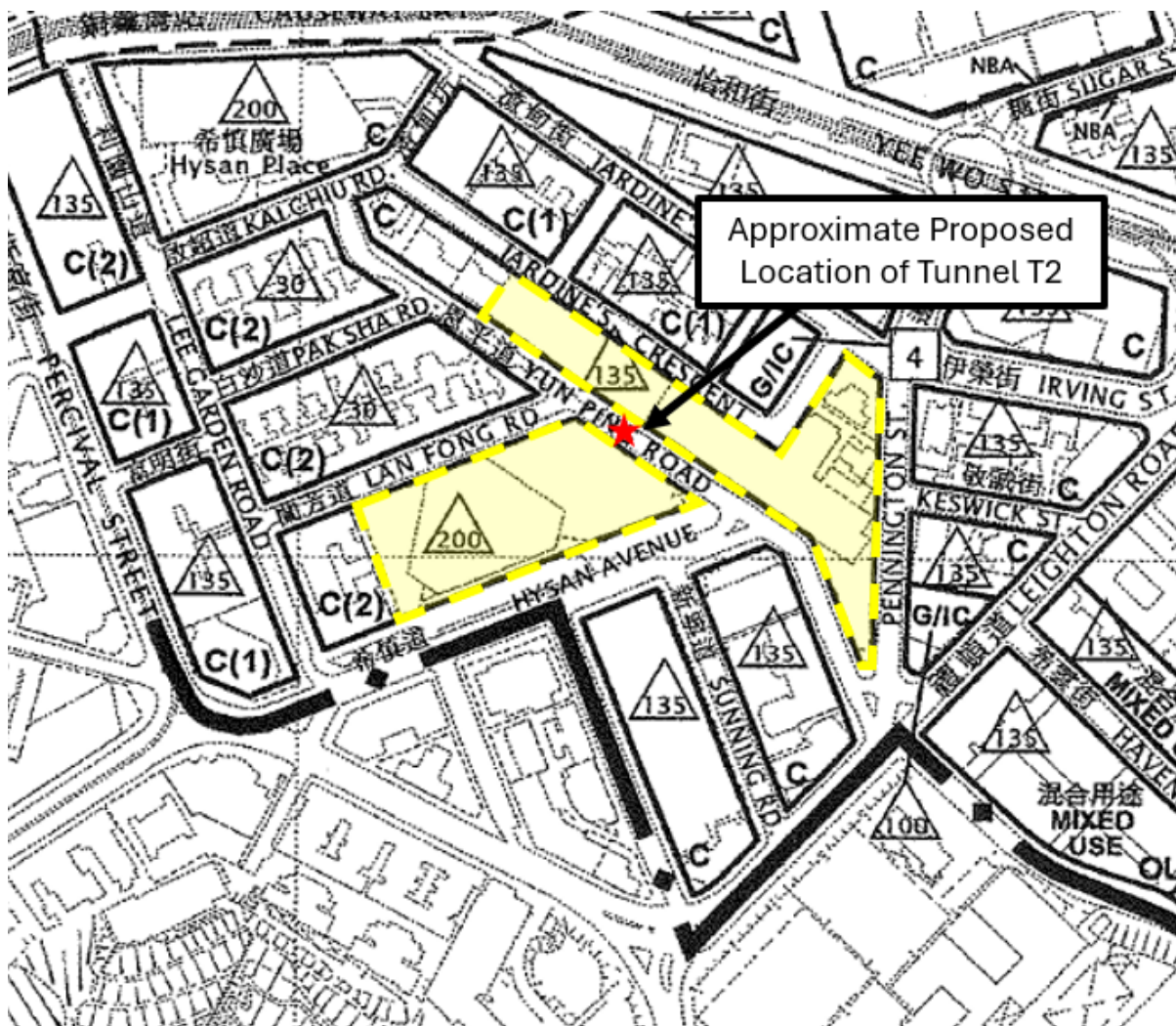


Figure 1: Location Plan (an extract from the Causeway Bay Outline Zoning Plan No S/H6/17)

3. Land Administration

- 3.1 The vehicle tunnel T2 is proposed underneath Yun Ping Road connecting lots IL 457 s.L (part) and IL 457 s.G RP (part). These form part of the lots on which Lee Garden One and Lee Garden Two are located respectively. The lot index plan is shown as **Figure 2**.
- 3.2 IL 457 is held under a Government Lease for a term of 999 years from 24 December 1865. The Government Lease is for first class European Houses or Gowdowns only (with no objection letter for the existing commercial development issued in 1986) with non-offensive trade clause and rate and range clause.
- 3.3 Two respective licenses have been given for the carrying out of the trades or business of Sugar-baker, Oilman, Butcher, Victualler or Tavern-keeper for the parts of the application site at IL 457 s.L (part) within Lee Garden One and IL 457 s.G RP (part) within Lee Garden Two.
- 3.4 An application to Lands Department for the Grant of the land for construction is currently in process.

4. The Planning Context

“Road”

- 4.1 The Notes of the Causeway Bay OZP state that:

“In any area shown as ‘Road’, all uses or developments except those specified in paragraph (7) above and those specified below require permission from the Town Planning Board”

The uses specified in Paragraph (7) and (8) of the Notes do not include a vehicular tunnel.

“Commercial” Zone

- 4.2 In both “Commercial” and “Commercial (2)” the Planning Intention in the Notes is:

“This zone is intended primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centre(s) and regional or district commercial/shopping centre(s). These areas are usually major employment nodes.”

- 4.3 The Notes to the zone have the following remarks on both Lee Garden One (33 Hysan Avenue) and Lee Garden Two (28 Yun Ping Road) respectively.

- *“(4)...A minimum 2m-wide non-building area from the lot boundary of 33 Hysan Road fronting Yun Ping Road shall be provided.”*
- *“(2) For 28 Yun Ping Road, a minimum 2m-wide non-building area from the lot boundary fronting Yun Ping Road shall be provided.”*

- 4.4 It is generally considered that non-building areas do not pose any restrictions below ground.

5. Purpose of the Application

- 5.1 This application is to obtain approval for the Tunnel T2 to be implemented. The applicant is eager to implement the approval, and has made significant progress on discharging the approval conditions and on the lease modification process. The discharge of approval condition progress is discussed in section 9 below.

- 5.2 As part of Hysan’s desire to further develop Causeway Bay into a high quality commercial and retail node, it is essential that the area functions efficiently and the amenity value of the public realm is increased wherever practical. Improvements in the public realm may be achieved by improving the private/public realm interface, as well as directly improving the public space. Hysan would like to slightly restructure the vehicular traffic flow within the area to reduce the

amount of vehicular circulation at ground level. The proposal partially moves vehicular traffic into an integrated basement. This would provide dual benefits: making the area easier for drivers to locate available car parking spaces without circulating around the blocks: and to further reduce vehicular dominance at the ground level providing a better pedestrian environment.

- 5.3 The purpose of the application is to secure approval for the proposed vehicle tunnel T2 in the “Road” zone between the two buildings to integrate their basements. This would allow drivers to locate the closest car park through entering either building and then using the tunnel to travel to the other building underground if the car park is actually located in the other buildings. Or alternatively to exit through the other building if this reduces the ground level circulation required to leave the area efficiently.

6. **Background**

The Applicants

- 6.1 The Applicants are either wholly owned or majority owned subsidiaries of Hysan Development Company Limited (Hysan). Hysan is a property development, investment and management company based in Hong Kong. It has an investment property portfolio of approximately 4.5 million square feet of retail, office and residential space, excluding properties under redevelopment. Its roots run deep in Causeway Bay. In 1923, Hysan’s founding Lee family purchased land in Causeway Bay’s East Point Hill and built the Lee Gardens Amusement Park and the Lee Theatre. Since then, the Lee family, and eventually Hysan have continued to develop and manage their significant landholdings in Causeway Bay in a manner that not only creates world class commercial and retail spaces, but also encourages and enables a vibrant public realm. Hysan is also at the forefront of Hong Kong’s sustainable building development.
- 6.2 The vehicular Tunnel T2 is part of an overall plan of improved vehicular and pedestrian connectivity Hysan have for the Causeway Bay area. Due to a number of administrative reasons each of the proposed connections, which require TPB approval, are being submitted in individual applications. While the full benefit will be achieved once all of the connections are implemented, there are benefits to the general public achieved through each individual connection.
- 6.3 The vehicular tunnel connection T2 proposed in this application is part of an overall plan of improved connectivity Hysan have for the area. There are the two vehicular Tunnels T1 and T2 which connect the basement car parks of Lee Garden One, Lee Garden Two and Lee Garden Three. This intends to make the at-grade level more pedestrian orientated by reducing vehicular traffic on the at-grade roads. In addition, there are 5 pedestrian link bridges, that are shown in **Figure 2**, and a covered walkway shown in **Figure 3**. The link bridges would provide a sheltered connection from the MTR in Hysan Place and right through to the Caroline Hill Road development that is currently under construction. The gazette for the proposed

Pedestrian Link in Causeway Bay has already been published under Section 3(3) of the Roads (Works, Use and Compensation) Ordinance (Chapter 370) on 5 May 2023. While the full benefit will be achieved once all the pedestrian and vehicular connections are implemented, there are benefits to the general public achieved as each individual connection is implemented.

Tunnel T2 Lease Modification Progress

- 6.4 Since the original approval in 2016 the applicant applied for lease modification, and has been in discussion with DLO ever since. Originally DLO wanted to bundle the Tunnel T2 lease modification with the “Nil Premium Application of Covered Walkway and Link bridge System”. However, DLO then accepted to continue processing the Tunnel T2 lease modification separately. It was hoped that separating the Tunnel T2 from the Nil Premium application would speed up the approval process. On 24 February 2023 Hysan accepted the provisional basic terms for Tunnel T2 (see the letter attached in **Appendix 2**). It was hoped that the binding offer of basic terms would be issued prior to the lapsing of the section 16 approval. Currently, relevant government departments are assessing whether the lease modification can be processed as a minor works provision under the Roads (Works, Use and Compensation) Ordinance and be exempt from the gazettal procedures.

Tunnel T2 General Building Plans

- 6.5 General Building Plans (“GBPs”) were submitted on 28 November 2023 for Tunnel T2. The disapproval letter is included in **Appendix 3**. The GBPs cannot be approved until the lease modification is completed.
- 6.6 The applicant has an A&A Works General Building Plans approved for the modification of the basement carpark to enable the tunnel connection to be implemented once the lease modification has been approved. The GBP Approval letter is included as **Appendix 4**. This is an approval for the tunnel opening and modification to the existing buildings to receive Tunnel T2 and not for the tunnel itself.

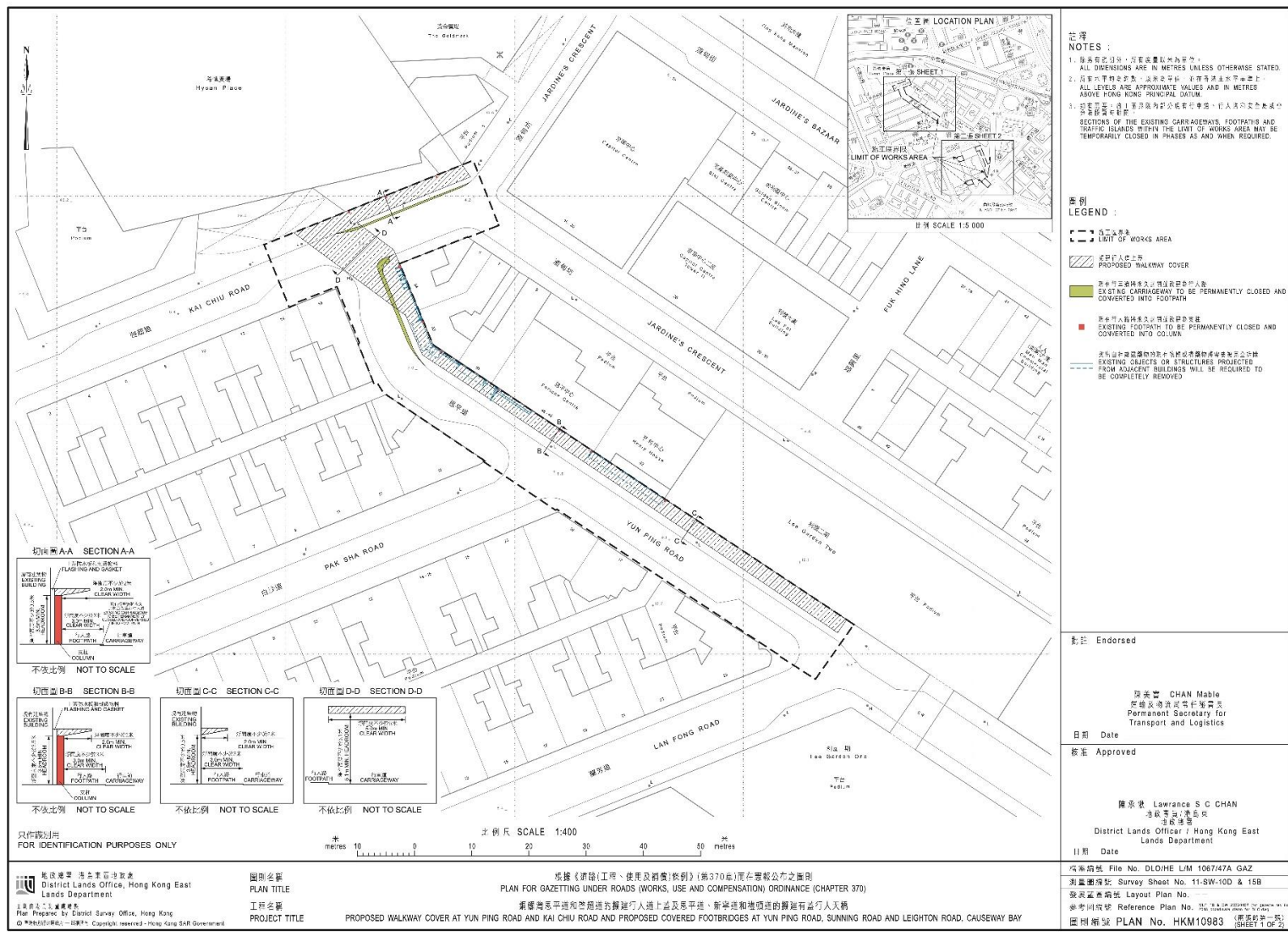


Figure 3: Plan showing the location of the covered walkway at Yun Ping Road and Kai Chiu Road, Causeway Bay

7. The Proposal

- 7.1 The approved permission is for an underground vehicular tunnel, Tunnel T2, connecting the basement car parks of Lee Garden One and Lee Garden Three. The proposed tunnel will become an integral part of the two commercial developments. On the Approved Causeway Bay OZP No. S/H6/17, Tunnel T1 falls within an area mainly shown as “Road” and marginally encroaches onto the “Commercial” (“C”) zone. Commercial development is always permitted within the “C” zone, but planning permission is required in the area shown as “Road”.
- 7.2 Tunnel T2 will connect the eastern side of basement B2 of Lee Garden One across Yun Ping Road to the western side of basement B2 of Lee Garden Two. Tunnel T2 will have an area of about 181m², a length of approximately 13m, an overall width of approximately 15m, a gradient of about 1:12 and minimum clear headroom of 2.4m. It will provide two lanes for private cars with a minimum width of 3.5m each to serve two-way traffic. An electrical and mechanical zone will be provided at the upper portion of the tunnel above the vehicular access. The location plan, floorplans and sections of the proposed Tunnel T2 are included in **Appendix 5**.
- 7.3 At present, vehicular access to the car park of Lee Garden One can only be made vis Lan Fong Road. With Tunnel T2, vehicles from the east (Leighton Road) and the south (Caroline Hill Road) will be able to access Lee Garden One via the ingress of Lee Garden Two at Pennington Street without the need of circulation at Lan Fong Road, Lee Garden Road and Hysan Avenue.
- 7.4 The car parks at Lee Garden One and Lee Garden Two will provide barrier-free access to the connections of the tunnel to benefit the general public between 7:30am – 12:30am. This is the same as in 2016, when the application was approved.
- 7.5 Tunnel T2 is part of Hysan’s overall plan to improve the connectivity for the area, which also includes the covered walkway and 5 pedestrian link bridges (shown in Figures 3 and 4). In addition, there is another approved but not yet constructed Tunnel, T1, under application number A/H6/79 which connects Lee Garden One and Lee Garden Three under Hysan Avenue.
- 7.6 Once both Tunnel T1 and Tunnel T2 are constructed the car parks at Lee Garden One, Lee Garden Two and Lee Garden Three will be interconnected and operate as a single car park. Vehicles from the east (Leighton Road) and the south (Caroline Hill Road) will also be able to access the Lee Garden One car park via the ingress of Lee Garden Two at Pennington Street without passing through the busy road sections of Yun Ping Road and Lan Fong Road.

8. Implementation

- 8.1 Tunnel T2 will be constructed by a tunneling method so that there will be no open excavation, nor vertical shaft on public roads. The Launching shaft of the tunnel will be formed within the basement of Lee Garden One while the receiving shaft will be formed within the basement of Lee Garden Two so that all construction works are within the private premises. The construction time is estimated to be approximately 2 years. A plan showing the excavation area is included in **Appendix 6**.
- 8.2 Accesses of construction traffic to the underground construction sites will be via the existing car park accesses of Lee Garden One and Lee Garden Two, and therefore new opening of site access on public road is not required. To further minimize traffic impact, the access of construction traffic will be arranged outside the peak periods of 08:00-10:00, 12:00-14:00 and 16:00-20:00.
- 8.3 Besides, the car park operators would dedicate staffs to patrol traffic at the car park entrances in order to avoid any obstruction at the car park entrances leading to adverse impact to the operation of public transportation and the traffic on public roads. Furthermore, the loading/unloading activities for the buildings would be well coordinated and managed by the car park operators to avoid such activities being carried out during the peak of the car park hours and/or during the access periods of construction traffic.
- 8.4 In view of the latest status of the project, it is anticipated that the construction of Tunnel T2 would not commence earlier than year 2026. Since the construction of the link bridges and the covered walkway are planned to be completed by year 2026 which will be aligned with construction programme of the Caroline Hill Road development, it is unlikely that the construction of T2 would overlap the construction of the link bridges and the covered walkway.

9. Discharge of Conditions Progress

- 9.1 The Applicants have been in the process of discharging the Approval Conditions. **Table 1** below summarizes the current situation regarding the progress made to discharge the conditions. A number of the approval conditions can only be discharged upon implementation and therefore cannot be discharged at this point in the project.

Table 1 : Current Status of the Discharge of Approval Conditions

Approval Conditions	Submission to DPO	Decision / Comments
(a) "no excavation works on public roads for construction of the proposed tunnel is allowed"	-	<i>This can only be discharged upon implementation.</i>
(b) "the submission and implementation of a Construction Traffic Management Scheme to the satisfaction of the Commissioner for Transport (C for T) or of the TPB"	2 Feb 2024	Comments from LCSD received on 20 Feb 2024, Comments from TD received on 23 Feb 2024. <i>The comments are being reviewed, and the responses will be submitted upon further detailed study.</i>
(c) "the provision of ingress/egress of the carparks to the satisfaction of the Commissioner for Transport or of the TPB"	-	<i>This can only be discharged upon implementation.</i>
(d) "the submission and implementation of a car parking layout to the satisfaction of the Commissioner for Transport or the TPB"	28 March 2024	Comments from TD received on 11 April 2024. <i>A response to these comments is currently being prepared.</i>
(e) "the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services of the TPB"	-	<i>This can only be discharged upon implementation.</i>

10. Planning Assessment and Justification

- 10.1 While the full justifications were made in the original application (2016), this section will summarize the main planning justifications and considerations.

At-grade Traffic Improvements

- 10.2 Lan Fong Road is a one-way local road which serves not only as the main vehicular access to Lee Garden One, but also for a number of green minibus (“GMB”) stands, as well as on street loading and unloading. Lan Fong Road is also a major route for vehicles travelling from Leighton Road westbound to the Sharp Street East area. It is common for the existing GMB stands and on-street loading and unloading areas to be fully occupied by GMBs and illegal parking. This results in pick-up and drop-off activities taking place on the carriageway and accordingly frequently vehicles tailing back from Lan Fong Road to its junction with Yun Ping Road. As a consequence, vehicular access to Lan Fong Road, Pak Sha Road and Kai Chiu Road and Sharp Street East Area will occasionally be obstructed.

- 10.3 A summary of the proposed Tunnel T2 benefits is:

- a) Reduced at-grade traffic on local roads – the Traffic Impact Assessment (TIA) for the approved Application No. A/H6/79 has concluded that Tunnel T2 would reduce the traffic flows along Hysan Avenue, Yun Ping Road and Lan Fong Road. There would be a positive traffic impact to the local road network from the development of Tunnel T2;
- b) Efficient use of available car parking spaces – the available car parking spaces at the two car parks can be shared used upon linking up by the Tunnel T2, by which the utilisation of available car parking spaces can be maximised while the way-finding of vacant spaces can be taken place internally, therefore minimizing the queuing at car park entrances as well as the traffic circulation on the at-grade roads;
- c) Balanced use of roads/junctions’ capacities – the proposed tunnel will provide route choices for drivers to enter or leave the car parks in different traffic situations on the surrounding roads. This will result in a more balanced use of the spare capacities of the surrounding roads and junctions; and
- d) Provides flexibility in access and traffic management – Tunnel T2 would enable alternative ingress and egress points for the car parks, which allows flexibility for the car park operators to manage ingress and egress of vehicles. It also provides more opportunities to implement short-term/temporary traffic management schemes for special events/traffic situations.

Improved Public Realm

- 10.4 The existing two individual car parks will be linked up by the proposed Tunnel T2 to form an integrated car park. This makes the area easier for drivers to access the car parks and locate available car parking spaces without circulating around the blocks, while simultaneously reducing the vehicular dominance at the ground level. As a result, this creates a better pedestrian environment.

- 10.5 Due to the reduction of vehicles at grade, it would allow pedestrians to enjoy a higher quality pedestrian environment. The reduction of cars on streets with heavy pedestrian usage, such as Yun Ping Road, would build upon the pedestrian areas already existing in the area to further enhance the local pedestrian environment and improve the public realm.

Improved Air Quality

- 10.6 With the proposed tunnel T2 cars can locate a car park quicker and less time will be spent at-grade circling around the area. This will help to reduce traffic emissions. In addition, the reduction in vehicles should translate into a more reasonable speed of traffic flow at grade which will reduce the overall emission levels.
- 10.7 Causeway Bay has been identified as an area where there is a need to improve the air quality and as a result it is one of the three Franchised Bus Low Emission Zones. This shows the importance of identifying ways to improve the air quality in Causeway Bay and implementing them.

No Impact to Traffic During Construction

- 10.9 Construction vehicles will access Lee Garden One from the vehicular access on Lan Fong Road. The maximum construction traffic of the two tunnels under this application and Application No. A/H6/78 will be approximately 14 vehicles per day. Access of construction vehicles will be arranged during off-peak time periods to avoid overlapping with the peak traffic in the surrounding area during 08:00-10:00, 12:00-14:00 and 16:00-20:00. The car park operators would dedicate staffs to patrol traffic at the car park entrances while the loading/unloading activities for the buildings would be well coordinated and managed by the car park operators throughout the construction period. Appropriate internal temporary traffic arrangements will also be implemented within the car parks of both Lee Garden One and Lee Garden Two in order to maintain the operation of the majority of the car parking spaces during the construction period.

No Impact to the Surrounding Buildings, Structures, Land, Streets or Services

- 10.10 The proposed Tunnel T2 will not cause any damage to the adjacent buildings, structures, land, streets or services. Precautionary measures such as ground investigation along Yun Ping Road will be conducted before construction. During construction, regular monitoring of the settlement, tilting, vibration and ground water drawdown at the adjacent ground, utilities and buildings will be provided at the detailed technical design submission stage.

Air Quality Levels Inside the Car Parks

- 10.11 The Tunnel T2 will be designed with supply and exhaust ventilating fans to ensure that sufficient outdoor air is drawn into, and polluted air is extracted from, the car parks and Tunnel T2. Local jet fans and carbon monoxide sensors will be installed to enhance the local ventilation effectiveness and to monitor the concentration of carbon monoxide. This will ensure the air quality is high in the Tunnel T2 and the car parks.

No Adverse Noise Impact

- 10.12 The noise disruption to nearby noise sensitive receivers from road traffic will be reduced. Construction noise is expected to be minimal, due to the works exclusively taking place underground. In addition, appropriate mitigation measures such as quiet powered mechanical equipment and movable barriers will be used to ensure that noise can be reduced to acceptable levels. It will be ensured that good site practice and noise management will be adopted to mitigate noise impact. Should it arise that noise impact to nearby noise sensitive receivers are identified, then remedial measures such as additional acoustic treatment or enclosure will be formulated.

11. Conclusion

- 11.1 The Planning Statement demonstrates that there have been no material changes to the situation since the application was Approved in 2016, and it would be beneficial to approve the Tunnel T2 Application again. The construction of Tunnel T2 would continue to be of benefit to the area in vehicular traffic terms, for the pedestrians and also for the improvement of the air quality. The construction would not cause disruption to the existing traffic flow. The only impacts of the proposal to the traffic, and the public realm in Causeway Bay are public planning gains.
- 11.2 The applicant has taken significant steps to implement the approved development. The main delay relates to the lease modification process which is yet to be completed. The TPB is requested to consider the application on these merits and to decide in favour of Approving the application again.

Appendix 1

**S.16 Approval Letter and s.16A Extension of
Time Approval Letter for Application
Number A/H6/79**

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/H6/79

By Registered Post & Fax (25877068)

15 July 2016

Masterplan Ltd.
Room 3516B, 35/F, China Merchants Tower
Shun Tak Centre
200 Connaught Road, Central, Hong Kong
(Attn: Kira Brownlee)

Dear Sir/Madam,

**Proposed Underground Vehicular Tunnel (Connecting Lee Garden One
and Lee Garden Two) in "Commercial" and "Commercial (2)" zones
and an area shown as 'Road', Under Yun Ping Road between
Lee Garden One (33 Hysan Avenue) and Lee Garden Two (2-38 Yun Ping Road)**

I refer to my letter to you dated 20.6.2016.

After giving consideration to the application, the Town Planning Board (TPB) approved the application for permission under section 16 of the Town Planning Ordinance on the terms of the application as submitted to the TPB. The permission shall be valid until 24.6.2020; and after the said date, the permission shall cease to have effect unless before the said date either the development hereby permitted is commenced or the permission is renewed. The permission is subject to the following conditions :

- (a) no excavation works on public roads for construction of the proposed tunnel is allowed;
- (b) the submission and implementation of a Construction Traffic Management Scheme to the satisfaction of the Commissioner for Transport (C for T) or of the TPB;
- (c) the provision of ingress/egress of car parks to the satisfaction of C for T or of the TPB;
- (d) the submission and implementation of a car parking layout to the satisfaction of C for T or of the TPB; and
- (e) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.

The TPB also agreed to advise you to note the advisory clauses as set out at Appendix V of the TPB Paper.

an application to the TPB for renewal of the permission no less than six weeks before its expiry. This is to allow sufficient time for processing of the application in consultation with the concerned departments. The TPB will not consider any application for renewal of permission if the time limit for commencement of development specified in the permission has already expired at the time of consideration by the TPB. Please refer to the TPB Guidelines No. 35B and 36A for details. The Guidelines and application forms are available at the TPB's website (www.info.gov.hk/tpb/), the Planning Enquiry Counters (PECs) of the Planning Department (Hotline : 2231 5000) at 17/F, North Point Government Offices, 333 Java Road, North Point; 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin; and the Secretariat of the TPB at 15/F, North Point Government Offices.

For amendments to the approved scheme that may be permitted with or without application under section 16A, please refer to TPB Guidelines No. 36A for details.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 24.6.2016 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 5.8.2016). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

This permission by the TPB under section 16 of the Town Planning Ordinance should not be taken to indicate that any other government approval which may be needed in connection with the development, will be given. You should approach the appropriate government departments on any such matter.

If you have any queries regarding this planning permission, please contact Miss Irene Lai of Hong Kong District Planning Office at 2231 4935. In case you wish to consult the relevant Government departments on matters relating to the above approval conditions, a list of the concerned Government officers is attached herewith for your reference.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

List of Government Department Contacts

(Application No. A/H6/79)

部門 Department	辦事處 Office	聯絡人姓名 Name of Contact Person	電話號碼 Telephone No.	傳真號碼 Facsimile No.
運輸署 Transport Department	市區分區辦事處 交通工程(港島)部 灣仔區組 Urban Regional Office Traffic Engineering (HK) Division Wan Chai District Section	張世光先生 Mr. CHEUNG Sai Kwong, Tony	2829 5262	2824 0399
消防處 Fire Services Department	消防安全總區 新建設課 Fire Safety Command New Projects Division (NP)	黃旭平先生 Mr. WONG Yuk Ping	2733 1568	2722 6234

規 劃 署

港島規劃處
香港北角渣華道 333 號
北角政府合署 14 樓

**Planning Department**

Hong Kong District Planning Office
14/F, North Point Government Offices,
333 Java Road, North Point,
Hong Kong

本函檔號 Your Reference
本署檔號 Our Reference TPB/A/H6/79-1 (EOT)
電話號碼 Tel. No. : 2231 4930
傳真機號碼 Fax No. : 2895 3957

Please quote our reference
in future correspondence

BY POST & FAX (2587 7068)

23 June 2020

Masterplan Limited
Room 3516B, 35/F,
China Merchants Tower, Shun Tak Centre,
200 Connaught Road Central, Hong Kong
(Attn: Ms. Kira BROWNLEE)

Dear Sir/Madam,

**Application for Permission
To Extend the Time for Commencement of Development**

**Proposed Underground Vehicular Tunnel (Connecting Lee Garden One and Lee Garden Two)
in “Commercial” and “Commercial (2)” Zones and an area shown as ‘Road’
Area below Yun Ping Road between Lee Garden One (33 Hysan Avenue) and
Lee Garden Two (2-38 Yun Ping Road)

(Section 16A Application No. A/H6/79-1)**

I refer to your application of 27.5.2020 which was received by the Town Planning Board (TPB) on 29.5.2020, to extend the time for commencement of the above approved development proposal under Application No. A/H6/79.

After giving consideration to your application, the Director of Planning, under the delegated authority of the TPB, approved your application for amendment to permission under section 16A of the Town Planning Ordinance on the terms of the application as submitted to the TPB. The amended permission is subject to the following conditions and shall be valid **until 24.6.2024**; and after the said date, the permission shall cease to have effect unless before the said date either the development hereby permitted is commenced or the permission is renewed:

- (a) no excavation works on public roads for construction of the proposed tunnel is allowed;
- (b) the submission and implementation of a Construction Traffic Management Scheme to the satisfaction of the Commissioner for Transport (C for T) or of the TPB;
- (c) the provision of ingress/egress of the carparks to the satisfaction of C for T or of the TPB;

.../2

- 2 -

- (d) the submission and implementation of a car parking layout to the satisfaction of C for T or the TPB; and
- (e) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.

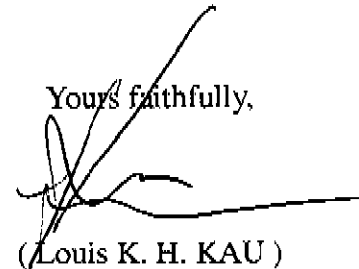
The advisory clauses as advised per our letter dated 15.7.2016 are still valid and attached with this letter for your information.

This permission will expire on 24.6.2024. According to the TPB Guidelines No. 35C, any extension of time for commencement of development shall not result in an aggregate extension period longer than the original duration for commencement of the approved development proposal, i.e. 4 years for application No. A/H6/79. As such, you are reminded to strictly adhere to the time limit for commencement of the approved development. Any further extension of the validity of this permission will be outside the scope of Class B amendments. If you wish to seek any further extension of time for commencement of the development, you may submit a fresh application under section 16 of the Town Planning Ordinance. You are also reminded that submissions for compliance with the planning approval conditions should be made as soon as possible.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform the Secretariat of the TPB (15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong – Tel: No. 2231 4810 or 2231 4835 and Fax: No. 2877 0245 or 2522 8426) within 21 days from the date of this letter (on or before 14.7.2020). The Secretariat of the TPB will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend.

If you have any queries regarding this permission, please contact Mr. NG Tak Wah of the Hong Kong District Planning Office at 2231 4935.

Yours faithfully,



(Louis K. H. KAU)

for and on behalf of Director of Planning

Encl.

Appendix V of
MPC Paper No. A/H6/79A

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Hong Kong East, Lands Department (LandsD) in paragraph 7.1.1 of the paper regarding the need for prior written approval for any trees affected, the applicants should confirm whether the proposed tunnel will be opened for public use and the opening hours, the need for application for proper land document and variation/extinguishment of the Deed of Covenant dated 18.8.1949 to effect the proposed development and to note the gazettal requirements under the Roads (Works, Use and Compensation) Ordinance Cap. 370;
- (b) to note the advice of the Secretary for Housing and Transport in Appendix III of the paper in respect of the Roads (Works, Use and Compensation) Ordinance Cap. 370;
- (c) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (BD) in paragraph 7.1.3 of the paper regarding the requirements under Buildings Ordinance and submission of structural plans to the Building Authority for approval;
- (d) to note the detailed requirements of the Commissioner for Transport in paragraph 7.1.4(a) of the paper that the Construction Traffic Management Scheme under approval condition (b) shall include but not limit to that the access of construction vehicles to the car park of Lee Garden One should only be arranged during the off-peak time periods of 1000-1200 hours and 1400-1600 hours on weekdays, a maximum of 14 construction vehicle trips (round trips) per day and not exceeding 6 vehicle trips (round trips) per hour;
- (e) to note the comments of the Commissioner of Police in paragraph 7.1.5(b) of the paper on the need to take appropriate measures to minimise traffic obstruction or congestion and noise nuisance;
- (f) to note the comments of the Chief Highway Engineer/Hong Kong, Highways Department in paragraph 7.1.6 of the paper that sufficient ground cover should be provided for the proposed tunnel and to consult relevant utility undertakers for any necessary diversion of existing underground utilities;
- (g) to note the comments of the Chief Architect/Central Management Division 2, Architectural Services Department in paragraph 7.1.8(b) of the paper to follow up with relevant Government departments on GFA and land ownership issues;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department in paragraph 7.1.9(c) of the paper to routinely monitor the condition of the existing trees and precaution should be taken to avoid any impact to the underground water level;
- (i) to note the comments of the Director of Environmental Protection in paragraph 7.1.10(c) of the paper to consider using non-percussive method in demolishing slabs on basement floors for the construction of launching and receiving shafts to reduce the ground-borne construction noise impact, and to strictly comply with relevant

legislation/guidelines for proper management and disposal of waste generated by the proposed development;

- (j) to note the comments of the Head of Geotechnical Engineering Office (GEO), Civil Engineering and Development Department in paragraph 7.1.12 of the paper that the detailed technical proposal on the design and construction methods of the proposed tunnel, as well as precautionary measures should be submitted for GEO's consideration through BD at the building plan submission stage; and
- (k) to note the comments of the Chief Engineer/Construction, Water Supplies Department (WSD) in paragraph 7.1.13 of the paper regarding the need to allow free access by WSD to carry out operation and maintenance of the existing water mains, submit diversion proposal, if any, for WSD's approval, water mains diversion works shall be carried out at the applicants' own cost, the waterworks reserve requirement within the application site, and coordinate with WSD on the construction programme of the proposed development before commencement of works.

Appendix 2

Letter Accepting the Provisional Basic Terms Offer

[Dated : 24 February 2023]



District Lands Office / Hong Kong East

19/F, Southorn Centre
130 Hennessy Road
Wanchai
Hong Kong

Attention: Ms. Carrie Ng

24 February 2023

Your Ref: (58) in LD DLO/HE 1067/47A MOD IX

Our Ref : PS/2019/VPS/0306/L076(T2)/WAC/HIN/ENL/bs

Walter Cheung
E: wacheung@savills.com.hk
DL: (852) 2840 4698
F: (852) 3007 0530

Room 1208,
1111 King's Road,
Taikoo Shing, Hong Kong

EA LICENCE: C-023750
T: (852) 2801 6100
savills.com

**BY FAX AND BY POST
(FAX NO.: 2834 4324)**

Dear Madam,

**RE: PROPOSED LEASE MODIFICATION FOR
PROPOSED TUNNEL T2 LINKING LEE GARDEN ONE AND LEE GARDEN TWO**

We refer to your letter dated 10 February 2023 regarding the provisional basic terms offer of the captioned.

We hereby confirm that our client accepts the provisional basic terms offer in the abovementioned letter.

If you have any questions or wish to discuss, please do not hesitate to contact the undersigned at 2840 4698 or our Mr. C H Kwok at 2842 4571 / Mr. Enoch Lee at 2840 4685.

Yours faithfully,

For and on behalf of

Savills Valuation and Professional Services Limited

Walter Cheung
MHKIS RPS (GP)
Director

c.c. Client

Appendix 3

**Letter from Buildings Department
Rejecting the Tunnel T2 General Building
Plans Application**

CHEUNG Man Ching Anthony
33rd Floor,
Wu Chung House,
213 Queen's Road East,
Wanchai, Hong Kong



18 January 2024

22 JAN 2024

RECEIVED
(1)

80-755

Dear Mr Cheung,

33 Hysan Avenue, Hong Kong (The Lee Garden One) –
I.L. 29 s.DD, s.MM & s.L R.P. and I.L. 457 s.L & R.P.
and
28 Yün Ping Road, Hong Kong (Caroline Centre) –
I.L. 29 s.G and I.L. 457 s.A, s.O, s.F, s.C R.P., s.C ss.1, s.D R.P., s.D ss.1, s.E R.P., s.E
ss.1, s.E ss.2, s.G R.P., s.G ss.1 & s.H and I.L. 461 s.C ss.1, s.C ss.2, s.C ss.3 & s.C R.P

I refer to your application received on 20 November 2023 for approval of proposals in respect of BUILDING (ALTERATIONS & ADDITIONS).

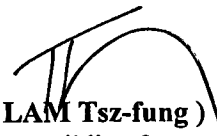
2. Your submission of plans has been checked under the curtailed check system announced in Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers ADM-19. On this basis, the submission has been found to be fundamentally unacceptable and I hereby disapprove the submission for the reasons detailed in paragraph 7 of this letter.
3. You are reminded that the curtailed check system covers only the fundamental issues of a building proposal. Although non-fundamental issues will not be raised as reasons for disapproving a submission, I expect that all contraventions of the Buildings Ordinance (BO) and its subsidiary legislation are rectified as and when they are discovered and in any event, before completion of the works is certified. In this connection, I ask you to note that the Building Authority (BA) attaches great importance to the proper assumption of duties and responsibilities by authorized persons, registered structural engineers and registered geotechnical engineers.
4. Your client has been sent a copy of this letter but I would request that you ensure that the contents are understood by him.
5. With the exception of one set of plans which I will retain for record purposes, the remaining copies of your submission are returned herewith.
6. You are advised that under section 44(1) of the BO, any person aggrieved by a decision made by the BA may appeal from that decision. Should your client wish to appeal against my decision in this letter, please refer to the provisions of Part VI of the BO. In particular, please note that a Notice of Appeal should be served by your client in writing directly on the Secretary to the Appeal Tribunal to be received by him not later than 21 days from the date of this letter.
7. Your plans are disapproved on the grounds as detailed in **Appendix I**.
8. You are reminded that the refusal grounds as mentioned in paragraph 7 above should not be treated as being exhaustive, and no such refusal shall be construed as implying any approval of any part of such plans. Your attention is drawn to section 15(2) of the BO.

/9.....

Our Ref.: BD 2-3/3046/93/72

9. Please note that your plans are not approvable under BO as the fundamental issues have not been resolved, the procedures under PNAP ADM-14 for making minor amendment to plans are not applicable.
10. You are reminded that under regulation 29(3) of the Building (Administration) Regulations (B(A)R) and without prejudice to regulation 30(3) of the B(A)R, the submission of further particulars or other plans consequent upon the refusal of the BA to give his approval under section 16(1)(i) or (2)(f) of the BO shall be deemed to be a fresh application in respect of the plans which the BA had refused to approve. Your future re-submission of plans for the subject proposal will be considered as plans submitted for the first time to the BA for approval, which regulation 30(3)(a) of the B(A)R applies.
11. Your plans have been referred to the District Planning Officer/Hong Kong, Planning Department for comments. Your attention is drawn to Buildings Ordinance section 4(3) in case any amendments are required.
12. Your plans have been referred to the District Lands Officer/Hong Kong East for scrutiny under the lease condition. His comments were conveyed to you in his letter dated 15 January 2024.
13. Chief Engineer/ Hong Kong & Islands, Drainage Services Department (contact officer: Calvin Lo at tel. no.: 3101 2364) has comments to your plans in Appendix II.
14. Your plan has been referred to Commissioner for Transport, Transport Department, Chief Highway Engineer/Hong Kong, Highways Department, Chief Geotechnical Engineer/Island, Geotechnical Engineering Office, Civil Engineering and Development Department, and Leisure and Cultural Services Department for comments. Their comments would be conveyed to you once available.
15. Your submission of plans has been selected for audit checking and contravention on non-fundamental issue was identified as follow:
- (a) Clarify the fire resistance rating of the fire shutters, which is inconsistent with the one shown on the table regarding fire resisting construction.

Yours sincerely,



(LAM Tsz-fung)
Senior Building Surveyor
for Building Authority

c.c. Barrowgate Limited
49/F, Lee Garden One,
33 Hysan Avenue
Causeway Bay

D of FS
DLO/HKE
DPO/HK
C for T
CHE/HK, HyD
LCSD
DSD
CGE/I, GEO, CEDD

SPO/IAU

SL8 (11/2013) (T-ND f)

BD Ref.: 2-3/3046/93/72

Address: 33 Hysan Avenue, Hong Kong and 28 Yun Ping Road, Hong Kong

- A. Your plans are disapproved under section 16(1)(b) of the BO in that your plans are not endorsed or accompanied by a certificate from the Director of Fire Services.
- B. Under section 16(1)(e) of the BO, geotechnical assessment of the adequacy of the site for the proposed building works has not been submitted under regulation 8(1)(ba) of the Building (Administration) Regulations (B(A)R) and PNAP APP-25.
- C. Your plans are disapproved under section 16(1)(i) of the BO in that further information and clarifications in respect of the followings are required:
 - (i) Provide justification on the proposed tunnel projecting under street including but not limited to the lease and/or planning permission. My position under section 31(1) of the BO and regulation 23(3)(a) of the B(P)R is reserved.
 - (ii) Provide further particulars to proof that the applicant has realistic prospect of control of land forming the site. Your attention is drawn to the Circular Letter dated 27 September 2021. My position under regulation 21 of the B(P)R is reserved.
 - (iii) Demonstrate the fire separation between the proposed tunnel and the connected buildings in compliance with clauses C5 of the FS Code. My position under section 35 of the B(C)R is reserved.

BD Ref.: 2-3/3046/93/72

Address: 33 Hysan Avenue, Hong Kong and 28 Yun Ping Road, Hong Kong

Remarks:

<u>Description</u>	<u>Abbreviations</u>
1. Building (Administration) Regulations	B(A)R
2. Building (Construction) Regulation	B(C)R
3. Building Environmental Assessment Method Plus	BEAM Plus
4. Buildings Ordinance	BO
5. Building (Planning) Regulations	B(P)R
6. Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) Regulations	B(RSMRC&RC)R
7. Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations	B(SSFPDW&L)R
8. Circular Letters to Authorized Persons, Registered Structural Engineers, Registered Geotechnical Engineers, Registered General Building Contractors, Registered Specialist Contractors and Minor Works Contractors	Circular Letter
9. Code of Practice for Building Works for Lifts and Escalators 2011	L&E Code
10. Code of Practice for Fire Safety in Buildings 2011	FS Code
11. Code of Practice on Access for External Maintenance 2021	AfEM Code
12. Continuous projected façade length	Lp
13. District Planning Officer/ XX	DPO/XX
14. Design Manual – Barrier Free Access 2008	DMBFA
15. Emergency Vehicular Access	EVA
16. Fire Resisting Construction	FRC
17. Fire Resistance Rating	FRR
18. Firefighting and Rescue Stairway	FRS
19. Fire Service Access Point	FSAP
20. Gross Floor Area	GFA
21. Intervening space	IS
22. Joint Practice Notes	JPN
23. Mean width of street canyon	U
24. Outline Zoning Plan	OZP
25. Permeable element	PE
26. Permeability	P
27. Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineer	PNAP
28. Places of Public Entertainment	PPE
29. Plot Ratio	PR
30. Residential Recreational Facilities	RRF
31. Sustainable Building Design Guidelines	SBD Guidelines
32. Site Coverage	SC
33. The Hong Kong Green Building Council	HKGBC
34. Travel Distance	TD
35. Temporary Refuge Spaces	TRS

Appendix II

Our Ref.: BD 2-3/3046/93/72

Address: 33 Hysan Avenue, Hong Kong and 28 Yun Ping Road , Hong Kong

Comments from Chief Engineer/ Hong Kong & Islands, Drainage Services Department (contact officer: Calvin Lo at tel. no.: 3101 2364)

The submitted drawings have been examined and my comments are as follows:

1. Please ensure the existing sewage / stormwater terminal manhole is in good serviceable condition and ensure that the dimension and gradient of its downstream sewer / stormwater drain are adequate to discharge for the site.
2. Should there be any abandoned pipes as a result of the proposed development, they shall be removed or filled up at the developer's cost and to the satisfaction of this Department. For detailed requirements on the handling of abandoned pipes, please refer to DSD Technical Circular No. 1/2022 - Handling of Abandoned Pipes under DSD's Purview. The location and the method of handling such abandoned pipes should be indicated on drawings for future reference. The schedule of abandoned pipes / manholes should be submitted when any pipe / manhole is abandoned, and updated when any more pipes / manholes are abandoned; such schedule should not be delayed until the HBP1 / BA13 / BA14 stage or the completion of development.
3. From our record, there are existing Ø225 private stormwater drains passing through the site along Yun Ping Road. The AP should check with the Buildings Department and/or the adjacent property owners(if they belong to adjacent property owners) regarding its status. In case these existing private drains are still functioning, they should not be disturbed or interfered with until any necessary diversion works, which have been accepted by BD and the property owners, have been satisfactorily completed. Moreover, sufficient allowance for future maintenance of these existing private drains and sewers should be provided.
4. The AP is required to ensure that no construction debris, silt and sediments, untreated site runoff or cementitious materials will be discharged to or deposited inside the public stormwater drains (SWD) or sewers within or in the vicinity of the development site. The AP shall monitor the internal conditions of the existing public SWD/sewers within or in the vicinity of the development site by CCTV surveys (or other alternatives to be agreed by DSD), prior to commencement and upon completion of the construction works to our satisfaction. The AP shall propose the detailed arrangement including the timing, methodology and extent of the public SWD/sewer to be surveyed by CCTV (or by other alternatives) for DSD's agreement. Nevertheless, such CCTV surveys (or other agreed alternatives) serve no intention to relieve the AP's liabilities on any damage to other

SWD/sewers that are not included in the survey. Any pipe blockage or damage arising from the construction works shall be made good at the cost of the developer and to our satisfaction. In case the CCTV survey is abandoned for any section of SWD/sewers, the AP shall notify DSD by the following working day and arrange joint site inspection with DSD prior to the formal submission of CCTV report for considering the follow-up actions required from the AP. In addition, the AP shall also seek DSD's agreement on the proposed discharge point(s) of site runoff and the detailed discharge arrangement before application of the discharge licence for approval by EPD. During the process, DSD might request the AP to arrange joint-site inspection to facilitate determination of the suitable discharge point(s).

In addition, the A.P. is reminded of the following general comments:-

5. The AP is required to liaise with relevant utility undertakers to obtain the latest records, plans and alignments of their utilities in order to ensure the feasibility of the proposed drainage works. The AP is also required to excavate inspection pits and conduct utility detection to verify the alignments of utilities shown in such utility records if considered necessary.
6. It is the developer's responsibility to identify/locate the existing government sewers and stormwater drains to which drainage connections from his site are to be proposed. The AP should verify the existence of any drains/sewers/utilities and also their exact locations, levels and alignments on site in order to ascertain the positions and levels of the proposed manholes and the associated connection works. The AP should also verify that the existing government drains/sewer, to which connections are proposed, are in normal working conditions and capable of taking the discharge from the site. Besides, for any excavation works over or in close vicinity to existing government drains/sewers, the AP should notify DSD in writing at least 14 working days before backfilling the excavation works and arrange joint site inspection with DSD prior to covering up.

The AP is also reminded that any person wilfully, except with the permission in writing of the Authority, or negligently damages, alters, disconnects or otherwise interferes with any public sewer or drain or any connection therewith, shall be guilty of an offence under Section 6 of Public Health and Municipal Services Ordinance (Cap 132).

7. Under the Water Pollution Control Ordinance (Cap 358), discharge of wastewater into stormwater drains is not permitted. The AP shall ensure that the proposed sewerage works shall convey all wastewater, including but not limited to those wastes generated by the domestic use of toilets, water closets, baths, showers, sinks, basins and other sanitary and kitchen fittings, through the sewage terminal manhole(s) to the public sewers. Besides, to ensure the sustainability of the public sewerage network, the AP shall ensure that the surface runoff within the development site will be collected and discharged via a stormwater drainage system and not be drained to the public sewerage network.
8. The submitted drawings nos. AA_T2/GBP/GBP_AA1 & AA2 are retained for future reference.

Appendix 4

**A&A Works General Building Plans
Approval Letters**

DWG

190304K

CHEUNG Man Ching Anthony
33rd Floor,
Wu Chung House,
213 Queen's Road East,
Wanchai, Hong Kong.

24 March 2020

IN 000565
RONALD LU & PARTNERS

17 APR 2020

RECEIVED

140
15

Dear Sir,

**33 Hysan Avenue, Hong Kong (The Lee Garden One) –
I.L. 29 s.DD, s.MM & s.L R.P. and I.L. 457 s.L & R.P.**

I refer to your application dated received on 25 February 2020 for approval of proposals in respect of Building (Alterations and Additions).

2. Your submission of plans has been checked under the curtailed check system announced in Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers ADM-19. On this basis, I am satisfied that your submission is fundamentally acceptable and may be approved.

3. You are reminded that the curtailed check system covers only the fundamental issues of a building proposal. Although non-fundamental issues will not be raised as reasons for disapproving a submission, I expect that all contraventions of the Buildings Ordinance and its subsidiary legislation are rectified as and when they are discovered and in any event, before completion of the works is certified. In this connection, I ask you to note that the Building Authority attaches great importance to the proper assumption of duties and responsibilities by authorized persons and registered structural engineers.

4. In accordance with the provisions of regulation 30(1) of the Building (Administration) Regulations, this is to notify that the above – mentioned plans submitted with your application dated received on 25 February 2020 are hereby approved. One set of the said plans, on which I have signified my approval, is enclosed. Your client has been sent a copy of this letter but I would request that you ensure that the contents are understood by him.

5. This approval should not be deemed to confer any title to land or to act as a waiver of any term in any lease or licence. This approval does **NOT** authorize the commencement or the carrying out of any works shown in the approved plans. Section 14(2) of the Buildings Ordinance refers.

6. This approval only covers the building works as coloured on the submitted plan on the basis that the uncoloured parts of the plans are exactly the same as the corresponding parts in the previous approved plans, and should not be construed as implying the approval of the uncoloured portion of the plan.

7. Your plans have been referred to the District Planning Officer/Hong Kong, Planning Department for comments. Your attention is drawn to Buildings Ordinance section 4(3) in case any amendments are required.

/8.

SL 9(11/2013) (T-b+ND a)

Our Ref: BD 2-3/3046/93 /55

8. Your plan and development schedule have been referred to the District Lands Officer/Hong Kong East for scrutiny under the lease condition. His comments will be directly conveyed to you.

9. The Commissioner for Transport, Transport Department (Contact Officer Mr. TANG Siu-chung at tel. no. 2829 5425) has the following comments on the proposed A&A works

- (a) It is noted that 12 numbers of parking spaces are proposed to be omitted in this A&A works. The AP should consider re-provisioning the affected parking spaces to other locations in the building and provide the re-provisioning proposal and car parking layout for our consideration. Otherwise, the AP should demonstrate that the compliance of the remaining provision of internal transport facilities in accordance with the requirements as stipulated in HKPSG is still maintained.
- (b) No excavation works on public roads for construction of the proposed tunnels is allowed.
- (c) The AP shall submit the Construction Traffic Management Scheme and provision of ingress/egress of the carparks for consideration by TD and other relevant department.
- (d) The AP shall be reminded that all the manoeuvring of vehicles during the construction shall be carried out within the development. No reversing movement of vehicles from/to the development would be allowed.

Yours faithfully,



(NG Pelene)
Chief Building Surveyor
for Building Authority

c.c. Perfect Win Properties Limited
49/F
Lee Garden One
33 Hysan Avenue
Hong Kong

D of FS
DLO/HKE
DPO/HK
C for T, TD
CO/SM

SL 9(11/2013) (T-b+ND a)

10 January 2020

CHEUNG Man Ching Anthony
33rd Floor,
Wu Chung House,
213 Queen's Road East,
Wanchai,
Hong Kong.



13 JAN 2020

RECEIVED

Dear Sir,

28 Yun Ping Road, Hong Kong (Caroline Centre Lee Garden II) –
I.L. 29 s.G and I.L. 457 s.A, s.O, s.F, s.C R.P., s.C ss.1, s.D R.P., s.D ss.1, s.E R.P., s.E
ss.1, s.E ss.2, s.G R.P., s.G ss.1 & s.H and I.L. 461 s.C ss.1, s.C ss.2, s.C ss.3 & s.C R.P.

I refer to your application dated received on 12 November 2019 for approval of proposals in respect of Building (Alterations and Additions).

2. Your submission of plans has been checked under the curtailed check system announced in Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers ADM-19. On this basis, I am satisfied that your submission is fundamentally acceptable and may be approved.

3. You are reminded that the curtailed check system covers only the fundamental issues of a building proposal. Although non-fundamental issues will not be raised as reasons for disapproving a submission, I expect that all contraventions of the Buildings Ordinance and its subsidiary legislation are rectified as and when they are discovered and in any event, before completion of the works is certified. In this connection, I ask you to note that the Building Authority attaches great importance to the proper assumption of duties and responsibilities by authorized persons and registered structural engineers.

4. In accordance with the provisions of regulation 30(1) of the Building (Administration) Regulations, this is to notify that the above – mentioned plans submitted with your application dated received on 12 November 2019 are hereby approved. One set of the said plans, on which I have signified my approval, is enclosed. Your client has been sent a copy of this letter but I would request that you ensure that the contents are understood by him.

5. This approval should not be deemed to confer any title to land or to act as a waiver of any term in any lease or licence. This approval does NOT authorize the commencement or the carrying out of any works shown in the approved plans. Section 14(2) of the Buildings Ordinance refers.

6. This approval only covers the building works as coloured on the submitted plan on the basis that the uncoloured parts of the plans are exactly the same as the corresponding parts in the previous approved plans, and should not be construed as implying the approval of the uncoloured portion of the plan.

7. The District Planning Officer/ Hong Kong, Planning Department (Contact Officer: Mr. T W NG at tel. no. 2231 4935) has no statutory planning objection to the plans submitted. Detailed comments have already been conveyed to you in his fax dated 30 December 2019.

/8.

SL 9(11/2013) (T-b+ND a)

Our Ref: BD 2-3/3062/88 /60

8. Your plans have been referred to the District Lands Officer/Hong Kong East for scrutiny under the lease condition. His comments will be directly conveyed to you.

9. The Commissioner for Transport, Transport Department (Contact Officer Mr. TANG Siu-chung at tel. no. 2829 5425) has the following comments on the proposed A&A works from traffic viewpoint:

- (a) Only location plan and part plans are shown. No details of works are provided.
- (b) It is indicated in B2/F part plan that a number of parking spaces will be omitted. The AP should consider re-provisioning the affected parking spaces to other locations and provide the re-provisioning proposal and car parking layout for our consideration. Otherwise, the AP should demonstrate the remaining provision of parking spaces satisfying the high-end requirement of HKPSG.
- (c) No excavation works on public roads for construction of the proposed tunnel or link bridge is allowed.
- (d) No pier and foundation works shall be carried out on public roads or streets for construction of the proposed link bridge.
- (e) The AP should ensure that the vertical distance of any structure (both under permanent and temporary stage) over carriageway, or within 600mm of a carriageway, should be 5.1m minimum, while the vertical clearance of a structure over a pavement, and not within 600mm of a carriageway, should be 3.5m minimum.
- (f) The AP shall submit the Construction Traffic Management Scheme for consideration by TD and other relevant departments.

10. It is noted that for facilitating your amendments to the submitted plans, you took away the said plans from this office on 6 January 2020 and subsequently returned the same on 8 January 2020.

Yours faithfully,



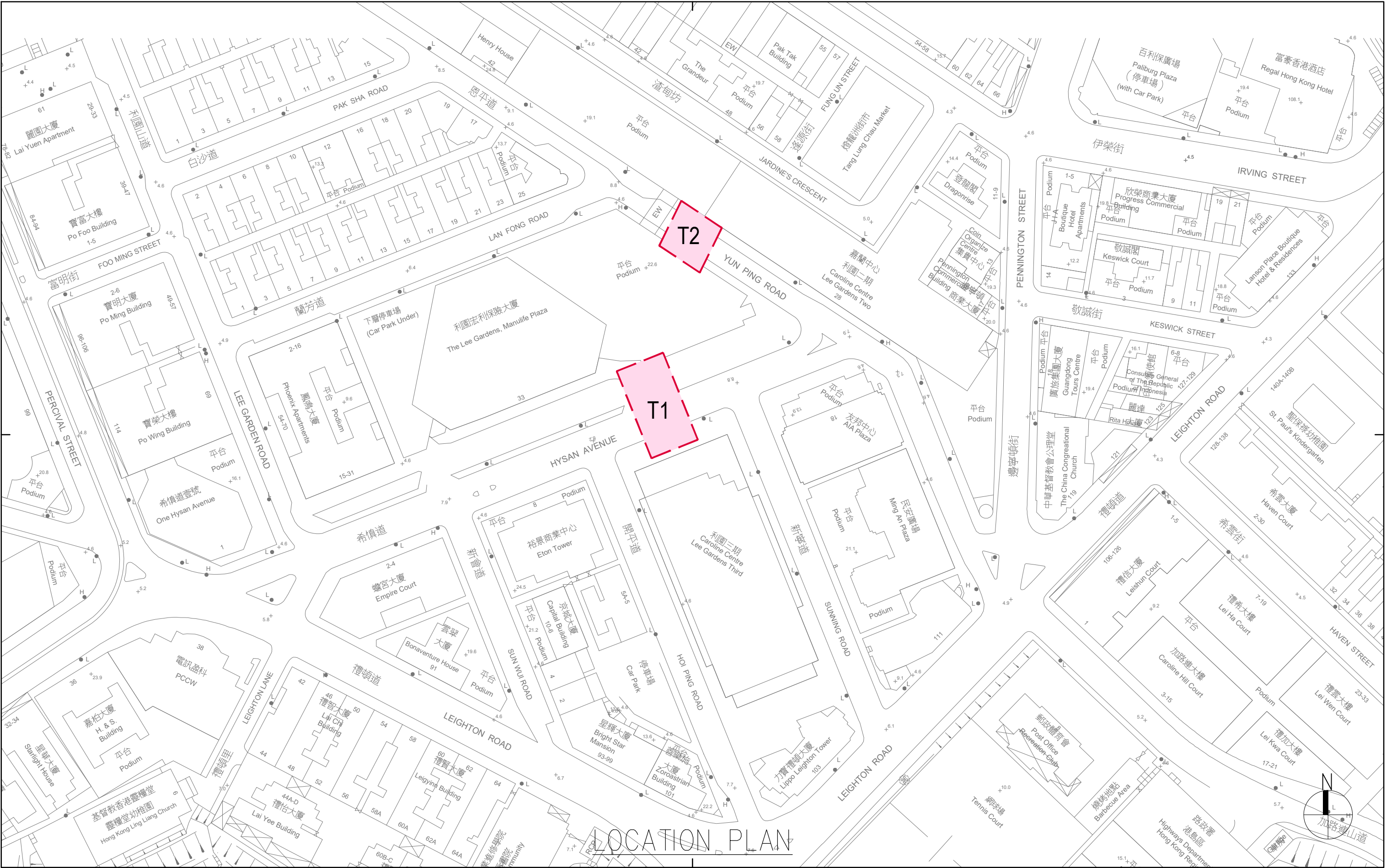
(NG Pelene)
Chief Building Surveyor
for Building Authority

c.c. BARROWGATE LIMITED
49/F. LEE GARDEN ONE
33 HYSAN AVENUE
CAUSEWAY BAY

D of FS
DPO/HK
DLO/HKE
C of T, TD
CO/SM

Appendix 5

Location Plan and Sectional Plans



Rev.	Description	Drawn	Checked	Approved	Date

Rev.	Description	Drawn	Checked	Approved	Date

Check all measurements on site.
Do not scale off drawings.

This drawing is to be read in conjunction with the specification and any discrepancies are to be immediately reported to the Architect.

This drawing remains the copyright property of the Architect and is not to be reproduced in whole or in part without permission of the Architect.

B.D. Ref.	-
F.S.D. Ref.	-
D.L.O. Ref.	-
Drawn	FKL Date 07/2024
Checked	LEL Date 07/2024
Approved	CMC Date 07/2024
Cad File No.	-



呂元祥建築師事務所

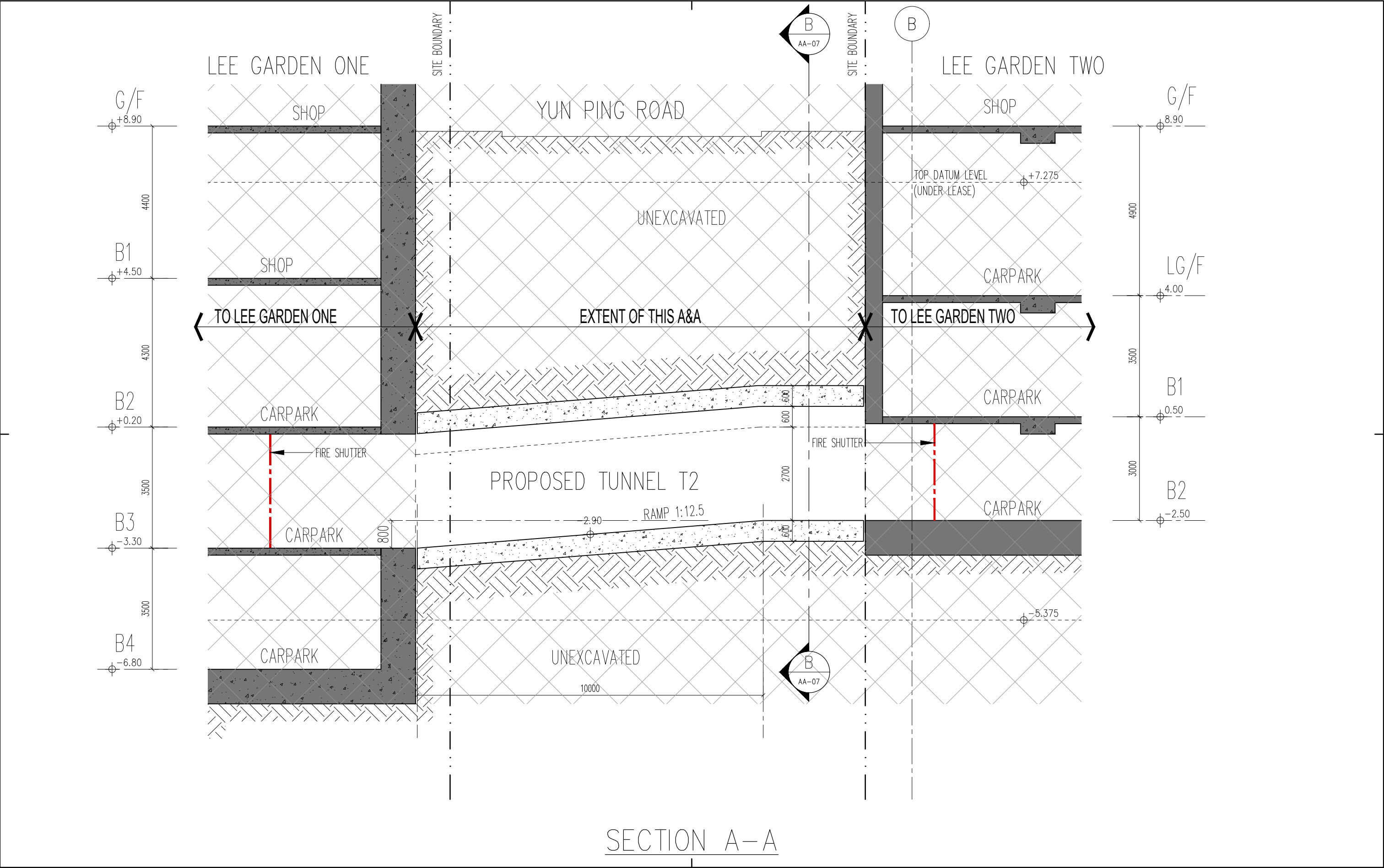
Project Title
PROPOSED TUNNEL T1 LINKING
LEE GARDEN ONE AND
LEE GARDEN THREE

Drawing Title	T1, T2 LOCATION PLAN
Project No.	19030HK
Scale	1:1000 @A3 Issue Date 07/2024
Drawing No.	/ GBP / AA-01

AP's Signature

Drawing Purpose





SECTION A-A

Rev.	Description	Drawn	Checked	Approved	Date

Rev.	Description	Drawn	Checked	Approved	Date

Check all measurements on site.
Do not scale off drawings.

This drawing is to be read in conjunction with the specification and any discrepancies are to be immediately reported to the Architect.

This drawing remains the copyright property of the Architect and is not to be reproduced in whole or in part without permission of the Architect.

B.D. Ref.	-
F.S.D. Ref.	-
D.L.O. Ref.	-
Drawn	FKL Date 07/2024
Checked	LEL Date 07/2024
Approved	CMC Date 07/2024
Cad File No.	-



呂元祥建築師事務所

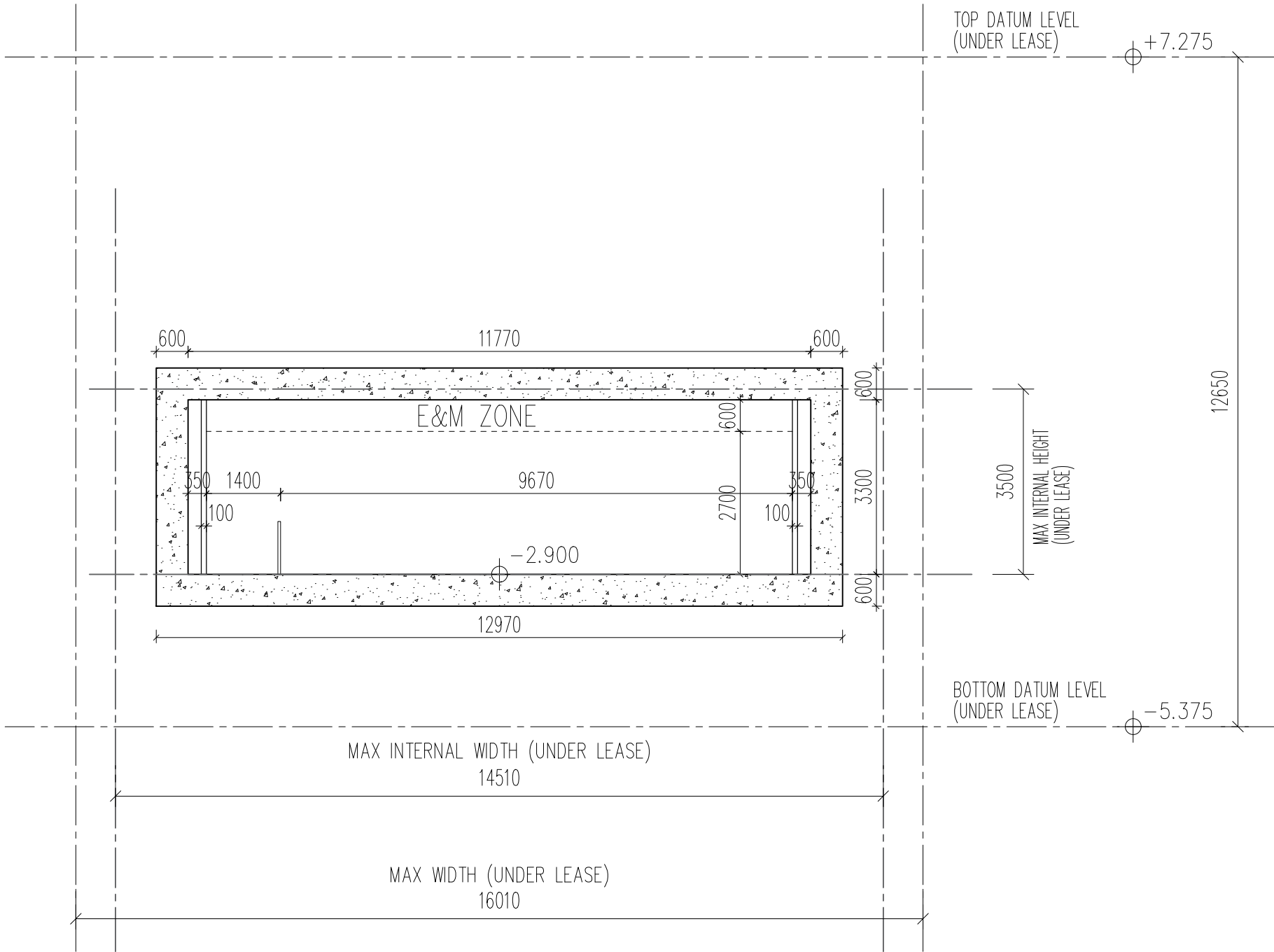
Project Title
PROPOSED TUNNEL T2 LINKING
LEE GARDEN ONE AND
LEE GARDEN TWO

Drawing Title
T2 SECTION A-A

Project No. 19030HK
Scale 1:100 @A3 Issue Date 07/2024
Drawing No. / GBP / AA-06

AP's Signature

Drawing Purpose



SECTION B-B

Rev.	Description	Drawn	Checked	Approved	Date

Rev.	Description	Drawn	Checked	Approved	Date

Check all measurements on site.
Do not scale off drawings.

This drawing is to be read in
conjunction with the specification
and any discrepancies are to be
immediately reported to the
Architect.

This drawing remains the
copyright property of the
Architect and is not to be
reproduced in whole or in part
without permission of the
Architect.

B.D. Ref.	-
F.S.D. Ref.	-
D.L.O. Ref.	-
Drawn	FKL
Date	07/2024
Checked	LEL
Date	07/2024
Approved	CMC
Date	07/2024
Cad File No.	-



呂元祥建築師事務所

Project Title
PROPOSED TUNNEL T2 LINKING
LEE GARDEN ONE AND
LEE GARDEN TWO

Drawing Title	T2 SECTION B-B
Project No.	19030HK
Scale	1:100 @A3
Issue Date	07/2024
Drawing No.	/ GBP / AA-07

AP's Signature

Drawing Purpose

Appendix 6

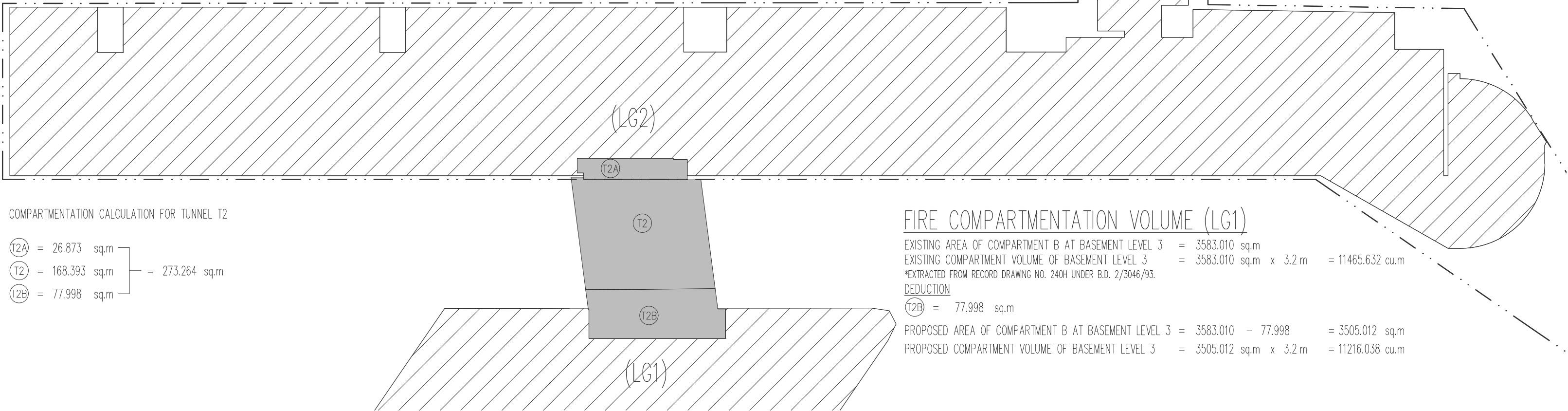
Plans showing Excavation Area

SCHEDULE OF FIRE COMPARTMENTATION VOLUME (LG2)

LOCATION	[A]			
LG/F	A5			650.584
B1/F	A2			8534.584
B2/F	A1	3027.323 - 26.873 = 3000.450	3000.450 x 2.85 =	8551.282
TOTAL				17736.450
				< 28000

EXTRACTED FROM B.D. REF: 2-3/3062/88/50 APPROVED ON 14 MAY 2019.

COMPARTMENTATION DIAGRAM FOR BASEMENT LEVEL 2



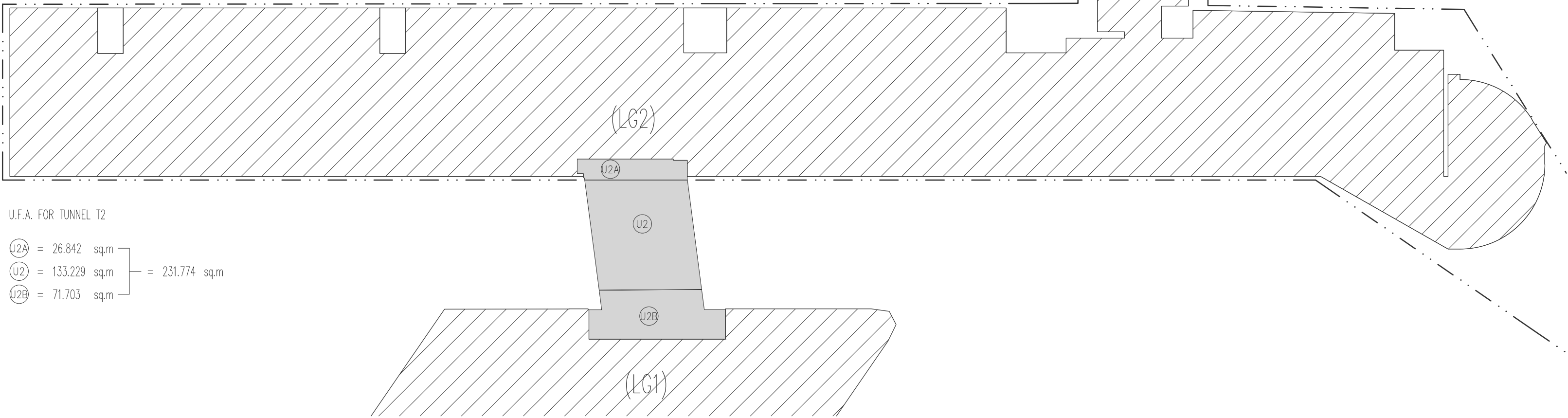
COMPARTMENT VOLUME & SMOKE VENT TABLE

ZONE	USE	FLOOR AREA (sq.m)	FLOOR TO CEILING (m)	VOLUME (cu.m)	SMOKE EXTRACTION	SMOKE VENT REQUIRED	SMOKE VENT PROVIDED
T2A+T2+T2B	TUNNEL	(T2A) 26.873	2.85	76.588	DYNAMIC	865.040 / 3500 = 1	2 (MIN.)
		(T2) 168.393	3.2	538.858			
		(T2B) 77.998	3.2	249.594			

SCHEDULE OF FIRE RESISTANCE PERIOD

LOCATION	USE	CLASS	COMPARTMENT VOLUME		F.R.R. (HOURS)	MIN. DIMENSION FOR ELEMENTS OF CONSTRUCTION										MIN. THICKNESS OF PROTECTION					
						R.C. SLAB		R.C. BEAM		R.C. COLUMN		R.C. WALL		BRICK WALL	CONCRETE BLOCK WALL	R.C. STAIR		STEEL COLUMN		STEEL BEAM	
			FLOOR AREA (sq.m)	VOLUME (cu.m)		THICKNESS (mm)	COVER TO STEEL (mm)	MIN. WIDTH (mm)	COVER TO STEEL (mm)	THICKNESS (mm)	COVER TO STEEL (mm)	THICKNESS (mm)	COVER TO STEEL (mm)			THICKNESS (mm)	COVER TO STEEL (mm)	THICKNESS (mm)	COVER TO STEEL (mm)	CONCRETE (mm)	SPRINKLED MINERAL FIBRE (mm)
T2 TUNNEL	CARPARK	7	273.264	865.040	4	170	55 (S) 45 (C)	280	80 (S) 60 (C)	450	35	180	25	-	-	-	-	75	-	75	-

U.F.A. DIAGRAM FOR BASEMENT LEVEL 2



REQUIREMENT OF EXIT DOOR & EXIT ROUTE

LOCATION	U.F.A. (sq.m)	OCCUPANCY FACTOR	TOTAL NO. OF PERSON	REQUIRED	PROVIDED	MIN. WIDTH OF EACH				MIN. TOTAL WIDTH OF			
						REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED
T2 TUNNEL	231.774	30	8	1	2	750	1050	750	1050	-	-	1500	2100
						EXIT DOORS	EXIT ROUTES	EXIT DOORS	EXIT ROUTES	EXIT DOORS	EXIT ROUTES	EXIT DOORS	EXIT ROUTES

Rev.	Description	Drawn	Checked	Approved	Date
1	1st A&A AMENDMENT	HKO	COL	JHY	11/07/2023

Rev.	Description	Drawn	Checked	Approved	Date

Check all measurements on site. Do not scale off drawings.

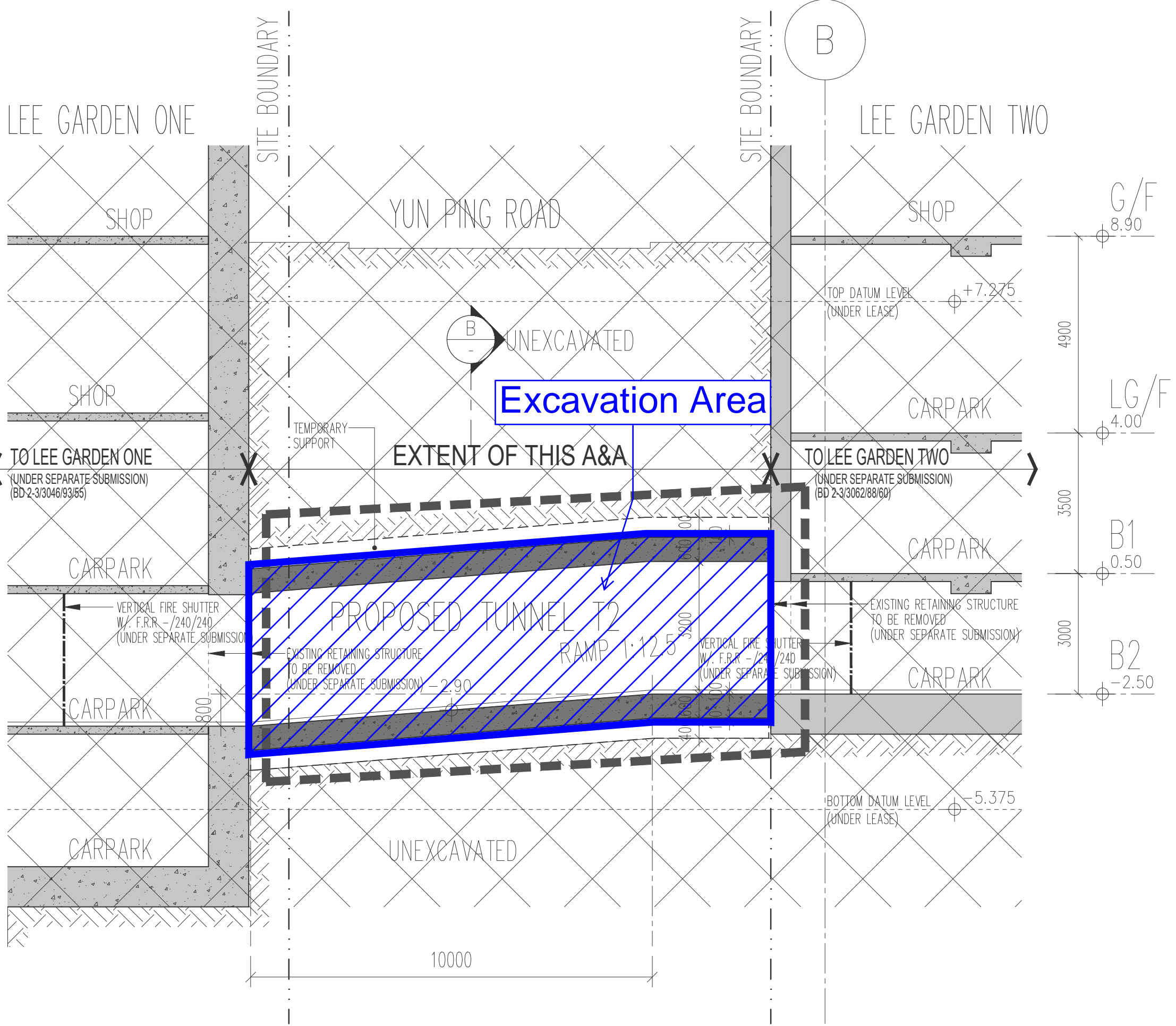
This drawing is to be read in conjunction with the specification and any discrepancies are to be immediately reported to the Architect.

This drawing remains the copyright property of the Architect and is not to be reproduced in whole or in part without permission of the Architect.

B.D. Ref.	-
F.S.D. Ref.	-
D.L.O. Ref.	-
Drawn	FKL Date 07/2023
Checked	COL Date 07/2023
Approved	JHY Date 07/2023
Cad File No.	-

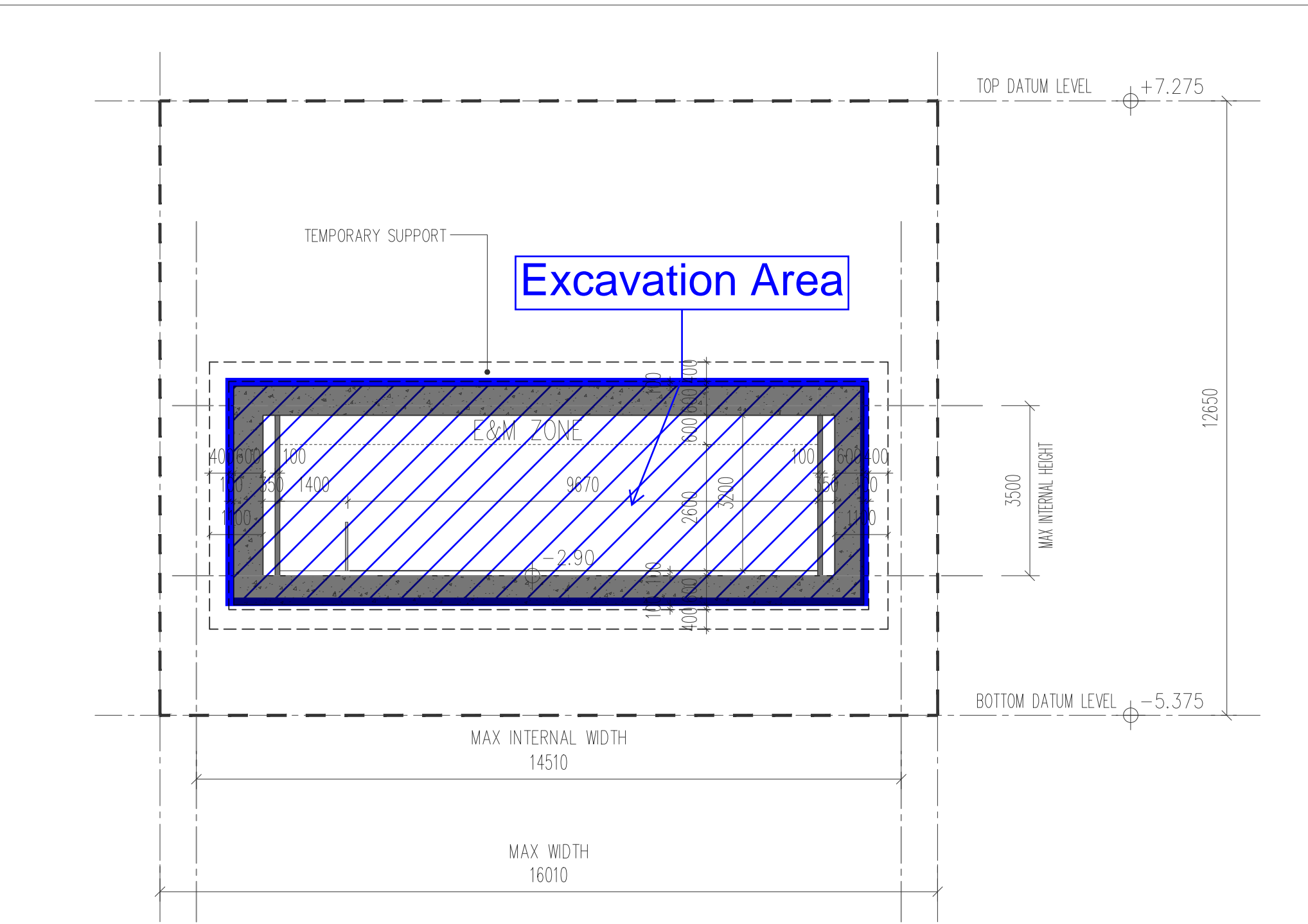


呂元祥建築師事務所



SECTION A-A

SCALE: 1:100



SECTION B-B

SCALE: 1:100

Project Title
PROPOSED A&A WORKS AT LEE GARDEN ONE, 33 HYSAN AVENUE, CAUSEWAY BAY, HONG KONG.

Drawing Title	SCHEDULES AND CALCULATIONS
Project No.	19030HK
Scale	AS
Issue Date	07/07/2023
Drawing No.	AA_T2 / GBP / GBP_AA2

AP's Signature

Drawing Purpose

Buildings Department