

Urban Renewal Strategy Review Workshop

Convened by

Hong Kong Institute of Land Administration

Review of San Shan Road/Pau Chung Street Ma Tau Kok Urban Renewal Project

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URA Redevelopment Project Site in San Shan Road/Pau Chung Street



Purpose of the Report

The purpose of this report is to look into the redevelopment project in San Shan Road/ Pau Chung Street, Ma Tau Kok launched by Urban Renewal Authority (URA) and assess the feasibility of using the “Regional Approach” in planning the development of To Kwa Wan District.

Project Site Information

Area : 1,170 square metres

Existing GFA : 5,464 square metres

Affected buildings : 7

Affected population : 349

Affected property interests : 83

Project Development Information

Total GFA : 10,530 square metres

Residential flats : 144

Commercial space : 1,755 square metres

Project Brief:

- The project will be implemented by way of a development in accordance with Section 26 of the Urban Renewal Authority Ordinance (Cap. 563).
- Notification of Commencement of the development project was published in the Government Gazette on 29.5.2009 (Annex I).
- The development project site is available for public inspection (Annex II).
- The general public could make comment /objection to the development project before 29.7.2009. For details please see “URA Guidelines on the submission of objections to projects to be implemented by way of development project (Annex III).

Brief Background of the Project Site and its Surroundings

- ✧ The project site is located at the junction of San Shan Road (新山道) and Pau Chung Street (炮仗街) (Plan No. URA/MTK/1/002 at Annex IV refers). The project is facing the residential estate Jubilant Place (欣榮花園) run by Hong Kong Housing Society in its northern side and its backyard is enclosed by a housing estate Grandview Garden(嘉景花園). Its western end and eastern end are bound by aged/medium-old buildings. Roadside market is available at the junction of Pau Chung Street and Ma Tau Kok Road.

(Photos showing the project site and its surrounding area are at Annex V).

- ✧ The project covers an area of about 1,170 square metres. The buildings within the project site were constructed in 1957 with a building height of 6 storeys. The physical conditions of the buildings are predominantly poor or deteriorating.
- ✧ The site is zoned “Residential (Group A)” on the Approved Ma Tau Kok Outline Zoning Plan (OZP) No. S/K10/20 (see Annex VIA). The planning intention is primarily for high-density residential developments. However, commercial uses are always permitted on the lowest three floors of a building or in the purpose-designated non-residential portion of an existing building. Please refer to Item 8.3 of Explanatory Statement of Approved Ma Tau Kok Outline Zoning Plan No. S/K10/20 at Annex VIB).
- ✧ The proposed development is mainly for residential purpose and will comprise a residential building and a retail podium (see Artist’s Impression drawing at Annex VII).
- ✧ For information, URA has previously launched two other redevelopment projects in the same district, viz: (i) The Pak Tai Street/Mok Chong Street and (ii) Chi Kiang Street/Kowloon City Road (please see Annex VIII for details).

Definition of Boundaries for Case Study

In order to obtain the full picture of the project site and To Kwa Wan as a whole, field visit to the To Kwai Wan was conducted on 13.6.2009. The boundaries of site inspection /scope of study were defined as follows:

North: Arygle Street

South: Bailey Street

East: Sea

West: Tin Kwong Road and Ho Man Tin Service Reservoir

Basically, the studying area covers the whole To Kwa Wan District. To Kwa Wan is one of the earliest developed urban areas in Kowloon which has been substantially developed for private residential, public housing and industrial uses. The medium density residential areas are mainly located along Argyle Street and Grampian Road. The major public housing estates in the area include Chun Seen Mei Chuen (真善美邨), Ma Tau Wai Estate (馬頭圍邨) and Lok Man Sun Chuen (樂民新邨), all were erected along the Ma Tau Wai Road. Industrial development, mainly in the form of factory buildings for light manufacturing industries and godowns, are concentrated in the east (mainly along Yuk Yat Street and To Kwa Wan Road) (see photos at Annex IX). The area which covers land on the waterfront of Victoria Harbour and Hoi Sham Park (海心公園) is centre of the waterfront of the District.

Field visit on 13.6.2009 impressed members that the whole district is characterized mainly by the existence of old buildings of age of over 40 years old, and small to medium scaled and sporadic developments/redevelopments. It is evident that these private-led development/redevelopment projects are mainly landed either along Ma Tai Wai Road or close to the waterfront. Please see photos and plans at Annex X. The wider areas along/between To Kwa Wan Road and Kowloon City Road are surrounded by the concentration of dilapidated residential housing stock and the close juxtaposition of the residential and industrial buildings.

Back to the project site, we tend to conclude that the project is merely a copycat of Brownfields programmes adopted in United States which tend to concentrate on planning, cleanup and rebuilding, rather than focusing on the needs of the community¹. It is purely a redevelopment project. The mindset of sustainability of development has seldom been implemented in this project. As a result, the project could rarely inject the essences of regeneration and revitalization to the local community, not to mention that the programmes could bring opportunity for economic development and improvement of the livelihood for the community. Alternatively, we suggest adopting a regional approach in the context of urban regeneration to handle the development of an aging district like To Kwa Wan.²



Old Buildings in Ngan Hon Street (Prop. Redevelopment Site B)

¹ Michelle DePass, Brownfields as a tool for the rejuvenation of land and community, *Local Environment*, Vol.11, No. 5, 601-606, October 2006.

² **Region** is a geographical term that is used in various ways among the different branches of geography. In general, a region is a medium-scale area of land or water, smaller than the whole areas of interest, and larger than a specific site. A region may be seen as a collection of smaller units or as one part of a larger whole.....

Why Urban Regeneration and Regional Approach

Urban regeneration is an important development issue with social and economic dimensions and involving numerous stakeholders. Its aim is to tackle the problem of urban decay and improve quality of life for people living in dilapidated buildings as well as the local community at large. However, in practice, in both Hong Kong and elsewhere, urban renewal efforts are also confronted with problems and tensions as owners and tenants are relocated and buildings and districts redeveloped. For example, instead of perceiving redevelopment as an effective means to comprehensively revamp an old area by upgrading the street design and community amenities as well as to better utilize the scarce land resources, there are growing concerns that wholesale redevelopment will destroy the old Hong Kong relics, disrupt the social network of occupants and affect the local economic activities.

Nowadays, the developed countries like USA and Canada are employing the concept of 'Smart Growth' (SG) as an alternative to tackle urban sprawl, traffic congestion, disconnected neighborhoods and urban decay.

- ◆ In general, SG invests time, attention, and resources in restoring community and vitality to center cities.
- ◆ New SG is more town-centered, is transit and pedestrian oriented, and has a greater mix of housing, commercial and retail uses. It also preserves open space and many other environmental amenities.
- ◆ "Smart Growth is NOT no growth; rather it seeks to revitalize the already-built environment and, to the extent necessary, to foster Efficient Development at the edges of the REGIONS, in the process Creating more Livable Communities"
- ◆ Led to Sustainable Urban Regeneration.

(www.smartgrowth.org)

Its goals are to achieve :

- ◆ an unique sense of community and place;
- ◆ expand the range of transportation, employment & housing choices;
- ◆ equitably distribute* the costs and benefits of development; preserve and enhance natural and cultural resources;
- ◆ promote public health.*

The most important advantage of SG is that it follows sustainable development path that allows for an Integral & long-term development without compromising future generations.

In most urban regeneration projects took place in developed countries, local administrations have taken the initiative when it comes to their design, implementation, follow-up and even financing. Being closer to the local level, they are usually the first to detect any small-scale problems within their scope of action and, therefore, the ones that are more concerned with solving them. In this sense, however, municipal administrations recognise that there exist important difficulties, mainly arising from their limited capacity to act from a spatial, competence or a financial point of view. That is why a regional approach to urban regeneration becomes very useful. It allows overcoming the limitations imposed by strict municipal administrative borders and, at the same time, it guarantees a proximity to local reality that the state administration would find hard to achieve. Regional administrations have also proved to have great capacity to gather and coordinate any requests from local administrations, as well as to act as an intermediary between these administrations and higher-level organisations such as the State or the European Union. Thus, regions assume relevant responsibilities such as the initiative, design, financing, support or the follow-up of programmes, but leave the initiative of developing their project, according to their own criteria and specific interests, to local actors (particularly to municipal administrations).

Projects which consider both urban planning and social elements are the best examples. All regions highlight the integrated approach as one of the most important factors for the success of their policies. In this sense, and due to their broader scope of intervention, regional administrations have a greater capacity to ensure an integrated approach in their urban regeneration programmes. The active participation in projects of the economic and social local actors is one of the aspects that stand out as most positive in the experience of urban regeneration policies. Participation is advisable in project design, implementation and follow-up.

The public sector, with the participation of local actors, plays a leading role in shaping the content and approach of urban regeneration projects. However, they must also allow for the private sector to take part in them. Regions make the participation of private agents easier because they allow for new ways of financing and contracting, but also because their mere presence as an administrative body stimulates private involvement in area-based projects.

(<http://urbact.eu/fileadmin/subsites/civitas/CIVITASExecutiveSummaryANG.pdf>)

Application of “4Rs” and Recommendations

One of the prime goals of the field visit on 13.6.2009 was to explore the feasibility of implementing the concept of “4Rs” and use of “Regional Approach” in development/redevelopment of Ma Tau Kok area / To Kwa Wan District. After the site visit, members of the team agreed that it is feasible to adopt the 4 “R” approach as well as the regional approach in development/redevelopment of Ma Tau Kok area / To Kwa Wan District in the following manner:-

1.) Redevelopment of Old Buildings

To achieve urban regeneration, it is unavoidable that redevelopment is a key way to rejuvenate the community. In order to capitalize the limited resources, it is however recommended that the only 2 large-scale redevelopment projects be carried out (by phases) in the following selected areas:-

Site A : the area between Mok Chong Street (木廠街) and Ma Tau Kok Road(馬頭角路) (i.e. area opposites to Cattle Depot Artist Village (牛棚藝術村) (locally known as the 13 streets (十三街)), and

Site B : the area between Chi Kiang Street (浙江街) and Bailey Street (庇利街) (i.e. area opposites to “Triangular Park”(三角公園).

(both shown edged green on plan at Annex XI)

The above two selected sites are mainly composed of 5-8 storeys private residences built between late 1950s to 1960s. Most of the buildings are in poor condition owing to lack of proper maintenance (see photos at Annex XII). Though there is no imminent danger in terms of the stability and structural safety of the buildings for the time being, redevelopment of the aged building is necessary as time goes by.

To cope with the clearance problems and hardship that might bring to the families affected by the projects, it is suggested that subsidized rental housing, such as assistance from Hong Kong Housing Society (HKHS), should be built in advance. The existing Ma Tau Kok Gas Works (North Plant) once relocated, would be an ideal place (zoned “R(A)” for high-density residential development) for rehousing the affected owners/occupiers. The completed new flats on the new buildings would first be offered to the owners of the

designated old buildings, which are to be demolished for further urban renewal. These new buildings will definitely attract the owners of the old buildings to move to the new ones. The unsold flats may be put up for sale at open market. As a matter of fact, Hong Kong Housing Authority has adopted this method to re-house its tenant from old public housing estate to some new public housing estates within the same district so as to vacate the site and to demolish the old buildings and redevelop the site with sophisticated and modern buildings. In short, such arrangement could ensure that the clearers and affected owners be relocated in the same region so that the continuity of the neighborhood could be maintained on the one hand, and reduce the resistance for resumption and clearance on the other hand.

2.) Rehabilitation of Aging Buildings

Over the past few years, Government has initiated a series of measures to encourage building rehabilitation. The Buildings Department has launched a voluntary approach of Building Safety Inspection Scheme (BSIS) supported by a Building Safety Improvement Loan Scheme (BSILS) to encourage property owners to improve their buildings. The Fire Services Department has also introduced the Fire Safety Improvement Loan Scheme. Whilst the overall effectiveness of the schemes is yet to be evaluated, the public has so far not shown much enthusiasm in the schemes. If the voluntary building maintenance approach proves to be not effective, more drastic rehabilitation actions such as a statutory preventive building maintenance scheme which emphasises preventive-type of rehabilitation should be seriously considered. Consideration should also be given to empowering the URA to administer the maintenance scheme within the target areas. The Building Authority will administer the scheme in other areas.

We suggest to include the buildings between Chi Kiang Street (浙江街) and San Ma Tau Street (新碼頭街) as the target sites for rehabilitation (shown edged pink on plan at Annex XI). These sites (mainly along To Kwa Wan Road, Mei King Street and Wai King Street) are dominated by private residential buildings with age below 40 years old with proper management such as the Wyler Garden (偉恒昌新邨), 僑發大廈, 益豐大廈, 土瓜灣大廈 and Honour Building (安定大廈) etc.

(photos showing the above sites are at Annex XIII)

We trust that renovation could extend the life and added values of these building on the one hand and bring refreshment to the district on the other hand. URA has previous launched two incentive schemes, viz. the *Building Rehabilitation Materials Incentive Scheme* and the *Building Rehabilitation Loan Scheme* which provide a variety of incentives and much needed technical assistance to the property owners willing to undertake building rehabilitation work. To expedite the renovation progress and extend the covering area, we suggest URA could further strengthen the coalition with HKHS as it is experienced in carrying out the building maintenance/renovation schemes like Building Management and Maintenance Scheme (BMMS) and “Operation Building Bright”. Please refer to Annex XIV for details.

3.) Preservation and Revitalization in the context of creation of recreational, cultural and open spaces for the community

At present, there are some historic sites in To Kwa Wan such as Holy Trinity Church (聖三一堂), Sung Wang Toi Park (宋皇台公園), Tin Hau Temple (天后廟), Hoi Sham Park (海心公園) and Hong Kong Aviation Club (香港飛行會) that is worth to be preserved permanently. These sites can be linked together by developing into a heritage trail like the Central and Western Heritage Trail. Among these sites, Hoi Sham Park is particularly worth to be expanded by (i) absorbing the adjoining Kowloon City Pier (九龍碼頭) and the bus terminus opposites to the Grand Waterfront (翔龍灣); and (ii) constructing waterfront promenade to link Hung Hom, To Kwa Wan, Future Kai Tak New Town, to form a central park for the region.

(Extent shown edged brown on plan at Annex XI. Photos showing the above sites are at Annex XV.)

To tie in with the expansion scheme of Hoi Sham Park, the un-zoned area adjacent to the Park should be zoned as “GIC” area so that only low-rise buildings for Government or public uses could be erected there. With such planning, not only more Hong Kong citizen could enjoy the landscape of Victoria harbour with the public facilities at the waterfront, but also those who live on the buildings at the back could enjoy the sea view and the gentle breeze blowing from the harbour.

Apart from the above-mentioned sites, the following sites are potentially fit for revitalization project:-

- Cattle Depot Artist Village (牛棚藝術村)
 - Industrial buildings along Mok Cheong Street (木廠街)/Sung Wong Toi Road (宋皇台道) and Yuk Yat Street (旭日街)
- (photos showing the above sites are Annex XVI)*

The Cattle Depot Artist Village has been turned into workshops/studios for local artists. Our on-site observation is that the village is isolated from the community. Thus, more regular event/activity in various forms should be promoted to link up the relationship of the village and the community. In the long run, more creative ideas should be injected to reform the village especially when the “13 streets” redevelopment project is implemented.

The factory buildings along Mok Cheong Street and Sung Wong Toi Road are quite unique, as they were built as air cargo warehouses for use with the then Kai Tak Airport. These factory buildings form a part of our memories of the disappeared airport. However, majority of our industries have been moved to the north to our boundary. The factory buildings may be used by a new and developing industry. That is, for the development of electricity power driven city cars. The Hong Kong Polytechnic University (HKPU) is offering BSc & MSc in Automotive Engineering Design. The University could help develop and train up personnel in this aspect. Government/relevant developer could join in with HKPU to make use of the factory buildings to establish local a car business centre with developing and innovating setting as the chief aim for building up Hong Kong’s own brand of environmental friendly city cars for our own use, and for export as well if the cars are popular and competitive enough for sale in international market. Such creative use will relive the vivid the memory of the residents nearby or the Hong Kong citizens as a whole.

For the vacant industrial buildings along Yuk Yat Street, it is recommended that part of the buildings can be revitalized to be a “car repairing city” as they are many car repairing workshops in the proposed redevelopment sites A&B. Re-provisioning of the workshops could utilize the vacant industrial buildings on the one hand and reduce the resistance for redevelopment projects on the other hand. Environmental nuisance to the

residential neighborhood could also be reduced to a greater extent.

Apart from the '4Rs', members also considered that the following issues/measures should not be ignored when outlining a sustainable map for the district:-

Better planning for Transportation Network

The transportation is far from adequate for To Twa Wan District. There are three main roads serving the district, namely Ma Tau Wai Road (Upper Road), Kowloon City Road, and To Kwa Wan Road (Lower Road). At present, there is no mass transport system serving the district. The local residents rely heavily on the service of bus and mini-bus. The usage of the roads has already reached their peak. Traffic congestion is a common scene in these three main roads, especially during the rush hours. Therefore, mass transit railway is an urgent infrastructure to fill the present gap.

Originally, the MTRC has proposed that the Shatin-Central Railway (SCR) will serve the Ma Tau Kok area by the establishment of To Kwa Wan Station near Kowloon City Ferry Pier. However, according to the discussion paper dated 21st May, 2009 submitted by MTRC to the Kowloon City District Council, the alignment has already changed from serving the lower road to serving the upper road (see Annex XVII). This re-alignment is certainly unfavourable to the proposed redevelopment Sites A & B in terms of site selection and economic benefits bring to the community. The revised alignment also led to the severe internal conflict among the residents of lower road and upper road (details please refer to Annex XVIII).

While we have no strong view on the best location(s) for MTR station, we opine that future redevelopment plans should be taken into account. Site selection should base on the demographic distribution and future planning for the district. Nevertheless, people in redevelopment sites should have an easy and quick access to the SCR. Other than SCR, it is also advisable to provide ingress/egress points to connect the future Central Kowloon Expressway (CKE) with the district so as to alleviate the prevailing traffic jam in the district (CKE alignment is at Annex XIX).

Further Amendment to Land (Compulsory Sale for Redevelopment) Ordinance and Restructuring the Power of URA

The Development Bureau had proposed to amend the Ordinance so that for developer with 80% of the property right can petition to the Lands Tribunal (LT) for invoking the compulsory sale provision so that the remain owner would be forced to sell his/her flat. This ordinance applies to those industrial building aged 50 years or above or 30 years for non-industrial buildings.

Such amendment is however only effective to those 5/6 storeys building with 5/6 flats on each floor and a shop on the ground floor. In any such case, it only involves 5 to 6 owners. For buildings like those erected on the '13 streets', the flats of each building undoubtedly outnumber the flats on a 5/6 storeys building. Notwithstanding the proposal of amending the Ordinance to lower the percentage of owners required to approve a compulsory sale from 90 to 80 percent, the multi-ownership problem in those buildings having owners of over 100 for instance could turn any redevelopment proposal into a deadlock situation.

It is therefore proposed that an 'Urban Re-development Council' be set up under the Ordinance within the URA that the Council vests with the power to represent the owners of any designated old building to petition to the Lands Tribunal as a formality invoking the provision for issuing a court order for compulsory sale of the old building to URA.

There may be certain terms that the Council has to fulfill in petitioning to the LT, for example:

- (1) A building surveyor's report to advise that it is costly to continue to repair the relevant old building.
- (2) The old building in question is of no historical importance as advised by LCSD.
- (3) There are new flats completed or there is a proposal showing to the effect that new flats are to be constructed by URA or its joint developer near the designated old building and that such new flats

would be offered to the owners for buying upon clearance of the old building.

- (4) Every owner of the old building would have an option-right to buy a flat of the new building.

The proposed amendment will also specify that a time limit in the order, say 1 year, if new building stocks are in the hand of URA upon issue of the court order / or upon the issue of CC to new buildings constructed by URA or its joint developer, the compulsory sale become effective upon expiry of the 1 year's time limit. All the owners/residents will be ordered to leave the old building so the urban renewal project will not be delayed.

Provisions may be drawn to the effect that any owner who buys a new flat from URA and move to that new flat for residing but has no money to settle the difference between the new flat and the old flat, URA may register a charge to LR against the new flat in question (URA may realize the outstanding sum when the owner sells the flat at the open market/or the flat is succeeded). For another extreme scenario, after buying a flat from URA for residing with the money from selling the old flat to URA, URA pays cash to the owner for any proceeds generated from the compulsory sale of the owner's flat. Any owner who does not want to buy new flat from URA's building-pool, may ask for money compensation. For any dispute over compensation, the owner/URA may refer the case to LT for settlement.

In view that there is a growing public expectation on urban rejuvenation (from merely redevelopment to "4Rs"), it is considered necessary to strengthen the structure of URA to cope with the ever changing world. In order to ensure that the urban rejuvenation can be carried-out smoothly, it is suggested to expand the membership of the Board of URA to those concerned groups so that their ideas/viewpoints could be absorbed/considered in the early stage. On the other hand, the private-public co-operation and partnership should be enhanced so speed up the urban renewal process.

Conclusion

The road to prosperity and social stability is never easy. There always exists conflict of interests and social differences towards the development of a district. It's Government role to get more public engagement in the course of urban renewal. The present strategy adopted by URA through review of the UR strategy, local consultation, public forum/workshop and exhibition etc. are all positive steps to gather public's view and reach consensus of the local community.

From the perspective of cost-effectiveness analysis, the costs would be very high if a large piece of old & dilapidated area is demarcated as a 'region' for redevelopment. URA surely is not a mighty organization that can take up all "4Rs" in regenerating an aging community like To Kwa Wan. To certain extent, the 'Regional Approach' presented here is conceptual. However, it does help the authority in designing the development layout of a district in accordance with local characteristics and needs in the planning stage. In view of the huge costs and longer time involved in a redevelopment project, the redevelopment projects in the case of To Kwa Wan as proposed would have to be implemented by phases with strategic planning. Having said that, the remaining 3Rs, i.e. rehabilitation, revitalization and preservation should be put into practice without delay. This is particular true to To Kwa Wan district where both aging buildings and populations are dominant.

Smart Growth is NOT no growth; rather it seeks to revitalize the already-built environment and, to the extent necessary, to foster efficient development at the edges of the region, in the process creating more livable communities. It is our hope that through urban regeneration, the following objectives could be achieved:-

- ◆ **the upgrading of the environmental quality and the improvement of the urban facilities** (e.g., open space, health & elderly services, cultural and educational centres etc.); and
- ◆ **the protection of the cultural and historic and promotion of the health environment.**

- END -