

LCQ5: Land Sharing Pilot Scheme

Following is a question by the Hon Kwong Chun-yu and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (May 8):

Question:

The Chief Executive has proposed in the 2018 Policy Address the Land Sharing Pilot Scheme (LSPS), which seeks to unlock privately owned agricultural lots in the New Territories for both public and private housing development in the short-to-medium term. The Government is currently formulating the details of LSPS. According to the Government's initial thinking, "land sharing" applications will be put before the Land and Development Advisory Committee (LDAC) for advice and then submitted to the Chief Executive in Council (CE-in-Council) for final vetting and approval. In addition, applicants must comply with all applicable statutory procedures and land administration regimes, including submitting rezoning or planning applications to the Town Planning Board (TPB). In this connection, will the Government inform this Council:

(1) whether CE-in-Council will, apart from conducting final vetting and approval for "land sharing" applications, conduct preliminary vetting and approval for such applications; if so, at which stage; if such preliminary vetting and approval is to be conducted prior to TPB's vetting and approval of the relevant matters, how the Government ensures that such a scenario will not subject TPB to the pressure of giving its green light; and

(2) given that LDAC will provide advice to the Government on "land sharing" applications, but there are public opinions querying that some LDAC members have a close relationship with real estate developers or own agricultural lots,

(i) whether the Government will make public the records on declaration of interests by LDAC members; and

(ii) of the measures, other than the existing declaration of interests system, put in place by the Government which may prevent LDAC members from having a conflict of interests in handling the relevant applications?

Reply:

President,

The Chief Executive outlined the Land Sharing Pilot Scheme (LSPS) in the 2018 Policy Address which seeks to unlock the development potential of privately owned agricultural lots in the New Territories for both public and private housing development through public-private partnership. We will adopt a set of criteria and procedures based on fairness and high transparency in handling applications under the LSPS and selecting suitable projects. The Government is in the process of drawing up more specific criteria and other

implementation details of the LSPS, including the basic requirements which must be fulfilled by the applications, work flow in vetting applications including alignment with existing statutory procedures and land administration regime, as well as the relevant advisory set-up for the LSPS and its operational arrangements (including the mechanism for declaration of interest and disclosure arrangement). We will later brief the relevant panel of the Legislative Council and professional sectors on the proposed arrangements and listen to their views, and submit the proposed arrangements to the Chief Executive in Council for approval, with a view to inviting applications in the second half of 2019.

My reply to various parts of the question is as follows:

(1) The Government has stated clearly on previous occasions that all applications under the LSPS have to comply with the applicable statutory procedures and requirements under the land administration regime, including submitting applications to the Town Planning Board (TPB) in relation to changes in land uses or increasing development intensity in accordance with the Town Planning Ordinance (Cap. 131), and paying to the Government land premium at full market value in respect of the private housing and ancillary commercial facilities. Under this guiding principle, the TPB will continue to perform effectively its functions in handling the planning aspect of the applications concerned.

(2) As an advisory body to the Government, the Land and Development Advisory Committee (LDAC) is tasked to advise the Government on land and development matters. At present, the non-official members of the LDAC comprise representatives from trade and professional organisations, as well as persons from other fields such as social services, legal services, academia, etc. LDAC members must make declarations in accordance with the established declaration of interest system. The declarations so made are not open for public inspection at present. The mechanism of the Committee is largely in line with that applicable to other government advisory bodies. As mentioned above, when formulating the details of the LSPS, we will consider the relevant advisory mechanism as well as the appropriate declaration of interest and disclosure arrangements.