

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

**APPLICATION NO. A/TM/600**

<b><u>Applicant</u></b>	:	Mr. WONG, Yuk Chun Alan
<b><u>Premises</u></b>	:	Unit 4, 16/F, Block B, Hang Wai Industrial Centre, 6 Kin Tai Street, Tuen Mun, New Territories
<b><u>Floor Area</u></b>	:	176m <sup>2</sup> (about)
<b><u>Lease</u></b>	:	Tuen Mun Town Lot (TMTL) 114 held under New Grant No. 2232  - Restricted to industrial and/or godown purposes (excluding offensive trades)
<b><u>Plan</u></b>	:	Approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/41
<b><u>Zoning</u></b>	:	“Other Specified Uses” annotated “Business” (“OU(B)”) <i>[Restricted to a maximum PR of 9.5 (including not more than a PR of 1.0 for ‘Shop and Services’ and ‘Eating Place’) and a maximum building height (BH) of 100mPD, or the PR/BH of the existing building, whichever is the greater]</i>
<b><u>Application</u></b>	:	Industrial Use (Advanced Lithium-Ion Battery Resource Recovery Centre)

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application premises (the Premises) for industrial use (advanced lithium-ion battery resource recovery centre). The Premises is located on the 16/F of an existing industrial building, known as Hang Wai Industrial Centre (the Building), which falls within the “OU(B)” zone on the OZP (**Plans A-1 and A-2**). According to Schedule II (for industrial or industrial-office (I-O) building) of the Notes of the OZP for the “OU(B)” zone, ‘Industrial Use (not elsewhere specified)’ is a Column 2<sup>1</sup> use which requires planning permission from the Town Planning Board (the Board). The Premises is currently used for the applied use without valid planning permission.
- 1.2 According to the applicant’s submission, the applied industrial use involves the recycling of all types of lithium-ion (Li-ion) batteries including small button, cylindrical and those used by electrical vehicles with a daily capacity of 500kg to

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<sup>1</sup> ‘Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods)’ is a Column 1 use which is always permitted in the “OU(B)” zone.

one tonne. The non-recyclable waste generated from the recovery process will be safely disposed by licensed collectors and the recovered materials will be sold for productions of new batteries. The applicant has confirmed that no dangerous goods (DG)<sup>2</sup> will be stored at the Premises and undertakes to comply with the requirements under relevant environmental pollution control ordinances and to obtain relevant licences for the applied use. The floor plan of the 16/F of the Building and the layout plan of the Premises submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 4.6.2025 **(Appendix I)**
- (b) Supplementary Information (SI) received on 6.6.2025 **(Appendix Ia)**
- (c) Further Information (FI) received on 20.8.2025 **(Appendix Ib)**  
*[accepted and exempted from publication and recounting requirements]*

1.4 On 1.8.2025, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant.

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

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FI in **Appendices I to Ib** respectively. They can be summarised as follows:

- (a) the applicant is a green technology company under the Hong Kong Science Park Acceleration Programme and proposes to deploy their proprietary green recycling technology in an environmentally responsible way.
- (b) the applied use is in line with government policies and environmental goals, including the “Waste Blueprint for Hong Kong 2035” and carbon neutrality goals. Proper recycling of Li-ion battery can reduce landfill waste and is therefore vital for a sustainable future;
- (c) innovative and patented technologies including artificial intelligences (AI)/robotics, low-carbon separation technology, and closed-loop recycling processes will be deployed to ensure a clean and quiet environment at the Premises, thus ensuring efficiency of the operations as well as minimising impacts on the surrounding units and nearby area of the Building;
- (d) a modular and scalable system named “Microfactory” (about 50m<sup>2</sup> to 80m<sup>2</sup> in size) with automated equipment and AI-driven processes would be set up within the Premises. No structural modification would be required for the applied use

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<sup>2</sup> Dangerous goods refer to substances classified as dangerous goods and requiring a licence for their use/storage under the Dangerous Goods Ordinance (Cap. 295).

compared to traditional industrial facilities as the relatively compact footprint of “Microfactory” ensures seamless integration into the Premises;

- (e) the applied use only requires one to three vehicles for delivery/collection of materials per week and is restricted from public access. Adverse traffic impact on the surrounding areas is not anticipated; and
- (f) the applied use would create skilled employment opportunities in the green technology sector which also fosters a circular economy that benefits both the environment and economy.

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

The applicant is not a “current land owner” but has complied with the 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. 31B) by obtaining consent of the current land owner. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines for Development within “OU(B)” Zone (TPB PG-No. 22D) is relevant in the following aspects:

- (a) the “OU(B)” zone has been introduced to allow maximum flexibility in the use of existing industrial and I-O buildings as well as in the development of new buildings for both commercial and clean industrial uses. The planning intention of the “OU(B)” zone is primarily for general employment uses;
- (b) whilst it is the intention to provide greater flexibility in the use of the existing industrial or I-O buildings before such buildings are redeveloped, it is necessary to ensure that the fire safety and environmental concerns are properly addressed. In view of the possible presence of existing polluting and hazardous industrial uses, it is necessary to ensure compatibility of the uses within the same building until the whole building is modified/converted to accommodate the new non-polluting and less fire hazard-prone uses; and
- (c) for all new development, redevelopment, conversion and material change of use, adequate parking and loading/unloading spaces should be provided in accordance with the requirements of the Hong Kong Planning Standards and Guidelines, and all other statutory or non-statutory requirements of relevant Government departments must also be met.

### **5. Previous Application**

There is no previous application at the Premises.

## 6. Similar Application

A similar application (No. A/TM/587) for proposed temporary industrial use (recycling facilities for scrap metals, plastics, electronics and paper) for a period of three years in another unit of the Building in the same “OU(B)” zone was approved with conditions by the Committee of the Board on 27.10.2023 mainly on the considerations that it complied with TPB PG-No. 22D; the proposed use would not have adverse traffic, environmental and fire safety impacts on other uses within the building and the adjacent areas; and the applied use was not incompatible with the adjoining units of the Building and the surrounding developments. Details of this similar application are summarised in **Appendix II** and its location is shown on **Plan A-2**.

## 7. The Premises and its Surrounding Areas (Plans A-1 to A-4b)

7.1 The Premises is:

- (a) located on the 16/F of Block B of an existing 20-storey industrial building known as Hang Wai Industrial Centre; and
- (b) currently used for the applied use without valid planning permission.

7.2 Based on site inspection conducted on 25.6.2025, the existing main uses of the Building by floors are summarised below:

Floor	Main Uses
G/F	canteen, shop and services (real estate agency, printing company, safety equipment retailing, etc.), offices, workshops and storage
1/F	Shop and services (curtains and lighting retailing, car paint retailing, etc.), offices (for production company, interior design company, etc.), workshops and storage
2/F	Carpark and Owners' Corporation Office
3/F to 19/F	Offices (for production company, design company, etc.), shop and services (wedding services, clothing, salon, etc.), workshops and storage, <b>the Premises</b>

7.3 The surrounding areas are predominated by industrial buildings (i.e. Parklane Centre, Gemmy Industrial Building and Yick Shiu Industrial Building, etc.) with Tuen Mun Divisional Fire Station located across Kin Tai Street to the east and Kowloon Motor Bus (KMB) Overhaul Centre and Bus Depot located across Kin Wing Street to the north (**Plan A-3**).

## 8. Planning Intention

The planning intention of the “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of

customer services or goods to the general public is always permitted in existing industrial or I-O buildings.

## **9. Comments from Relevant Government Bureau/Departments**

9.1 The following government bureau/departments have been consulted and their views on the application are summarised as follows:

### **Policy Aspect**

9.1.1 Comment of the Secretary for Environment and Ecology (SEE):

Policy support is rendered to the applied use which could facilitate development of local recycling of spent Li-ion batteries. This is in line with the Government's waste management strategy of promoting the transformation of waste into resources and establishment of a circular economy.

### **Land Administration**

9.1.2 Comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):

- (a) the Premises is situated at TMTL 114 ("the Lot") which is held under New Grant No. 2232 as varied or modified by two Modification Letters dated 23.1.1978 and 14.1.1991 respectively ("the New Grant"). The salient conditions of the New Grant are as follows:
  - (i) User: Industrial and/or godown purposes (excluding any offensive trade); and
  - (ii) Type of Building: A factory or factories or a warehouse or both, ancillary offices and such quarters as may be required for watchmen or caretakers;
- (b) the Building is subject to a waiver for the lifetime of the existing building erected on the Lot for the provision of canteen and other welfare facilities for an area not exceeding 10% of the gross floor area of the existing building;
- (c) he has no comment on the current application from the lease point of view unless the Director of Food and Environmental Hygiene (DFEH) advises that the applied use falls within the offensive trades under the Public Health and Urban Services Ordinance ("the Ordinance") which are prohibited under the lease conditions of the New Grant. If the current application is approved by the Board and DFEH confirms that the applied use falls within the offensive trades under the Ordinance, the registered owner of the Premises will need to apply to his department for a temporary waiver for

implementation of the proposal. The Proposal will only be considered upon receipt of formal application from the registered owner. However, there is no guarantee that the application, if received by his department, will be approved. The application will be considered by his department acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it will be subject to such terms and conditions as the Government shall see fit, including among others, payment of waiver fee and an administrative fee as may be imposed by his department;

- (d) under Special Condition (SC) (10)(c) of the New Grant, the grantee shall not install any furnace, boiler or other plant or equipment or use any fuel that might in any circumstances produce smoke without the prior written consent of the Commissioner for Labour. Under SC(10)(d) of the New Grant, the grantee shall not install or use any machinery, furnace, boiler or other plant or equipment or any fuel or method or process of manufacture or treatment which might in any circumstances result in the discharge or emission of any noxious, harmful or corrosive matter, which shall in the opinion of the Secretary for the New Territories be excessive or unnecessary. Noting that the applied use may involve such equipment and discharge or emission of noxious matter, the applicant is reminded to comply with the said SCs; and
- (e) his other advisory comments are at **Appendix III**.

### **Environment**

#### 9.1.3 Comments of the Director of Environmental Protection (DEP):

- (a) the applied use is of limited scale with a relatively low throughput and small amount of material storage that will process a maximum of one tonne of spent retired lithium battery per day. There is no emission of toxic gas/volatile air pollutants as the shredded materials are not fine particulate matter and most of the process is conducted inside a close system;
- (b) it is noted that the applicant will comply with the requirements under relevant environmental pollution control ordinances and to obtain the relevant licence before the operation of the applied use;
- (c) the applicant has confirmed with D of FS that no DG will be involved and the Premises will also be equipped with fire extinguishers (both carbon dioxide and chemical foam types) and protected by appropriate fire sprinklers;
- (d) in view of the above, he has no objection to the application from the environmental protection point of view; and
- (e) his other advisory comments are detailed in **Appendix III**.

### **Fire Safety**

#### 9.1.4 Comments of the Director of Fire Services (D of FS):

- (a) no adverse comment on the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction;
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) his other advisory comments are at **Appendix III**.

### **Building Matters**

#### 9.1.5 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) he has no in-principle objection to the application under the Buildings Ordinance; and
- (b) his other advisory comments are detailed in **Appendix III**.

#### 9.2 The following departments have no comment on/no objection to the application and their advisory comments, if any, are in **Appendix III**:

- (a) Commissioner for Transport (C for T);
- (b) Chief Highway Engineer/New Territories West, Highways Department;
- (c) Chief Engineer/Mainland North, Drainage Services Department;
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Director of Electrical and Mechanical Services;
- (f) Director-General of Trade and Industry;
- (g) DFEH;
- (h) Commissioner of Police; and
- (i) District Officer (Tuen Mun), Home Affairs Department.

## **10. Public Comments Received During Statutory Publication Period**

On 13.6.2025, the application was published for public inspection. During the statutory public inspection period, a total of 48 public comments objecting to the application were received. Among the public comments received, one was submitted by the representative of the Incorporated Owners of Tuen Mun Hang Wai Industrial Centre (i.e. the Building), 46 were submitted by the tenants/workers of other units of the Building and one from an individual (**Appendix IV**). The major grounds of objection are summarised as follows:

- (a) as the applied use involves the storing, processing and handling of various harmful chemicals and heavy metals, any improper handling of these substances

will impose risks of explosion, fire and chemical hazards as well as causing environmental and health impacts on the surrounding areas and populations;

- (b) the applied use is a high risk industrial activity which is not compatible with other uses in the Building; and
- (c) the operation of the applied use might breach the relevant clauses in the Deed of Mutual Covenant (DMC) of the Building, including not to store any hazardous, dangerous or combustible good or materials.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for industrial use (advanced Li-ion battery resource recovery centre) at the Premises on the 16/F of an existing industrial building zoned “OU(B)” on the OZP. The planning intention of “OU(B)” zone is primarily for general business uses. It allows greater flexibility in the use of the existing industrial or I-O buildings before such buildings are redeveloped. The applied use, which would only adhere to the lifetime of the Building, would not frustrate the long-term planning intention of the “OU(B)” zone.
- 11.2 According to the applicant, the applied use involves collection, sorting, shredding, physical and chemical processing of Li-ion batteries. A modular and scalable system (**Plan A-4b**) using innovative and patented technologies including AI/robotics, low-carbon separation technology and closed-loop recycling processes will be deployed to ensure a clean and quiet environment at the Premises. The non-recyclable waste generated from the recovery process will be safely disposed by licensed collectors. In this regard, SEE supports the application and confirms that policy support would be rendered to the applied use to facilitate development of local recycling of spent Li-ion batteries, which is in line with the Government’s waste management strategy of promoting the transformation of waste into resources and establishment of a circular economy. The applicant has also confirmed that no DG will be stored within the Premises and he would obtain the necessary licences under the relevant environmental pollution control ordinances for the operation of the recycling facility.
- 11.3 The Building is located in the Tuen Mun Industrial Area 9 which is predominantly occupied by industrial/ I-O buildings. The applied industrial use on part of the 16/F of an existing industrial building is small in scale (about 176m<sup>2</sup>) and considered not incompatible with other uses within the same building which mainly comprises industrial-related offices, warehouses and workshops on the upper floors and shop and services, canteen, and workshops on the ground floor, as well as the surrounding industrial developments.
- 11.4 DEP has no objection to the application as the applied use is small in scale, will not emit toxic and volatile air pollutants and the applicant undertakes to comply with the requirements of relevant environmental pollution control ordinances. D of FS has no adverse comment on the application subject to implementation of approval conditions requiring provision of fire service installations as recommended in paragraph 12.2 below. Other relevant government departments including C for T and CBS/NTW, BD have no objection to/no adverse comment



on the application from traffic and building aspects respectively. In view of the above, the applied use is considered generally in compliance with TPB PG-No. 22D.

- 11.5 The Committee has approved a similar application for recycling facilities within the same “OU(B)” zone (**Appendix II**). Approval of the current application is in line with the Committee’s previous decision.
- 11.6 There were 48 public comments objecting to the application as summarised in paragraph 10 above. The applicant’s justifications in paragraph 2, departmental comments in paragraph 9, and the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant. As for the issues relating to DMC of the Building, they are land administration matters which should be dealt with separately.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, no time clause on the commencement is proposed as the industrial use under application is already in operation at the Premises. The following conditions of approval and advisory clauses are suggested for Members’ reference:

### Approval Conditions

- (a) the submission of fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **10.4.2026**;
- (b) in relation to (a) above, the implementation of the fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **10.7.2026**; and
- (c) if any of the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

### Advisory Clauses

The Recommended Advisory Clauses are at **Appendix III**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members’ reference:

the applied use is not in line with the planning intention of the “Other Specified Uses” annotated “Business” zone which is primarily for general business uses.

A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or Industrial-Office buildings. No strong planning justification has been given in the submission for a departure from the planning intention.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

### **14. Attachments**

<b>Appendix I</b>	Application Form with attachments received on 4.6.2025
<b>Appendix Ia</b>	SI received on 6.6.2025
<b>Appendix Ib</b>	FI received on 20.8.2025
<b>Appendix II</b>	Similar Application
<b>Appendix III</b>	Recommended Advisory Clauses
<b>Appendix IV</b>	Public Comments
<b>Drawing A-1</b>	Floor Plan of 16/F of the Building
<b>Drawing A-2</b>	Layout of the Premises
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
OCTOBER 2025**