

LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance
(Chapter 131)

APPROVED URBAN RENEWAL AUTHORITY CHEUNG WAH STREET/CHEUNG SHA WAN ROAD DEVELOPMENT SCHEME PLAN NO. S/K5/URA3/2

INTRODUCTION

At the meeting of the Executive Council on 7 February 2023, the Council **ADVISED** and the Chief Executive **ORDERED** that the draft Urban Renewal Authority (URA) Cheung Wah Street/Cheung Sha Wan Road Development Scheme Plan (DSP) No. S/K5/URA3/1A should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The DSP is now renumbered as No. S/K5/URA3/2 at **Annex A**.

THE DEVELOPMENT SCHEME AREA

2. The Development Scheme Area (DSA) comprises Site A and Site B. Site A¹ covers an area of 5,197m² and is bounded by Hing Wah Street, Cheung Sha Wan Road, Cheung Wah Street and Cheung Sha Wan Catholic Secondary School (CSWCSS). Site B covers an area of 13,857m² and is bounded by Cheung Sha Wan Road, Cheung Sha Wan Path and Sham Shui Po Sports Ground. The DSA falls within an area previously zoned “Government, Institution or Community” (“G/IC”) and “Open Space” (“O”) and shown as ‘Road’ on the approved Cheung Sha Wan OZP No. S/K5/37.
3. To the northwest of Site A of the DSA is the site of another URA’s redevelopment project, namely Kim Shin Lane (KSL)/Fuk Wa Street Development Project (KSL Redevelopment), which does not form part of the DSA.

LAND USES

4. Site A is zoned “Residential (Group A)” (“R(A)”) on the draft DSP and is intended primarily for a high-density residential development with commercial uses always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. Development or redevelopment within the “R(A)” zone is subject to a maximum domestic gross floor area (GFA) of 38,978m² and a maximum non-domestic GFA of 5,197m². The “R(A)” zone is also subject to a maximum building height (BH) of

¹ At present, Site A is mainly occupied by the Cheung Sha Wan Sports Centre (CSWSC) which is managed by the Leisure and Cultural Services Department.

140 metres above Principal Datum (mPD). An at-grade public open space (POS) of not less than 750m² would be provided.

5. Site B is zoned “G/IC” and “O” on the draft DSP which is intended respectively for the provision of a proposed government, institution and community (GIC) complex (including the reprovisioning of the affected CSWSC in Site A) and a POS. The “G/IC” portion of Site B is subject to a maximum BH of 100mPD.

REPRESENTATIONS AND COMMENTS ON REPRESENTATIONS

6. During the exhibition of the draft DSP, a total of **270 valid representations** and **32 valid comments** on representations (comments) were received. The representations and comments were considered by the Town Planning Board (the Board) at its meeting held on 16 September 2022.

Supportive Representations (268)

7. The supportive representations (i.e. **R1 to R268**) were submitted by individuals. The major grounds are summarized below-

- (a) the existing nearby buildings at KSL were dilapidated and in poor conditions. Redevelopment of these buildings would improve the living environment and help resolve the problem of subdivided units. URA’s redevelopment proposals would make use of land resources efficiently and increase housing supply;
- (b) the DSP would increase the provision of commercial and community facilities as well as open space. Pedestrian footbridge connection and car parking spaces would be provided, improving pedestrian connectivity and safety and replacing on-street parking spaces; and
- (c) the adjacent CSWCSS could benefit from the new community facilities. The potential impacts under various technical aspects could be resolved with appropriate expertise.

Adverse Representations (2)

8. The adverse representations (i.e. **R269 and R270**) were submitted by individuals. The major grounds are summarized below-

- (a) the proposed high-density development would adversely affect daylight penetration and air ventilation of, and cause wall-effect to the surroundings, including the adjacent CSWCSS. The health of the nearby residents and students would be adversely affected;

- (b) the redevelopment would generate adverse traffic impact due to overloading of the local road network and public transport facilities;
- (c) there would be adverse environmental impacts such as waste disposal; and noise, water and air pollution during construction;
- (d) the precious open green space would be displaced without replacement. Open space provision in Cheung Sha Wan was not increased in tandem with the increase in population;
- (e) there were issues of rehousing and relocating the affected residents and business operators at KSL. The social network in the area would be affected;
- (f) the URA development would transform the area into a luxurious residential cluster and increase the property price of the area;
- (g) it was improper for URA to announce the two projects (i.e. the KSL Redevelopment and the subject Development Scheme (DS)) under two separate Gazette Notices. While URA emphasized that the aforesaid two projects were inter-related and would be carried out together, there was no information about the KSL Redevelopment in the Gazette Notice for the subject DS and vice versa. URA also had not provided assessments to demonstrate that the KSL Redevelopment was feasible. The failure to release comprehensive information to the public and the administrative arrangement concerning the two redevelopment projects might be grounds for judicial review; and
- (h) carrying out the subject DS was not in line with the purposes of URA as laid down under section 5(b) of the Urban Renewal Authority Ordinance (URAO) as there was no detailed plan/layout for the subject DS to fulfil the purpose that new developments should be properly planned, and the areas covered by the DSP were not decayed areas.

Comments on Representations (32)

9. Of the 32 comments received, 17 supported, one opposed and 14 provided views on the draft DSP. The major concerns/grounds supporting the draft DSP raised by the commenters were similar to the grounds of the representations. Additional grounds/views/proposals submitted by **C1** (i.e. URA) mainly provided responses to all representations, **C18** (i.e. the principal of CSWCSS) opposed the draft DSP and **C29 to C32** (i.e. individuals) provided views on the draft DSP, and they are summarized below-

Responses to Representations (C1)

- (a) the KSL Redevelopment involved 90 building blocks with age over 60 years. The existing buildings at KSL were in dilapidated conditions with a large number of subdivided flats, which were in imminent need for redevelopment. Given the residual plot ratio for redevelopment at KSL was only 0.88, the redevelopment potential was extremely low. With the planning-led approach, the DSA was identified for land use restructuring to create planning gains at district level together with the KSL Redevelopment. The proposed residential development at Site A of the DSP would be able to sustain the KSL Redevelopment;
- (b) the DSP and the KSL Redevelopment were separate projects by URA. The KSL Redevelopment site fell within an area zoned “Residential (Group A)8” on the OZP and rezoning was not required. As KSL Redevelopment was permitted under the OZP, it was being proceeded by way of development project under section 26 of the URAO. Comments/objections had been considered by the Development Project Objection Consideration Committee under the URAO;
- (c) there was no population nor business operator affected within the DSA;
- (d) under the planning-led urban renewal approach, about 1,830 new residential units (about 830 units in Site A), more GIC facilities and an integrated at-grade open space network would be provided through restructuring and replanning of land uses under the two redevelopment projects;
- (e) the DSP would provide a total of not less than 38,000m² GFA for GIC uses, including the reprovisioning of the affected CSWSC which would be upgraded to prevailing standards. The GFA for the proposed GIC uses was about 33 times the existing GFA and the provision aligned with the “Single Site, Multiple Uses” principle of the Government;
- (f) footbridge connection was proposed to link up the POS and GIC uses in the DSA with the KSL Redevelopment. The restructured POS provision under the DSP would not be less than the existing provision. Together with the existing Sham Shui Po Sports Ground, a leisure and community hub could be formed;

- (g) connectivity of the area would be enhanced with the proposed all-weathered at-grade and elevated pedestrian network;
- (h) ancillary car parking spaces would be provided in accordance with the Hong Kong Planning Standards and Guidelines, while 50 underground public car parking spaces would be provided at Site A to create opportunity for replacement of some on-street parking spaces in the area and possible pavement widening;
- (i) the Air Ventilation Assessment demonstrated that the proposed development could enhance wind penetration at Cheung Wah Street and Fuk Wing Street where CSWCSS was located. Design features including building setback from CSWCSS, provision of greenery, podium setback and tower separation were proposed at Site A. The proposed development would fulfil the requirements of the Sustainable Building Design Guidelines;
- (j) URA and the future developer would engage CSWCSS on the redevelopment with regular liaison and consultation. Appropriate measures would be implemented to ensure the safety of students and pedestrians during construction works;
- (k) relevant statutory requirements, regulations and applicable practice relating to noise, air quality, traffic safety, construction safety and effluent discharge aspects would be followed during construction works;

Opposing the draft DSP (C18)

- (l) despite the reservation of a 6m-setback between the proposed residential development at Site A and CSWCSS, CSWCSS would still be surrounded by two tall and mega residential towers;
- (m) there was concern on possible conflict between the future residents and CSWCSS, for example, complaint on the noise created by the students' activities, nuisance created by future residents on students, etc.;

Proposals

- (n) to swap the CSWCSS site with Site A. If CSWCSS was relocated to Site A, the function of the low-rise GIC cum open space belt could still be maintained. If the CSWCSS site was used for residential development, it could be linked up with the KSL Redevelopment site for combined development, thereby creating synergy effect;

- (o) to relocate CSWCSS to Site B, so that the CSWCSS site, the KSL Redevelopment site and Site A could be combined for an even more comprehensive development, and with much higher development potential;

Providing Views on the draft DSP (C29 to C32)

- (p) additional tall buildings would worsen the noise and air ventilation problems and there was lack of open space in the area;
- (q) the redevelopment approach by URA was subject to criticisms including lack of transparency and consciousness for conservation, monotonous mode of redevelopment, gentrification, and incapability of meeting the housing needs of the grassroots. The affected tenants would easily be forced by the owners to leave the premises without compensation or rehousing and the compensation was inadequate for the affected residents to afford another place in the area;
- (r) redevelopment would not resolve the problem of insufficient parking spaces;
- (s) the recent community facilities constructed by the Government involved serious cost overruns and the proposed leisure facility was an over-supply. Redevelopment by private developers was more cost-effective;
- (t) the redevelopment by URA would result in displacement of low-income inhabitants. The plan was about profit generation but not the wellbeing of the community;
- (u) it appeared that URA was exempted from the traditional restrictions on site coverage and podium height in the area; and
- (v) large trees would be affected by the proposed development and the tree preservation proposal should be further reviewed such that the affected trees would be properly treated.

The Board's Decision

10. After giving consideration to the representations and comments, the Board noted the supporting views of **R1 to R268** and decided not to uphold R269 and R270 and considered that the draft DSP should not be amended to meet the representations for the following reasons-

- (a) the DSP was in line with the comprehensive and holistic urban renewal approach, the goal of improving quality of life of residents and the urban renewal objective of restructuring and replanning of concerned urban areas as stated in the Urban Renewal Strategy. With the planning-led approach and land use restructuring through the DSP, additional GIC facilities and integrated public open space within and surrounding the DSP would be provided to meet the needs of the community; and
- (b) there was no insurmountable technical problem arising from the DSP on traffic, environmental and air ventilation aspects as indicated in the technical assessments. URA would engage the local stakeholders including CSWCSS on the redevelopment and would liaise with the concerned government departments during implementation.

IMPLICATIONS OF THE PROPOSAL

11. Approval of the draft DSP itself has no civil service implications. The economic, financial, environmental, sustainability, family and gender implications are set out below.

12. On economic implications, the proposed redevelopment at Site A will provide about 830 residential units to help meet the housing demand in Hong Kong.

13. On financial implications, it is the prevailing policy to grant nominal land premium for URA's redevelopment sites. The proposed redevelopment therefore will have no land revenue implication.

14. For the proposed residential development at Site A of the DSP, the cost of redevelopment will be borne by URA. Construction of the proposed GIC facilities at Site A will be carried out by URA. Funds required for the capital cost of such GIC facilities will be sought under the Capital Works Reserve Fund (CWRF) as per the established mechanism. The capital cost will be reimbursed to URA in accordance with the conditions as stated in the land grant. Upon completion, the GIC facilities will be handed over to the Government. Resources for the operational cost of these facilities, if required, will be sought under the established mechanism by the relevant Government departments. As for the proposed POS at Site A, URA or its future joint-venture partner(s)/assignee(s) will be responsible for the future management and maintenance.

15. For the proposed GIC complex and POS at Site B of the DSP, the estimated capital cost is not available at this stage. Construction of the GIC complex and POS will be carried out by URA. The capital cost of these facilities will be sought under the CWRF as per the established mechanism and reimbursed to URA in accordance with the conditions as stated in the land

grant. Upon completion, URA will hand over the GIC complex and POS to the relevant Government departments for management and maintenance. As for the social welfare facilities to be provided within the GIC complex, funds required for the capital and recurrent costs will be sought in accordance with the established mechanism.

16. Regarding environmental implications, various technical assessments including environmental assessments to assess the potential environmental impacts of the proposed development have been conducted by URA. The environmental assessments concluded that with the implementation of suitable mitigation measures, no insurmountable environmental impact is anticipated.

17. As far as sustainability implications are concerned, the proposed redevelopment and provision of social welfare and health facilities and services would facilitate better utilization of land resources to meet housing and social needs. The proposed redevelopment would improve the built environment of the neighbourhood and enhance connectivity of the area. The proposed redevelopment may bring potential environmental impacts on the local area. Suitable mitigation measures should be implemented to alleviate such possible impacts.

18. With regard to family implications, the proposed redevelopment will have positive family implications as it will increase the supply of residential flats to meet the demand for housing. The residential development at Site A of the DSP will also help sustain the URA KSL/Fuk Wa Street Development Project since the buildings thereat were in imminent need for redevelopment. The living environment and economic/financial abilities of the affected and eligible occupants at KSL will be improved through cash compensation or re-housing arrangements. This would help strengthen family stability which may in return foster family harmony.

19. Besides, the proposed GIC facilities at Site A and the proposed GIC complex at Site B accommodating welfare and health services and the reprovisioning of the affected CSWSC with upgraded facilities would help support family functions, promote social interactions and encourage the building of community/social support networks.

20. On gender implications, the proposed provision of GIC, social welfare and health facilities/services at Site B, upon commissioning, will serve people in need whose carers are often women. The proposal should therefore relieve the burden of carers and facilitate their participation in the workforce.

PUBLIC CONSULTATION

21. Under the administrative arrangements to enhance transparency in the processing of draft DSP, the draft DSP was made available for public inspection/comments from September to November 2021. URA had also consulted the Sham Shui Po District Council (SSPDC) and the Sham Shui Po

West Area Committee on 9 and 15 November 2021 respectively on the draft DSP.

22. During the statutory exhibition period, SSPDC members were invited to submit views on the draft DSP. No representation or comment from SSPDC members was received.

PUBLICITY

23. The approved URA Cheung Wah Street/Cheung Sha Wan Road DSP No. S/K5/URA3/2 will be printed and exhibited in accordance with section 9(5) of the Ordinance. A press release will be issued on the day of exhibition. A spokesman will be available for answering media enquiries.

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A-II 24. The approved URA Cheung Wah Street/Cheung Sha Wan Road DSP No. S/K5/URA3/2 is at **Annex A** for Members' reference. A set of Notes listing out the uses which are always permitted and those which may be permitted on application to the Board is at **Enclosure I to Annex A**. An ES in respect of the approved DSP is at **Enclosure II to Annex A**.

ENQUIRY

25. Any enquiry on this brief can be addressed to Ms Lily Yam, Assistant Director of Planning/Board, Planning Department (Tel. No. 2231 4606).

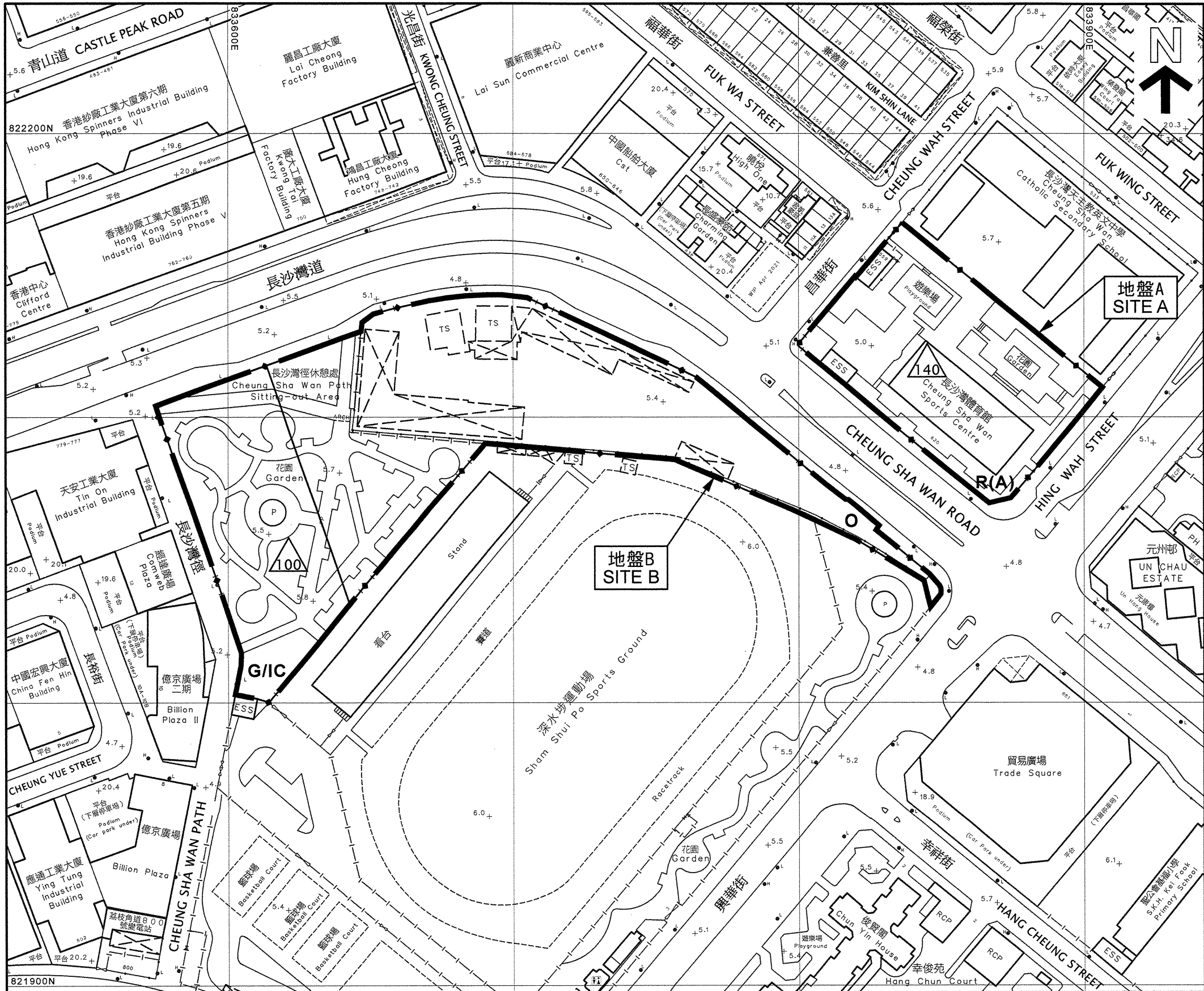
PLANNING DEPARTMENT
February 2023

APPROVED URBAN RENEWAL AUTHORITY
CHEUNG WAH STREET/CHEUNG SHA WAN ROAD
DEVELOPMENT SCHEME PLAN NO. S/K5/URA3/2

Annex A - Approved Urban Renewal Authority (URA) Cheung Wah Street/Cheung Sha Wan Road Development Scheme Plan (DSP) No. S/K5/URA3/2

Enclosure I : Notes of the Approved URA Cheung Wah Street/Cheung Sha Wan Road DSP No. S/K5/URA3/2

Enclosure II : Explanatory Statement of the Approved URA Cheung Wah Street/Cheung Sha Wan Road DSP No. S/K5/URA3/2



圖例
NOTATION

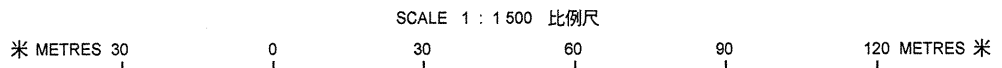
BOUNDARY OF DEVELOPMENT SCHEME		發展計劃範圍界線
RESIDENTIAL (GROUP A)		住宅(甲類)
GOVERNMENT, INSTITUTION OR COMMUNITY		政府、機構或社區
OPEN SPACE		休憩用地
MAXIMUM BUILDING HEIGHT (IN METRES ABOVE PRINCIPAL DATUM)		最高建築物高度 (在主水平基準上若干米)

夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

行政長官會同行政會議於2023年2月7日根據城市規劃條例第9(1)(a)條核准的圖則
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON 7 FEBRUARY 2023

Ms Carmen KONG 江嘉敏女士
CLERK TO THE EXECUTIVE COUNCIL 行政會議秘書

香港城市規劃委員會依據城市規劃條例擬備的市區重建局昌華街／長沙灣道發展計劃圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
URBAN RENEWAL AUTHORITY CHEUNG WAH STREET / CHEUNG SHA WAN ROAD
DEVELOPMENT SCHEME PLAN



依據市區重建局條例第25(3)(a)條擬備
PREPARED UNDER SECTION 25(3)(a) OF THE URBAN RENEWAL AUTHORITY ORDINANCE

圖則編號
PLAN No. S/K5/URA3/2

APPROVED URBAN RENEWAL AUTHORITY
CHEUNG WAH STREET / CHEUNG SHA WAN ROAD
DEVELOPMENT SCHEME PLAN NO. S/K5/URA3/2

(Being an Approved Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3)
 - (a) No action is required to make the existing use of any land or building conform to this Plan until there is a material change of use or the building is redeveloped.
 - (b) Any material change of use or any other development (except minor alteration and/or modification to the development of the land or building in respect of the existing use which is always permitted) or redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Town Planning Board.
 - (c) For the purposes of subparagraph (a) above, “existing use of any land or building” means –
 - (i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred as ‘the first plan’),

- a use in existence before the publication of the first plan which has continued since it came into existence; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building; and
- (ii) after the publication of the first plan,
- a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.
- (4) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (5) Road junctions and alignments of roads, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (6) Temporary uses (expected to be 5 years or less) of any land or building are always permitted as long as they comply with any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, and there is no need for these to conform to the zoned use or these Notes. For temporary uses expected to be over 5 years, the uses must conform to the zoned use or these Notes.
- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
- (a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/public light bus stop or lay-by, cycle track, Mass Transit Railway station entrance, Mass Transit Railway structure below ground level, taxi rank, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine; and

- (b) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government.
- (8) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (9) In these Notes, “existing building” means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.
- (10) Any development not compatible with the Urban Renewal Authority’s Development Scheme for the area is prohibited by virtue of section 25(4) of the Urban Renewal Authority Ordinance.

APPROVED URBAN RENEWAL AUTHORITY
CHEUNG WAH STREET / CHEUNG SHA WAN ROAD
DEVELOPMENT SCHEME PLAN NO. S/K5/URA3/2

Schedule of Uses

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RESIDENTIAL (GROUP A)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Flat Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station (excluding open-air terminus or station) Public Utility Installation Public Vehicle Park (excluding container vehicle) Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Education Institution Exhibition or Convention Hall Government Refuse Collection Point Hospital Hotel Institutional Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Office Petrol Filling Station Place of Entertainment Private Club Public Convenience Public Transport Terminus or Station (not elsewhere specified) Religious Institution School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bay and/or plant room:

Eating Place
Educational Institution
Institutional Use (not elsewhere specified)
Off-course Betting Centre
Office
Place of Entertainment
Private Club
Public Convenience
Recyclable Collection Centre
School
Shop and Services
Training Centre

Planning Intention

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and / or redevelopment in excess of a maximum domestic gross floor area (GFA) of 38 978m² and a maximum non-domestic GFA of 5 197m², or the GFA of the existing building, whichever is the greater.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (2) In determining the relevant maximum GFA for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded. Any floor space that is constructed or intended for use solely as Government, institution or community facilities, as required by the Government, may also be disregarded.
- (3) An at-grade public open space of not less than 750m² shall be provided.
- (4) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (5) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the GFA for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum GFA specified in paragraph (1) above may thereby be exceeded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the GFA and building height restrictions stated in paragraphs (1) and (4) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Animal Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Eating Place (Canteen, Cooked Food Centre only) Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Research, Design and Development Centre School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade	Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Columbarium Correctional Institution Crematorium Driving School Eating Place (not elsewhere specified) Flat Funeral Facility Helicopter Fuelling Station Helicopter Landing Pad Holiday Camp Hotel House Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Refuse Disposal Installation (Refuse Transfer Station only) Residential Institution Sewage Treatment/Screening Plant Shop and Services (not elsewhere specified) Utility Installation for Private Project Zoo

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

OPEN SPACE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Aviary Barbecue Spot Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field Public Convenience Sitting Out Area Zoo	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Service Reservoir Shop and Services Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

APPROVED URBAN RENEWAL AUTHORITY

CHEUNG WAH STREET / CHEUNG SHA WAN ROAD

DEVELOPMENT SCHEME PLAN NO. S/K5/URA3/2

EXPLANATORY STATEMENT

APPROVED URBAN RENEWAL AUTHORITY

CHEUNG WAH STREET / CHEUNG SHA WAN ROAD

DEVELOPMENT SCHEME PLAN NO. S/K5/URA3/2

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(Being an Approved Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note: For the purposes of the Town Planning Ordinance (the Ordinance), this statement shall not be deemed to constitute a part of the Plan.

1. INTRODUCTION

This explanatory statement is intended to assist an understanding of the approved Urban Renewal Authority (URA) Cheung Wah Street / Cheung Sha Wan Road Development Scheme Plan (DSP) No. S/K5/URA3/2. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the area covered by the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURES

2.1 In the URA's 20th Business Plan (2021/22) which was approved by the Financial Secretary, the Cheung Wah Street / Cheung Sha Wan Road Development Scheme (SSP-018) (the Development Scheme) was proposed to be processed as a Development Scheme under section 25 of the URA Ordinance (URAO).

2.2 On 24 September 2021, pursuant to section 23(1) of the URAO, the URA notified in the Government Gazette the commencement of implementation of the Development Scheme.

- 2.3 On the same day of commencement (i.e. 24 September 2021), the URA submitted the draft URA Cheung Wah Street / Cheung Sha Wan Road DSP to the Board under section 25(5) of the URAO.
- 2.4 On 17 December 2021, the Board, under section 25(6)(a) of the URAO, deemed the draft URA Cheung Wah Street / Cheung Sha Wan Road DSP as being suitable for publication. Under section 25(7) of the URAO, the draft DSP, which the Board has deemed suitable for publication, is deemed to be a draft plan prepared by the Board for the purposes of the Ordinance.
- 2.5 On 28 January 2022, the draft URA Cheung Wah Street / Cheung Sha Wan Road DSP No. S/K5/URA3/1 was exhibited under section 5 of the Ordinance. By virtue of section 25(9) of the URAO, the DSP has from the date replaced the draft Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/38 in respect of the area delineated and described herein. During the two-month exhibition period, a total of 270 representations were received. On 29 April 2022, the representations were published for three weeks for public comments and a total of 32 comments were received. After giving consideration to the representations and comments on 16 September 2022, the Board decided not to uphold the representations and that no amendment should be made to the draft DSP to meet the representations.
- 2.6 On 7 February 2023, the CE in C, under section (9)(1)(a) of the Ordinance, approved the draft URA Cheung Wah Street / Cheung Sha Wan Road DSP, which was subsequently renumbered as No. S/K5/URA3/2. On 17 February 2023, the approved URA Cheung Wah Street / Cheung Sha Wan Road DSP No. S/K5/URA3/2 (the Plan) was exhibited for public inspection under section 9(5) of the Ordinance.

3. OBJECT OF THE PLAN

The Development Scheme comprises two Sites, with Site A at the north of Cheung Sha Wan Road and Site B at the south of Cheung Sha Wan Road. The Plan illustrates that Site A of the Development Scheme Area (the Area) is designated as “Residential (Group A)” (“R(A)”), and Site B of the Area is

designated as “Government, Institution or Community” (“G/IC”) and “Open Space” (“O”). It is planned to be developed by means of the Development Scheme prepared under section 25 of the URAO. Site A of the Plan is intended to be primarily for a high-density residential development. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. Site B of the Plan is intended to be primarily for Government, institution or community (GIC) uses and public open space (POS).

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Area in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board’s website at <http://www.info.gov.hk/tpb>.

5. AREA COVERED BY THE PLAN

- 5.1 The Development Scheme boundary is shown in heavy broken line on the Plan. Site A is bounded by Hing Wah Street to the southeast, Cheung Sha Wan Road to the southwest, Cheung Wah Street to the northwest, and Cheung Sha Wan Catholic Secondary School to the northeast, with a gross site area of about 5 197m². Site B is bounded by Cheung Sha Wan Road to the north, Cheung Sha Wan Path to the west, and Sham Shui Po Sports Ground to the south, with a gross site area of about 13 857m².

- 5.2 Before the exhibition of the Plan, both Site A and Site B were zoned “G/IC” and “O” with areas shown as ‘Road’ on the approved Cheung Sha Wan OZP No. S/K5/37.

6. EXISTING CONDITIONS

- 6.1 Site A is currently occupied by the Cheung Sha Wan Sports Centre and a garden both owned and managed by the Leisure and Cultural Services Department (LCSD). The sports centre was built in 1976 of which the design and facilities are below current standard. An existing electricity substation is located at a private land New Kowloon Inland Lot No. 4331 owned by CLP Power Hong Kong Limited within Site A. Site B involves the Cheung Sha Wan Path Sitting-out Area and part of the Sham Shui Po Sports Ground owned and managed by LCSD and a temporary works depot occupied by the Highways Department.

7. PLANNING AND LAND USE PROPOSALS

- 7.1 On the Plan, Site A is zoned “R(A)” and Site B is zoned “G/IC” and “O”. The Notes of the Plan indicate broadly the intended land uses within the Area.

Uses

- 7.2 The “R(A)” zone is intended primarily for a high-density residential development. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 7.3 The “R(A)” zone is subject to a maximum domestic gross floor area (GFA) of 38 978m² and a maximum non-domestic GFA of 5 197m², or the GFA of the existing building(s), whichever is the greater. Except where the GFA is permitted to be exceeded under the Notes of the Plan or under Building (Planning) Regulations 22(1) or (2), under no circumstances shall the maximum domestic and non-domestic GFA for any development exceed 38 978m² and 5 197m² respectively. The

“R(A)” zone is also subject to a maximum building height of 140 metres above Principal Datum (mPD).

- 7.4 The GFA control under “R(A)” zone is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.
- 7.5 The “G/IC” zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. The “G/IC” zone is subject to a maximum building height of 100mPD.
- 7.6 The “O” zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 7.7 To provide design flexibility, minor relaxation of the GFA and building height restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its individual planning and design merits.

Government, Institution or Community Facilities

- 7.8 Subject to confirmation of operational needs and detailed design, not less than a total GFA of 38 893m² would be proposed for GIC uses at the Area, with not less than 5 197m² within the non-domestic portion of Site A and not less than 33 696m² at Site B. The existing Cheung Sha Wan Sports Centre at Site A will be reprovisioned at Site B up to prevailing standard and continue its operation for public enjoyment. The intended use of new GIC provision would be subject to further liaison with relevant Government departments as well as views from local stakeholders. In determining the relevant maximum GFA of the development and/or redevelopment in Site A, any floor space that is

constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.

Public Open Space

- 7.9 Subject to detailed design, a POS of not less than 9 645m² is proposed at Site B and a POS of not less than 750m² is proposed at Site A along Cheung Sha Wan Road. According to the consultation with LCSD, LCSD agreed to take up the management and maintenance of the proposed POS at Site B. LCSD proposed the POS at Site A under planning to be under ownership and management of URA or its future joint-venture partner(s), or its assignee(s), subject to further liaison with relevant Government departments. The proposed POS at Site A will be open to public during reasonable hours.

Provision of all-weathered at-grade and elevated pedestrian network

- 7.10 Subject to the Roads (Works, Use and Compensation) Ordinance, footbridges across Cheung Sha Wan Road and Cheung Wah Street are proposed by URA to connect up the proposed POS at Site B, development at Site A and an adjoining URA Development Project (Kim Shin Lane / Fuk Wa Street (SSP-017)). The resultant at-grade and elevated pedestrian network will integrate the proposed GIC complex, POS and residential development within the Development Scheme, and will enhance connectivity of the surrounding area. Proper paving and landscaping, where appropriate, will be provided at the pedestrian walkways to create a safe and pleasant walking environment. Given the proposed footbridges are outside the Development Scheme boundary and do not form part of the Development Scheme, the URA will liaise with relevant Government departments on the proposal under separate initiatives subject to detailed technical feasibility.
- 7.11 To further enhance the pedestrian circulation and pavement environment, appropriate podium setbacks of the proposed development along Cheung Sha Wan Road, Cheung Wah Street and Hing Wah Street, would be provided in the Area. There is also possible integration of the new POS with the existing Sham Shui Po Sports Ground in the south subject

to further co-ordination with LCSD on the associated revitalization works.

Underground Public Vehicle Park

- 7.12 For public benefits, 50 underground public car parking spaces will be provided in a basement car park at Site A subject to liaison and agreement with the Transport Department (TD). Such provision will create opportunity for the replacement of some on-street parking spaces in the area and it will make way for possible pavement widening under separate initiatives subject to liaison and agreement with TD.

Internal Transport Facilities

- 7.13 Ancillary car parking spaces and loading/unloading bays will be provided in a basement car park at Site A to serve the proposed residential development with non-domestic podium in the Development Scheme. To serve the proposed GIC facilities at Site B, ancillary car parking spaces will be provided at basement levels of the proposed GIC complex as far as practicable. The number of car parking spaces and loading/unloading bays will be based on the relevant requirements under the current Hong Kong Planning Standards and Guidelines and subject to TD's agreement.

Air Ventilation

- 7.14 As identified in the air ventilation assessment report, Cheung Wah Street and Fuk Wing Street could benefit from the north-south direction wind breezeway with good design features (i.e. ground floor setbacks along Cheung Sha Wan Road, Cheung Wah Street and Hing Wah Street and residential towers separation at Site A) in the proposed development. The proposed development will also meet the requirements under the Sustainable Building Design Guidelines.

8. IMPLEMENTATION OF THE DEVELOPMENT SCHEME

- 8.1 The proposals set out in the Plan form an integral part of the Development Scheme for the Area.
- 8.2 The URA does not own or lease any land within the boundaries of the Development Scheme. Close liaison on land matters and construction will be carried out with relevant Government departments. The proposed GIC facilities within the Area and POS at Site B will be handed over to Government for future ownership, management and maintenance, subject to liaison with relevant Government departments.
- 8.3 The URA may implement the Development Scheme on its own or in association with one or more partners.

**TOWN PLANNING BOARD
FEBRUARY 2023**