

Roads (Works, Use and Compensation) Ordinance (Chapter 370)

**Scheme annexed to Plans Nos. 287168/GZ/1000 to 287168/GZ/1019
under section 5 describing**

**PWP Item No. 6889TH
Tuen Mun Bypass**

General Description of the Works

Under powers delegated by the Secretary for Transport and Logistics under section 3(3) of the Roads (Works, Use and Compensation) Ordinance (Chapter 370) (“the Ordinance”), the Permanent Secretary for Transport and Logistics proposes to execute the road works within the limit of works area as shown on Plans Nos. 287168/GZ/1000 to 287168/GZ/1019 (“the Plans”) annexed hereto and described hereunder. The proposed road works serve as a strategic road corridor enhancing the strategic road network in the Northwest New Territories (“NWNT”) and release the capacity of the existing roads in Tuen Mun to support various proposed developments in Tuen Mun and NWNT, as well as the future developments in Tuen Mun West.

2. The general nature of the proposed works is as follows:–
 - (i) construction of tunnels, pedestrian cross passages, at-grade carriageways, elevated carriageways, at-grade central medians/refuge islands, an elevated central median/refuge island and footpaths;
 - (ii) permanent closure and conversion of sections of the existing elevated structures into elevated carriageways;
 - (iii) permanent closure and demolition of sections of the existing at-grade carriageways, footpaths and at-grade central medians/refuge islands;

- (iv) temporary closure and reconstruction of sections of the existing at-grade carriageways, elevated carriageways, footpaths and at-grade central medians/refuge islands;
- (v) existing Government foreshore and sea-bed to be affected for the construction of tunnels and temporary barging points; and
- (vi) ancillary works including site formations, geotechnical, retaining walls, drainage, sewerage, water supplies, utilities, lighting, landscaping, electrical and mechanical works, building works, installation of street furniture, traffic aids, traffic control and surveillance system, as well as construction of slopes, administration areas and operation areas and buildings/structures for tunnel operations and temporary barging points.

Creation of Easements and Other Permanent Rights

3. For the purposes of or incidental to the works or the use, the Permanent Secretary for Transport and Logistics proposes that powers under section 15 of the Ordinance may be exercised to create in, under or over the land as shown on Plan for Creation of Easements and Other Permanents Rights No. TMM4452 annexed hereto and described in the table set out thereon the following easements and other permanent rights in favour of the Government:–

- (i) the right to construct, modify, extend, keep, retain, maintain and repair the proposed road tunnels and associated facilities for the Tuen Mun Bypass (TMB);
- (ii) the right to manage, operate and use the proposed road tunnels and associated facilities for the TMB;

- (iii) the right to enter and remain on the proposed road tunnels and associated facilities for the TMB;
- (iv) the right to occupy and use the proposed road tunnels and associated facilities for the TMB and the right to allow members of the public to use and occupy the proposed road tunnels for the TMB;
- (v) the right to enter, occupy or remain in, under or over the land for the purpose of carrying out management, operation, maintenance and repair works for the proposed road tunnels and associated facilities for the TMB; and
- (vi) the right to occupy and use the land and the right to permit and allow the contractors, employees, servants, agents, licensees and other authorised persons of the Government to occupy and use the land for any purpose incidental to any of the above purposes set out in paragraphs 3(i) to 3(v) above.

Further notice, setting out the manner in which easements and other permanent rights are to be created, will be issued under section 16 of the Ordinance as and when required.

Roads to be Closed and Government Foreshore and Sea-bed to be Affected

4. For the purposes of or incidental to the works or the use, the Permanent Secretary for Transport and Logistics proposes that powers under section 17 of the Ordinance may be exercised to close permanently sections of the existing elevated structures, at-grade carriageways, footpaths and at-grade central medians/refuge islands; to close temporarily sections of the existing at-grade carriageways, elevated carriageways, footpaths, amenity areas and at-grade

central medians/refuge islands; and to affect the Government foreshore and sea-bed within the limit of works area as shown on the Plans. Temporary alternative access will be provided and temporary diversions will be carried out during the construction period as and when required. Further notice, setting out the manner in which such elevated structures, at-grade carriageways, elevated carriageways, footpaths, amenity areas and at-grade central medians/refuge islands are to be closed and such Government foreshore and sea-bed are to be affected, will be issued under section 18 of the Ordinance as and when required.

Apparatus whose Course or Position to be Altered

5. For the purposes of or incidental to the works or the use, the Permanent Secretary for Transport and Logistics proposes that powers under section 20 of the Ordinance may be exercised to require alteration of the course or position of any gas, electricity, water or telecommunications service apparatus, such as electricity cables and ducts, telecommunication cables and ducts, water mains, drainage pipes, sewers, gas pipes and any other service apparatus lying within the limit of works area and to require repairing of any road surface thereby disturbed. Further notice, setting out the manner in which the course or position of such apparatus is to be altered and such road surface is to be repaired, will be issued under section 20 of the Ordinance as and when required.

(CHAN Mable)

Permanent Secretary for Transport and Logistics

Date: 22 September 2023