

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HK/14**

**Applicant** : Hong Kong Housing Authority (HKHA)

**Sites** : (a) Car Park in Model Housing Estate, North Point  
(b) Car Park in Hong Tung Estate, Lei King Wan  
(c) Car Park in Hing Wah (II) Estate, Chai Wan  
(d) Car Park in Tsui Lok Estate, Chai Wan  
(e) Car Park in Yue Wan Estate, Chai Wan  
(f) Car Park in Shan Tsui Court, Chai Wan

<b><u>Land Status</u></b>		Housing Development	Land Status
	(a)	Model Housing Estate, North Point	- Inland Lot (IL) No. 8569 RP
	(b)	Hong Tung Estate, Lei King Wan	- Vesting Order (V.O.) No. 186
	(c)	Hing Wah (II) Estate, Chai Wan	- V.O. No. 75
	(d)	Tsui Lok Estate, Chai Wan	- V.O. No. 193
	(e)	Yue Wan Estate, Chai Wan	- V.O. No. 106
	(f)	Shan Tsui Court, Chai Wan	- Chai Wan Inland Lot (CWIL) No. 92

<b><u>Plans and Zonings</u></b> :		Housing Development	Outline Zoning Plan (OZP)	Zoning
	(a)	Model Housing Estate, North Point	Approved North Point OZP No. S/H8/26	“Residential (Group A)” (“R(A)”)
	(b)	Hong Tung Estate, Lei King Wan	Approved Quarry Bay OZP No. S/H21/28	
	(c)	Hing Wah (II) Estate, Chai Wan	Approved Chai Wan OZP No. S/H20/25	
	(d)	Tsui Lok Estate, Chai Wan		
	(e)	Yue Wan Estate, Chai Wan		
	(f)	Shan Tsui Court, Chai Wan		

**Application** : Temporary Public Vehicle Park (excluding Container Vehicle) for Letting of Surplus Monthly Parking Spaces to Non-residents for a Period of 5 Years

## 1. **The Proposal**

- 1.1 The applicant seeks planning permission for temporary public vehicle park (excluding container vehicle) use at five public rental housing (PRH) estates and one Home Ownership Scheme (HOS) development in the Eastern District for a period of 5 years for letting of surplus monthly parking spaces to non-residents.
- 1.2 The application sites (the Sites) fall within areas zoned “R(A)” on the respective OZPs (**Plan A-1**). According to the Notes of the OZPs, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use in the “R(A)” zone. As the letting of vehicle parking spaces to non-residents would involve a change of use from the existing ancillary car park use to ‘Public Vehicle Park (excluding container vehicle)’ use, planning permission from the Town Planning Board (the Board) is required.
- 1.3 The Sites are the subject of 6 previous planning applications (Nos. A/HK/1, A/HK/3, A/HK/5, A/HK/7, A/HK/9 and A/HK/13) submitted by HKHA for the same use for a period of 3 years. All were approved with or without condition(s) by the Metro Planning Committee (the Committee) of the Board between 2004 and 2019. The latest planning permission under application No. A/HK/13 will expire on 27.3.2022.
- 1.4 The location plans and layout plans of the car parks concerned are at **Plans A-1, A-2a to 7a and A-2b to 7b**. According to the applicant, the average vacancy rate of monthly parking spaces for all types of vehicles from May 2020 to April 2021 at the subject PRH estates/HOS development ranges from about 21% to 55%. A comparison of the total number of monthly vehicle parking spaces, the average number of monthly vehicle parking spaces let to residents under the previously approved application (No. A/HK/13) and the current application is as follows:

Vehicle Type	Total No. of Monthly Parking Spaces*		Average No. of Monthly Parking Spaces let to Residents		Surplus Parking Spaces that could be let to Non-residents (vacancy rate of monthly parking spaces)	
	Previously Approved Scheme (A/HK/13) (a)	Current Scheme (A/HK/14) (b)	Previously Approved Scheme (A/HK/13) (c)	Current Scheme (A/HK/14) (d)	Previously Approved Scheme (A/HK/13) (a)-(c)	Current Scheme (A/HK/14) (b)-(d)
<b>Model Housing Estate</b>						
Private Car	46	<b>46</b>	29	<b>30</b>	17 (37%)	<b>16</b> <b>(35%)</b>
Light Goods Vehicles	6	<b>6</b>	6	<b>6</b>	0 (0%)	<b>0</b> <b>(0%)</b>
Motorcycle	13	<b>13</b>	13	<b>13</b>	0 (0%)	<b>0</b> <b>(0%)</b>
<u>Total</u>	65	<b><u>65</u></b>	48	<b><u>49</u></b>	17 (26%)	<b><u>16</u></b> <b><u>(25%)</u></b>

Vehicle Type	Total No. of Monthly Parking Spaces*		Average No. of Monthly Parking Spaces let to Residents		Surplus Parking Spaces that could be let to Non-residents (vacancy rate of monthly parking spaces)	
	Previously Approved Scheme (A/HK/13) (a)	Current Scheme (A/HK/14) (b)	Previously Approved Scheme (A/HK/13) (c)	Current Scheme (A/HK/14) (d)	Previously Approved Scheme (A/HK/13) (a)-(c)	Current Scheme (A/HK/14) (b)-(d)
<b>Hong Tung Estate</b>						
Private Car	10	<b>10</b>	6	<b>5</b>	4 (40%)	<b>5</b> (50%)
<u>Total</u>	10	<b><u>10</u></b>	6	<b><u>5</u></b>	4 (40%)	<b><u>5</u></b> (50%)
<b>Hing Wah (II) Estate</b>						
Private Car	47	<b>47</b>	44	<b>45</b>	3 (6%)	<b>2</b> (4%)
Light Goods Vehicles	36	<b>36</b>	17	<b>17</b>	19 (53%)	<b>19</b> (53%)
Motorcycle	18	<b>18</b>	16	<b>18</b>	2 (11%)	<b>0</b> (0%)
<u>Total</u>	101	<b><u>101</u></b>	77	<b><u>80</u></b>	24 (24%)	<b><u>21</u></b> (21%)
<b>Tsui Lok Estate</b>						
Private Car	11	<b>11</b>	3	<b>5</b>	8 (73%)	<b>6</b> (55%)
<u>Total</u>	11	<b><u>11</u></b>	3	<b><u>5</u></b>	8 (73%)	<b><u>6</u></b> (55%)
<b>Yue Wan Estate</b>						
Light Goods Vehicles	16	<b>16</b>	9	<b>12</b>	7 (44%)	<b>4</b> (25%)
<u>Total</u>	16	<b><u>16</u></b>	9	<b><u>12</u></b>	7 (44%)	<b><u>4</u></b> (25%)
<b>Shan Tsui Court</b>						
Private Car	252	<b>252</b>	142	<b>166</b>	110 (44%)	<b>86</b> (34%)
Motorcycle	32	<b>32</b>	23	<b>27</b>	9 (28%)	<b>5</b> (16%)
<u>Total</u>	284	<b><u>284</u></b>	165	<b><u>193</u></b>	119 (42%)	<b><u>91</u></b> (32%)

\* Figures exclude hourly parking spaces and parking facilities reserved for the estate management.

- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 28.7.2021 (Appendix I)
  - (b) Further information received on 7.9.2021 providing updated locations of parking spaces in Model Housing Estate and Tsui Lok Estate as well as responses to public comment<sup>#</sup> (Appendix Ia)
  - (c) Further Information received on 10.9.2021 providing updated plan of the parking facilities in Shan Tsui Court<sup>#</sup> (Appendix Ib)
  - (d) Further Information received on 16.9.2021 providing responses to public comment<sup>#</sup> (Appendix Ic)

<sup>#</sup>exempted from publication and recounting requirements

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are set out in Attachment II of **Appendix I** and **Appendices Ia & Ic**. They can be summarized as follows:

- (a) according to the survey conducted from May 2020 to April 2021, the vacancy rate of monthly parking spaces for all of the subject PRH estates/HOS development ranges from 21% to 55%. In particular, the number of vacant spaces in Shan Tsui Court is the highest at 91 on a monthly average;
- (b) the proposal will not result in any increase in parking space provided and will neither generate additional traffic flow nor worsen the environmental conditions;
- (c) the proposal does not involve a change in the car parking nature of land use, and is considered not incompatible with other uses in the surroundings;
- (d) local consultation with respective Estate Management Advisory Committees/Mutual Aid Committees of the subject PRH estates has been conducted and no objection to the application was received. For Shan Tsui Court, the Incorporated Owners has raised an objection on the grounds that residents had not been allocated adequate number of parking spaces. HKHA made a reply to them to explain HKHA's policies on letting of parking spaces, as set out in paragraph 2(f) below;
- (e) for the safety of tenants/residents of the subject estates/court, the following measures will continue to be implemented: (i) separate entrances to the carparks from the residential tower entrances; (ii) security guards to be stationed at each residential tower and to patrol the estates/court regularly; and (iii) Closed Circuit Televisions (CCTVs) have already installed in the carparks;
- (f) the proposal will not compromise the residents' right as HKHA will continue to uphold the policy that residents shall have priority in renting parking spaces and only surplus parking spaces would be let to non-residents. The monthly charges for both residents and non-residents will also be the same;
- (g) no complaint regarding the letting of vacant parking spaces to non-residents have been received since last approval;
- (h) the proposal will allow HKHA to make better use of public resources without compromising the rights and interest of tenants; and

- (i) in response to the public concern on the use of the surplus parking spaces for community or elderly care facilities, HKHA explained that the conversion of carpark to community facilities are subject to technical and other constraints, the vacant parking spaces are scattered at different locations in the car park, and the occupancy rate of and demand for the parking facilities will be reviewed continuously as the demand for parking spaces from residents fluctuates from time to time. Indeed, with the last planning approval obtained in 2019, surplus car parking spaces in Shan Tsui Court have been let to non-residents to optimize the use of public resources and help meet the local parking demand. The average number of monthly private car parking spaces let to non-residents from May 2020 to April 2021 is 33, which represents a considerable portion of the surplus car parking spaces (**Appendices Ia and Ic**).

### 3. **Compliance with the “Owner’s Consent/Notification” Requirements**

(a)	Model Housing Estate	The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.
(b)	Hong Tung Estate, Hing Wah (II) Estate, Tsui Lok Estate and Yue Wan Estate	As these housing estates involves Government land only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) are not applicable.
(c)	Shan Tsui Court	The applicant is one of the “current land owners”. In respect of other “current land owners”, the applicant has complied with the requirements as set out in the TPB PG-No. 31A by publishing newspaper notice, posting site notice and sending notice to relevant incorporated owners ( <b>Appendices 5 to 7 of Appendix I</b> ).

### 4. **Previous Applications**

- 4.1 The Sites were the subject of 6 previous planning applications (Nos. A/HK/1, A/HK/3, A/HK/5, A/HK/7, A/HK/9 and A/HK/13) submitted by HKHA (**Plan A-1**).
- 4.2 These 6 applications were for change of use from ancillary car park to public vehicle park in 16, 7, 6, 6, 6 and 6 PRH estates/HOS developments in the Eastern District respectively. Application No. A/HK/1 was approved by the Committee of the Board on 26.3.2004 on a temporary basis for three years up to 26.3.2007. Temporary approval was granted so that the residents’ parking demand could be reviewed after 3 years. Similarly, application Nos. A/HK/3, A/HK/5, A/HK/7, A/HK/9 and A/HK/13, which were the renewal applications, were approved with condition(s) for a period of three years each, up to 27.3.2022.
- 4.3 A summary of the approval conditions for the previous applications above is at **Appendix II**.

### 5. **Similar Applications**

- 5.1 There are 13 similar applications (Nos. A/H20/115, A/H20/163, A/H15/223,

A/H15/239, A/H15/255, A/H15/269, A/H15/281, A/HK/2, A/HK/4, A/HK/6, A/HK/8, A/HK/11 and A/HK/12) submitted by HKHA within Hong Kong Island. All of them were approved by the Committee with or without conditions (**Plan A-1**). While Application No. A/H15/281 for the same use was approved with conditions by the Committee on 17.5.2019 for a period of 5 years, up to 17.5.2024, the remaining applications (except application No. A/H20/115) were approved for a period of 3 years each.

5.2 A summary of the approval conditions for the similar applications above is at **Appendix III**.

## 6. **The Sites and their Surrounding Areas**

All the Sites are located within PRH estates/ HOS development, and easily accessible to/from local/district roads. Their surroundings are:

<b>Housing Estates (Type of Existing Parking Spaces)</b>	<b>Adjacent Developments</b>	<b>Vehicular Access</b>
Model Housing Estate (Open-air car park) (Plans A-2a to 2e)	<ul style="list-style-type: none"> <li>- bounded by King's Road and Model Lane in the north and west</li> <li>- to the south and southeast are residential buildings with retail/commercial uses on the lower floors;</li> <li>- to the further north and west are mostly commercial development with some GIC buildings; and</li> <li>- to the further south is MTR Quarry Bay Station</li> </ul>	Model Lane
Hong Tung Estate (Open-air car park) (Plans A-3a to 3d)	<ul style="list-style-type: none"> <li>- bounded by Lei King Road and Tai Hong Street in the northeast and southeast;</li> <li>- to the further northeast and southeast are the residential blocks in Lei King Wan, and to the west is the Island Eastern Corridor; and</li> <li>- adjoins Island East Sports Centre in the immediate northwest</li> </ul>	Lei King Road
Hing Wah (II) Estate (Open-air and covered car parks) (Plans A-4a to 4f)	<ul style="list-style-type: none"> <li>- bounded by Chai Wan Road, Wan Tsui Road and Fei Tsui Road in the north, east and south;</li> <li>- to the north, east and southwest are Hing Man Estate, Hing Wah (I) Estate and Fung Wah Estate respectively; and</li> <li>- adjoins a secondary school in the south</li> </ul>	Fei Tsui Road
Tsui Lok Estate (Open-air car park) (Plans A-5a to 5c)	<ul style="list-style-type: none"> <li>- bounded by Tsui Wan Street, Wing Tai Road and Chai Wan Road in the north east and south;</li> <li>- to the immediate north and southeast are the residential blocks in Tsui Wan Estate and Yue Wan Estate respectively; and</li> <li>- adjoins two secondary schools to the immediate south and the Chai Wan Police Married Quarters to the further southwest</li> </ul>	Tsui Wan Street

<b>Housing Estates (Type of Existing Parking Spaces)</b>	<b>Adjacent Developments</b>	<b>Vehicular Access</b>
Yue Wan Estate (Open-air car park) (Plans A-6a to 6c)	- bounded by Wing Tai Road and Chai Wan Road in the east and south; - to the southeast, across Chai Wan Road is a primary school and a secondary school; and - adjoins two secondary schools to the northwest, and to the further northwest are Tsui Lok Estate and Tsui Wan Estate	Chai Wan Road
Shan Tsui Court (4-storey podium car park) (Plans A-7a to 7c)	- bounded by Chai Wan Road and Tai Tam Road in the east and west; to the further southeast and south are Neptune Terrace and Hing Man Estate respectively	Tai Tam Road

## 7. **Planning Intention**

The planning intention of the “R(A)” zone is 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.

## 8. **Comments from Relevant Government Departments**

- 8.1 The following government departments have been consulted and their views on the application are summarised as follows:

### Land Administration

- 8.1.1 Comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):

#### *Model Housing Estate*

- (a) Model Housing Estate, erected on IL No. 8569RP, is held under Conditions of Exchange No. 11647 dated 24.11.1982 as varied by two Waiver Letters (W/Ls) dated 27.5.2011 and 5.11.2020 respectively. Among the two W/Ls, the W/L dated 27.5.2011 was granted for a term of 1 year commencing from 27.5.2011 and thereafter annually to permit members of the public to rent and use the surplus car parking spaces within the subject lot. As such he has no comment on the application;

#### *Hong Tung Estate, Hing Wah (II) Estate, Tsui Lok Estate and Yue Wan Estate*

- (b) the public rental housing estates are held by HKHA under respective V.O.. There is no objection to the proposed letting for the subject estates from land administration point of view; and

#### *Shan Tsui Court*

- (c) under the lease conditions governing Shan Tsui Court which is erected on

CWIL No. 92, there is no vehicle ownership restriction on the use of car parking spaces provided under lease within the lot in accordance with the general layout plan showing the area reserved for carparking space approved by the Director and registered in the Land Office by memorial no. UB1548529. For any alteration of such area, the owner shall seek the prior written consent of the Director. He has no comment on the proposed letting of surplus car parking spaces subject to the compliance with lease conditions.

#### Traffic Aspect

##### 8.1.2 Comments of the Commissioner for Transport (C for T):

no comment on the application from traffic engineering viewpoint subject to the following conditions:

- (i) residents of the subject estates/court should still be accorded a higher priority in renting the monthly parking spaces; and
- (ii) during the application period of 5 years, the applicant should monitor from time to time the demand from the estate residents for renting monthly parking spaces, and adjust the numbers of parking spaces to be let to non-residents as appropriate and timely.

##### 8.1.3 Comments of the Commissioner of Police (C of P):

- (a) no comment on the application; and
- (b) the applicant should be advised that the proposal should not cause adverse traffic impact to the local community.

#### Building Aspect

##### 8.1.4 Comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (CBS/HKE&H, BD):

- (a) by virtue of s.41(1)(aa) of the Buildings Ordinance, buildings upon any land vested in the HKHA or over which the HKHA has control and management, subject to s.18(2) and (3) of the Housing Ordinance (Cap 283), are exempted from the provisions of the Buildings Ordinance. In addition, any land vested in the HKHA is also exempted under s.41(1)(ba) of the Buildings Ordinance; and
- (b) for buildings sold or otherwise disposed of under s.17A of the Housing Ordinance which includes buildings under the HOS, officers of the Housing Department has been delegated the authority to act on behalf of the Building Authority under various sections of the Buildings Ordinance.

8.2 The following government departments have no objection to/ no comment on the application:



- (a) Chief Highway Engineer/Hong Kong, Highways Department;
- (b) District Officer (Eastern), Home Affairs Department;
- (c) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Chief Architect/Central Management Division (2), Architectural Services Department; and
- (f) Director of Fire Services.

## **9. Public Comment Received During Statutory Publication Period**

On 6.8.2021, the application was published for public inspection. During the first 3 weeks of the statutory public inspection period ended on 27.8.2021, a public comment submitted by an individual was received (**Appendix IV**). The commenter objects to the application mainly on grounds that the floor area of the surplus vehicle parking spaces should be released for the provision of community or elderly care facilities that are in significant demand.

## **10. Planning Considerations and Assessment**

- 10.1 The application seeks planning permission for temporary public vehicle park use for letting of surplus parking spaces in the existing car parks in the five PRH estates and one HOS development in the Eastern District to non-residents for a period of 5 years. According to the applicant, the average vacancy rates of the car parking spaces in the subject housing developments from May 2020 to April 2021 was about 25% for Model Housing Estate, 50% for Hong Tung Estate, 21% for Hing Wah (II) Estate, 55% for Tsui Lok Estate, 25% for Yue Wan Estate, and 32% for Shan Tsui Court. The letting of the surplus parking spaces to non-residents as proposed in the application would help utilize resources more efficiently.
- 10.2 According to the applicant, the parking demand of the residents would be monitored and the number of parking spaces to be let to non-residents would be adjusted as appropriate. In this regard, with ongoing monitoring, the proposed temporary period of 5 years is considered acceptable as only the surplus parking spaces will be let to the non-residents and the parking need of the residents would not be compromised.
- 10.3 The proposal would not attract additional traffic flow to the surrounding areas. The applicant also confirms that no complaint for letting of vacant parking spaces to non-residents has been received since the last approval granted by the Committee in 2019. The Transport Department (TD) has no comment on the application from traffic engineering viewpoint. In order to address TD's concern that residents of the subject estates/courts should still be accorded a higher priority in renting the monthly parking spaces and that the demand from the estate residents for renting monthly parking spaces and the number of parking spaces to be let to non-residents should be monitored from time to time, an approval condition is recommended in paragraph 11.2 below, should the application be approved by the Committee.
- 10.4 There are 6 previous applications on the same PRH estates and HOS development (Nos. A/HK/1, A/HK/3, A/HK/5, A/HK/7, A/HK/9 and A/HK/13) approved with or without condition(s) by the Committee in 2004, 2007, 2010, 2013, 2016 and 2019 for a period of 3 years each, up to 27.3.2022. There are also 13 similar applications within Hong Kong Island approved by the Committee on a temporary basis between 2001 and 2019,

among which application No. A/H15/281 for the same use was approved with condition for a period of 5 years in 2019. There is no change in planning circumstances and the approval of the application is consistent with the previous decisions of the Committee on previous and similar applications.

- 10.5 Regarding the public concern on the use of the surplus parking spaces for community or elderly care facilities, the applicant has responded in paragraph 2(i) above that the conversion of carpark to community facilities are subject to technical and other constraints, the vacant parking spaces are scattered at different locations in the car park and vacant car parking spaces in Shan Tsui Court have been let to non-residents to optimize the use of public resources and help meet the local parking demand. In this regard, an advisory clause is recommended to advise the applicant to consider releasing such spaces for the provision of community facilities that are in deficit.

## **11. Planning Department's Views**

- 11.1 Based on the assessment made in paragraph 10 and having taken into account the public comment mentioned in paragraph 9 above, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 5 years up to 24.9.2026. The following condition of approval and advisory clauses are suggested for Members' reference:

### Approval Condition

Priority should be accorded to the residents of Model Housing Estate, Hong Tung Estate, Hing Wah (II) Estate, Tsui Lok Estate, Yue Wan Estate and Shan Tsui Court in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

### Advisory Clauses

The recommended advisory clauses are attached at **Appendix V**.

- 11.3 There is no strong reason to recommend rejection of the application.

## **12. Decision Sought**

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**13. Attachments**

<b>Appendix I</b>	Application form received on 28.7.2021
<b>Appendix Ia</b>	Further Information received on 7.9.2021
<b>Appendix Ib</b>	Further Information received on 10.9.2021
<b>Appendix Ic</b>	Further Information received on 16.9.2021
<b>Appendix II</b>	Previous applications
<b>Appendix III</b>	Similar applications
<b>Appendix IV</b>	Public comment
<b>Appendix V</b>	Recommended advisory clauses
<b>Plan A-1</b>	Location plan of application sites and similar application sites
<b>Plans A-2a to 7a</b>	Location plans
<b>Plans A-2b to 7b</b>	Site plans
<b>Plans A-2c to 7c,</b>	Site photos
<b>A-2d to 2e, A-3d and</b>	
<b>A-4d to 4f</b>	

**PLANNING DEPARTMENT  
SEPTEMBER 2021**