

LCQ8: Tapping into private agricultural land reserve in New Territories

Following is a question by the Hon Andrew Wan and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (June 13):

Question:

The Task Force on Land Supply (Task Force) launched in April this year a five-month public consultation on 18 land supply options. One of the options is the "tapping into the private agricultural land reserve in the New Territories", which involves about 1 000 hectares of agricultural lands held by various major developers. The Task Force has recommended that the said agricultural lands be better utilised, through public-private partnership (PPP), to increase housing supply. In this connection, will the Government inform this Council:

(1) of the number of agricultural lands currently held by various developers and, in respect of each land, the (i) area, (ii) location and (iii) name of the owner (set out such information by District Council (DC) district and mark on a map the location of each land);

(2) among the agricultural lands held by the various developers, of the respective areas and percentages of those with the planned uses as follows: agriculture, green belt, conservation area, country park and site of special scientific interest; the area and percentage of such agricultural lands which overlap with brownfield sites (set out such information by DC district);

(3) whether the Government will recommend, during consideration of the planning applications for housing development on the said agricultural lands by the Town Planning Board, the imposition of height restrictions on buildings on such lands; if so, of the details;

(4) as it has been reported that the Government has planned to earmark 1 000 hectares of agricultural lands for designation as "Agriculture Priority Areas" to implement a New Agriculture Policy, but there are currently 3 700 hectares of abandoned agricultural lands, whether the Government has put in place measures to ensure that the agricultural lands not currently held by developers will be used for agricultural development; and

(5) whether the Government will conduct a freezing survey on the agricultural lands currently held by developers so as to prevent developers from hoarding more agricultural lands for developing such lands through PPP?

Reply:

President,

The Task Force on Land Supply (Task Force) is conducting a five-month public engagement exercise to lead a discussion in the community on the pros and cons and relative priority of, and making a compromise on, 18 land supply options, with a view to achieving the broadest consensus in the community concerning the land supply options and the strategy. One of the short-to-medium term options put forward by the Task Force is tapping into the potential of private agricultural land reserve in the New Territories (NT) through public-private partnership.

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

(1) and (2) According to information available in the public domain provided by individual developers and the industry, it is estimated that major developers are holding no less than 1 000 hectares of agricultural land in the NT. The Government has no detailed information about these agricultural land, including the actual number, site area, distribution, planned uses, ownership, etc. It is believed that certain portion of the relevant land overlaps with various New Development Areas or brownfields.

(3) According to the existing statutory town planning procedures, if the proposed land use of the planning application is consistent with that stipulated in the outline zoning plans, the relevant development has to comply with the development restrictions imposed by the plans on these sites, including height restrictions (if applicable). If the planning application concerns rezoning (such as rezoning for residential development), the Town Planning Board (TPB) when processing the application will give due considerations to a host of factors including (i) whether the proposed use and development parameters would be in harmony with the surrounding areas, (ii) whether there will be adverse impact on the surrounding environment, traffic, visual and other relevant infrastructure, and (iii) public views, etc. Upon consideration, the TPB will make decision on the planning application in accordance with the Town Planning Ordinance (Cap. 131). If the application is approved by the TPB in full or in part, the future development will be confined by the development parameters (including gross floor area and number of storeys) as set out in the application.

Regardless of whether individual development projects would be taken forward through public-private partnership, the aforementioned town planning procedures will continue to apply.

(4) Regarding the land currently designated as regarding the land on statutory town plans, if it is privately owned, whether the land is indeed used for agricultural purpose is a decision of the landowner.

To promote modernisation and sustainable development of local agriculture, the Government has been implementing the New Agriculture Policy since 2016. This includes, among other initiatives, commissioning a consultancy study on Agricultural Priority Areas (APAs) jointly overseen by

the Food and Health Bureau and the Development Bureau. The study will identify relatively large areas of quality agricultural land and examine the feasibility of designating them as APAs. It will also recommend suitable policies and measures to provide incentives for putting fallow agricultural land into long-term agricultural use thereby supporting the development of local agriculture. The study area will include active and fallow agricultural land, whether it is government land or privately owned. The tendering of consultancy is currently underway and the study is expected to begin in the second half of 2018. Before the commencement of the study, it is difficult at this stage to estimate the area of land to be designated as APAs in future.

(5) The right of private ownership of property is a right protected under Articles 6 and 105 of the Basic Law. In respect of privately owned agricultural land, as long as the use of the relevant land complies with the applicable regulations and land lease conditions, the Government has no grounds to restrict the use of such land through the "freezing surveys" suggested in the question.

The Task Force proposes public-private partnership as an option so as to explore a possible way out through unleashing the development potential of agricultural land in the short-to-medium term. The Task Force is of the view that the relevant discussion must be premised on the understanding that the Government would set up a fair, open and transparent mechanism in future. The Government will continue to listen carefully to the views of the community.