

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KC/515

- Applicant** : BDX Data Center (HK) Limited represented by Townland Consultants Limited
- Site** : 38 Wing Kei Road, Kwai Chung, New Territories
- Site Area** : About 1,730m²
- Lease** : Kwai Chung Town Lot No. 524 (the Lot)
(a) to expire on 1.6.2067
(b) restricted to industrial, godown (excluding storage of any dangerous goods), ancillary offices, information technology and telecommunications industries (IT&TI), research and development, audio-visual studios, media design and production, laboratories, specialised workshops (including vehicle repair, laundry and recyclable collection centres), cargo handling, factory and motor vehicle showrooms uses
(c) maximum permissible gross floor area (GFA) of 16,435m²
(d) spaces shall be provided for parking and loading/unloading (L/UL) in accordance with the requirements specified under the lease conditions (see paragraph 8.1.2(c) for details)
- Plan** : Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/33
- Zoning** : “Industrial” (“I”)
(a) maximum plot ratio (PR) of 9.5
(b) maximum building height (BH) of 105 metres above Principal Datum (mPD)
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Information Technology and Telecommunications Industries (Data Centre) Use

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to about 9.57 (+0.7%) for permitted ‘Information Technology and Telecommunications Industries’ (‘IT&TI’) use at an existing 18-storey industrial building (IB) at 38 Wing Kei Road, Kwai Chung (the Site) (**Plan A-1**). The proposed increase in PR mainly arises from the proposed conversion of two L/UL

bays on the G/F and an electrical/mechanical (E/M) room on the 3/F (both of which are currently GFA non-accountable) into new ancillary utilities/installations (that are GFA accountable) to support a proposed data centre on the 12/F, 15/F and 16/F of the subject IB. According to the Notes of the OZP for the “I” zone, ‘IT&TI’ (to which data centre is subsumed under) is a Column 1 use, which is always permitted. Furthermore, minor relaxation of the PR restriction may be considered by the Town Planning Board (the Board) based on the individual merits of a development proposal.

- 1.2 The existing IB, 38 Wing Kei Road, was completed in 2023 and built to a PR of 9.5, i.e. the maximum PR restriction under the OZP. According to the applicant, to support the proposed data centre on 12/F, 15/F and 16/F, a steady back-up power supply source is required. As most of the upper floors of the subject IB have been/will be converted from workshops into data centres, the applicant considers that there will be a reduction in demand for ancillary parking and L/UL at the Site. In this connection, the applicant proposes to reconfigure a portion of G/F (about 96.7m² in area) and 3/F (about 7m²), which are currently mainly occupied by L/UL bays and E/M facilities respectively, into a fuel tank room (G/F) and fan room (3/F), to support the proposed data centre on the upper floors. As the Building Authority has confirmed that both facilities are not mandatory features or essential facilities and hence should be GFA accountable, minor relaxation of the PR restriction is required. In addition, two strips of building overhang at 3/F (about 16.3m²), which were previously exempted from GFA calculation (as the area was used as ancillary car parking spaces¹), will become GFA accountable after the proposed reconfiguration and are thus included in the current application as well. In total, some 120m² of non-accountable floor space will become GFA-accountable upon the proposed conversion, resulting in an overall PR of about 9.57, i.e. 0.07 more than the extant PR restriction of 9.5. Comparisons of the existing and proposed layouts for the G/F and 3/F are at **Drawings A-1** and **A-2**.

- 1.3 A comparison of the major development parameters before and after the proposed conversion under the current application is as follows:

Development Parameters	Existing Development (a)	Current Application (b)	Difference (b) - (a)
Site Area (About)	1,730m ²		--
Total GFA (About)	16,435m ²	16,555m ² (+96.7m ² on G/F and +23.3m ² on 3/F due to the proposed conversion works)	+120m ² (+0.7%)
Total PR (About)	9.5	9.57	+0.07 (+0.7%)
BH (About)	104.99mPD		--
No. of Storeys	18		--

¹ Under the current proposal, the two strips of covered areas on the 3/F that were previously granted a 50% GFA exemption for parking will become 100% GFA accountable as they are no longer used for car parking purpose.

Parking and L/UL Facilities				
Parking Spaces				
	<i>Private Car</i>	17*	15*	-2
	<i>Motorcycle</i>	2	2	--
	<i>Light Goods Vehicle (LGV)</i>	8	2	-6
	<i>Heavy Goods Vehicle (HGV)</i>	4	0	-4
L/UL Spaces				
	<i>LGV</i>	7	2	-5
	<i>HGV</i>	4	2	-2
Waiting Space for Car Lift				
	<i>LGV</i>	2	2	--

* Including 1 accessible parking space

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

- (a) Application Form received on 20.8.2026 (Appendix I)
- (b) Supporting Planning Statement (SPS) (Appendix Ia)
- (c) Further Information (FI) received on 3.9.2026[#] (Appendix Ib)
- (d) FI received on 22.9.2026[#] (Appendix Ic)
- (e) FI received on 28.9.2026[#] (Appendix Id)
- (f) FI received on 30.9.2026[#] (Appendix Ie)

[#] accepted and 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 the SPS and FIs at **Appendices Ia to Ie**, which are summarised as follows:

- (a) the proposal fully aligns with the Government's policy to promote innovation and technology (I&T) development and to position Hong Kong as an international I&T hub/leading regional data centre hub, with emphasis on strengthening digital infrastructure (including data centres) to support the development of artificial intelligence, big data and digital economy transformation;
- (b) in view of Hong Kong's strategic position as an international financial, trading and logistics centre and in close proximity to the Greater Bay Area, the proposal will help meet Hong Kong's growing and sustained demand for data centre facilities;
- (c) the proposal is in line with the planning intention of the "I" zone. It is also compatible with the major uses of the subject IB and the surrounding area;
- (d) the existing car parking and L/UL provisions of the subject IB were originally intended for industrial use. Given that the IB is now mainly used as data centre, parking and L/UL demand is expected to decrease due to minimal staffing and delivery demands. The proposed conversion to accommodate additional ancillary utilities/installations of the proposed data centre facilities would enable a more efficient use of unutilised floor space. The siting of the fuel tank room on the G/F has also taken into account fire safety considerations;

- (e) the proposed parking and L/UL provisions after the conversion is still in compliant with the Hong Kong Planning Standards and Guidelines (HKPSG) and Transport Department (TD) Circular No. 6/2012 on ‘Standard for Goods Vehicle Parking and L/UL for Data Centres’; and
- (f) the proposed increase in PR is minimal and would not lead to any changes to the building bulk of the existing IB. No adverse traffic, environmental, drainage and visual impacts are anticipated.

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

The applicant is not the “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 sending registered post to the land owner. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Application

The Site is the subject of a previous application (No. A/KC/232) submitted by the then Director of Regional Services for proposed public toilet use (**Plan A-1**), which is not relevant to the current application². The aforesaid planning application was approved with conditions by the Metro Planning Committee (the Committee) of the Board in 1998. As the planning permission was not implemented, its validity subsequently expired in 2001.

5. Similar Applications

5.1 Since the commencement of the Revitalisation Scheme for IBs (the IB Policy³) in October 2018, there have been 10 applications involving minor relaxation of PR restriction within the “I” zone on the Kwai Chung OZP made in pursuant to the IB Policy. All 10 applications were approved with conditions by the Committee mainly on the grounds that policy support to relax the PR up to 20% was given; planning and design merits were proposed; and there was no in-principle objection from relevant Bureaux/Departments (B/Ds).

² The Site was previously Government land and was disposed of by tender on 5.5.2017 for general industrial uses.

³ To encourage owners to redevelop pre-1987 IBs, there is a policy directive set out in the 2018 Policy Address (PA) to allow relaxation of the maximum permissible non-domestic PR as specified in an OZP by up to 20% for redevelopment of pre-1987 IBs located outside “Residential” zones in Main Urban Areas and New Towns. The relaxation of PR is subject to approval by the Board on a case-by-case basis. The IB Policy commenced on 10.10.2018 and was extended twice in the PA 2021 and PA 2024, with the implementation period now extended to end-2027.

5.2 Setting aside the 10 applications made in pursuant to the IB Policy, there have been three applications (No. A/KC/454, 488 and 502) for minor relaxation of PR restriction in relation to partial/wholesale conversion of existing IBs for permitted 'IT&TI (Data Centre)' use. All three applications were approved with conditions by the Committee between 2019 and 2023 mainly on the grounds that the proposals were in line with the planning intention of the "I" zone; the proposals would help meet the growing demand for data centres in Hong Kong; the proposed uses were not incompatible with the existing uses of the subject IBs or the surrounding uses; and no adverse impacts were anticipated.

5.3 The locations of the applications are shown on **Plan A-1** and their details are at **Appendix II**.

6. **The Site and Its Surrounding Areas** (Plans A-1 to A-4)

6.1 The Site is:

- (a) currently occupied by an 18-storey IB, namely 38 Wing Kei Road, completed in 2023;
- (b) accessible via Wing Kei Road to its west; and
- (c) the current main uses of the subject IB are as follows:

Floors*	Current Main Uses
G/F and 3/F (<i>subject of the current application</i>)	E/M facilities, carpark and L/UL area
1/F and 2/F	E/M facilities, IT&TI ancillary offices and vacant premises
5/F to 20/F	Vacant premises [@] , data centres, IT&TI ancillary storage and E/M facilities

* 4/F, 13/F and 14/F omitted, 10/F is refuge floor

[@] According to the applicant, 12/F, 15/F and 16/F will be converted into data centres

6.2 The surrounding areas have the following characteristics:

- (a) situated at the northern fringe of a cluster of IBs, cold storages and godowns/warehouses, with Tsuen Wan Chinese Permanent Cemetery to the further west of the Site;
- (b) to the immediate south is the Tuen Ma Line Tsuen Wan West Station Emergency Access Point, while to the immediate north and east are Wing Kei Road 5-a-side Soccer Pitch and Tsuen Wan Road respectively; and
- (c) although remote from residences and public transport nodes, the area is currently served by a green minibus route along Wing Kei Road.

7. **Planning Intention**

The planning intention of the “I” zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. IT&TI, office related to industrial use, and selected uses akin to industrial production and would not compromise building and fire safety are also always permitted in this zone.

8. **Comments from Relevant Government B/Ds**

8.1 The following Government B/Ds have been consulted and their views on the application are summarised as follows:

Policy Perspective

8.1.1 Coordinated comments of the Secretary for Innovation, Technology and Industry (SITI) and the Commissioner for Digital Policy (C for DP):

- (a) no objection to the application;
- (b) data centres are critical information and communication technologies infrastructure for development of digital economy and smart city in Hong Kong. The Government has been committed to promoting Hong Kong as the prime location for data centres in the Asia-Pacific Region. The proposal would make available more data centre floor space. Should the application be approved by the Board and if the proposal is materialised, it would contribute to addressing the growing demand for data centres in Hong Kong and benefit the I&T sector development at large; and
- (c) their advisory comments are at **Appendix III**.

Land Administration

8.1.2 Comments of the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (LandsD):

- (a) no objection to the application;
- (b) the Lot is held under New Grant No. 22482 and is subject to a consent letter dated 8.1.2021 (the Consent Letter) to exclude 50% of the 12 parking spaces (i.e. 141m²) and 50% of other areas (i.e. 363m²) from the total GFA calculation (hereinafter collectively referred to as the Lease). The Lease permits industrial, godown (excluding storage of any dangerous goods under the Dangerous Goods Ordinance), ancillary offices, IT&TI, research and development, audio-visual studios, media design and production, laboratories, specialised workshops (including vehicle repair, laundry and recyclable

collection centres), cargo handling, factory and motor vehicle showrooms uses. Under Special Condition (SC) No. (12)(c), the maximum total GFA is 16,435m²;

- (c) under SC No. (17)(a) to (e), motor vehicle parking spaces must be provided at a rate of 1 space per 1,000m² whereas motorcycle parking spaces must be provided at a rate of 10% of the total motor vehicle spaces and goods vehicle spaces must be provided at a rate of 1 space per 700m², to be split equally between parking and L/UL spaces (with any odd space allocated to parking) under the Lease;
- (d) the proposed conversion does not comply with the existing lease conditions of the Lot. Should the planning application be approved by the Board, a formal application for lease modification on maximum total GFA and number of motor vehicle parking spaces by the Lot owner to LandsD is required; and
- (e) her other detailed comments are at **Appendix III**.

Traffic

8.1.3 Comments of the Commissioner for Transport (C for T):

no objection to the application from traffic engineering point of view subject to the imposition of the following approval conditions:

- (a) the submission of a consolidated Traffic Review Report to the satisfaction of C for T or of the Board; and
- (b) the design and provision of car parking and L/UL facilities for the subject development to the satisfaction of C for T or of the Board.

Fire Safety

8.1.4 Comments of the Director of Fire Services (D of FS):

- (a) no specific comment on the proposed location of the fuel tank and no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- (b) his advisory comments are at **Appendix III**.

Building Matters

8.1.5 Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- (a) no objection to the application and no adverse comment on the inclusion of the two strips of covered area at 3/F, which are no longer used as covered carpark, in the GFA calculation;
- (b) fuel tank room to support the operation of data centre should not be considered as mandatory plant room in accordance with PNAP APP-151. It should be included in GFA calculation;
- (c) the fan room on 3/F should not be considered as mandatory plant room. The GFA calculation is subject to the requirements under PNAP APP-42 and PNAP APP-151; and
- (d) his advisory comments are at **Appendix III**.

8.2 The following Government B/Ds have no objection to/no comment on the application, and their advisory comments, if any, are provided at **Appendix III**:

- (a) Commissioner for Harbourfront, Development Bureau;
- (b) Director-General of Communications;
- (c) Chief Highway Engineer/New Territories West, Highways Department (HyD);
- (d) Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- (e) Commissioner of Police;
- (f) Director of Environmental Protection (DEP);
- (g) Chief Engineer/Mainland South, Drainage Services Department;
- (h) Chief Engineer/Construction, Water Supplies Department;
- (i) Project Manager/West, Civil Engineering and Development Department;
- (j) Director of Electrical and Mechanical Services; and
- (k) District Officer (Kwai Tsing), Home Affairs Department.

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

During the statutory public inspection period, no public comment was received.

10. **Planning Considerations and Assessments**

- 10.1 The application is for minor relaxation of PR restriction from 9.5 to about 9.57 (i.e. +0.07 or +0.7%) at the Site to facilitate the proposed conversion of some previously GFA non-accountable L/UL and E/M facilities on the G/F and 3/F of the subject IB into GFA-accountable ancillary utilities/installations in support of the permitted 'IT&TI (Data Centre)' use on the 12/F, 15/F and 16/F. The proposed ancillary uses in support of the permitted 'IT&TI (Data Centre)' use is in line with the planning intention of the "I" zone, which is primarily for general industrial uses.

Policy Aspect

- 10.2 SIT1 and C for DP consider data centres to be critical infrastructure in support of the growth and development of digital economy and smart city in Hong Kong, and

consider data centre facilities to be conducive to the objective in making Hong Kong a prime location for data centres in the Asia-Pacific Region. The proposal will contribute to addressing the growing demand for data centres in Hong Kong and benefit the I&T sector development at large.

Relaxation of PR Restriction

- 10.3 The proposal mainly involves conversion of surplus ancillary car parking and L/UL facilities on part of the G/F and 3/F into ancillary fuel tank room and fan room in support of the permitted 'IT&TI (Data Centre)' use on the 12/F, 15/F and 16/F of the subject IB. Despite the proposed conversion, the subject IB still has sufficient car parking and L/UL facilities to meet the requirements of the HKPSG and relevant TD circular. C for T has no objection to the application subject to the imposition of approval conditions as suggested in paragraph 11.2 below. The relaxation in PR sought (i.e. +0.07 or +0.7%) is equivalent to about 120m², and is considered minor in nature. As the proposal involves conversion of previously GFA non-accountable floor space into accountable floor space, the proposal would not result in any increase in the overall building bulk of the existing IB. Overall, the proposed minor relaxation of PR restriction is considered not unacceptable.

Lifetime of Existing Building

- 10.4 The current application is for minor relaxation of PR for partial conversion of the G/F and 3/F of an existing IB into supporting facilities for permitted 'IT&TI (Data Centre)' use. Should the Committee decide to approve the application, the approval would be for the lifetime of the existing building only. Upon redevelopment, the Site would need to conform with the zoning and development restrictions on the OZP in force at the time of redevelopment which may not be the same as those of the existing building. An advisory clause at **Appendix III** is recommended in this regard.

Technical Aspects

- 10.5 Concerned Government B/Ds consulted, including C for T, DEP and D of FS, have no objection to/no adverse comment on the application. Significant adverse traffic, environmental and fire safety impacts on the existing uses of the subject IB and on the surrounding area are not anticipated. To address the comments/concerns of Government B/Ds, relevant advisory clauses are also recommended in **Appendix III**.

Similar Applications

- 10.6 The Committee has approved 13 similar applications involving minor relaxation of PR restriction in the "I" zone, including three applications for wholesale/partial conversion of existing IBs for 'IT&TI (Data Centre)' use. Approving the current application is generally consistent with the previous decisions of the Committee.

11. **Planning Department's Views**

- 11.1 Based on the assessments made in paragraph 10 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 until 9.10.2030, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission of a consolidated Traffic Review Report to the satisfaction of Commissioner for Transport or of the Town Planning Board; and
- (b) the design and provision of car parking and loading/unloading facilities for the subject development to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

Advisory Clauses

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

- 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 to 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 date when the validity of the permission should expire.
- 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**

Appendix I	Application Form received on 20.8.2026
Appendix Ia	SPS
Appendix Ib	FI received on 3.9.2026
Appendix Ic	FI received on 22.9.2026
Appendix Id	FI received on 28.9.2026
Appendix Ie	FI received on 30.9.2026
Appendix II	Similar Applications

Appendix III	Recommended Advisory Clauses
Drawings A-1 and A-2	Comparison of Existing and Proposed Floor Plans
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2026**