

**For discussion
10 July 2018**

Legislative Council
Panel on Food Safety and Environmental Hygiene

Relocation of Livestock Farms and Agricultural Rehabilitation

PURPOSE

This paper briefs Members on the Government's proposal on facilitating relocation of chicken farms and the work on agricultural rehabilitation.

RELOCATION OF CHICKEN FARMS

Background

2. There are now 29 chicken farms operating in Hong Kong, supplying live chickens for the local market. They are licenced under the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139L) ("Regulation").

3. Over the years, the Government has implemented measures to mitigate the risk of spreading Avian Influenza ("AI") in Hong Kong. The Voluntary Surrender Scheme and the Buyout Scheme were launched in 2004/2005 and 2008 respectively for the live poultry trade to reduce the number of poultry farms in Hong Kong and minimise human infection of AI through live poultry. Poultry farmers who opted for giving up their Livestock Keeping Licences ("LKL") and ceasing their operation permanently were granted ex-gratia payment ("EGP") in return.

4. As a result, the number of local poultry farms¹ dropped from 192 in 2004 to 29 in 2018, with the total licensed rearing capacity reduced from 3.9 million in 2004 to about 1.3 million at present. The Government has in the meantime built up a resilient and stringent surveillance and control system at different levels in the supply chain of live poultry for

¹ There were different types of poultry farms in the past, including those for chickens, waterfowls, pigeons and quails. As a result of the two Schemes implemented in 2004/05 and 2008, only chicken farms remain in Hong Kong.

reducing AI risks. Consistent with the policy of launching the above-mentioned Voluntary Surrender and Buyout Schemes, no new LKL will be issued upon existing farm(s) ceasing operation. The total rearing capacity of chicken farms is thus capped, thereby containing the local chicken population while providing a steady supply to meet the market demand for live chickens.

5. In mid-2017, the consultancy study commissioned by the Government on the way forward for the live poultry trade in Hong Kong was completed, which suggested that the current system adopted by Hong Kong in safeguarding against AI was generally amongst the most comprehensive and stringent in the world, and that the measures were effective in preventing human infection of AI. Taking into account the views collected during the public consultation conducted afterwards, the Government agreed to the study's recommendation that the sale of live poultry at retail level should continue (reported in LC Paper No. CB(2)1577/16-17(01) on 13 June 2017).

6. In addition, the Government sees merits in the consultancy study's recommendation on introducing vaccination against H7N9 AI virus for enhancing the bio-security of live chickens at the farm level. Since January 2018, the Agriculture, Fisheries and Conservation Department ("AFCD") has made it a mandatory requirement for all local chicken farms to apply the new bivalent H5+H7 vaccine (in place of the previous H5 vaccine) so as to ensure that live chickens are immune against both H5 and H7 AI viruses.

7. The overarching policy to maintain the current cap on the total chicken rearing capacity and not to issue any new LKL upon existing farm(s) ceasing operation (paragraph 4 above) will remain unchanged. That said, we see good reasons to allow flexibility for relocation of chicken farms that could facilitate further enhancement of bio-security. However, we are mindful that relocating chicken farms is currently restricted under the Regulation to practically unavailable sites (see paragraphs 8 & 9 below)².

The current regulatory regime

8. By virtue of section 3 of the Regulation, an LKL is generally required for keeping livestock in or on any premises within a "livestock

² Relocation of pig farms is not restricted under the law as is the case of chicken farms.

waste control area”³ (Annex). Section 4(2A) of the Regulation, enacted when the Government banned the keeping of poultry at backyards of domestic households in 2006⁴, provides that the Director of Agriculture, Fisheries and Conservation shall not grant LKL in “livestock waste control areas” unless all the following requirements are met –

- (i) the premises had been continuously used for the keeping of specified birds⁵ for at least 12 months immediately before the commencement of the Public Health (Animals and Birds) (Licensing of Livestock Keeping) (Amendment) Regulation 2006;
- (ii) no EGP for cessation of the keeping of specified birds in or on the premises has been made by the Government after that commencement; and
- (iii) the number of specified birds to be kept in or on the premises under the licence will be more than 20.

9. These provisions make it practically impossible for existing chicken farms to find any other premises in the livestock waste control areas which can satisfy both of the first two specified conditions for relocation, because if there are premises which had been used for chicken keeping before 2006 but are not so used now, such premises would have failed to meet the condition in paragraph 8(ii) by virtue of EGP having been paid for cessation of keeping of chickens in or on the premises.

10. Apart from the legal requirements, no livestock farm is allowed within 500 metres buffer radius of another livestock farm of the same kind for animal health and bio-security reasons. Moreover, the premises for keeping livestock should fall under zonings where “Agricultural Use” is always permitted as defined under the Town Planning Ordinance (Cap. 131). It should also fulfil the buffer distance of at least 200 metres from nearby sensitive uses (e.g. residential areas) according to the Hong Kong Planning Standards and Guidelines.

³ Under the Regulation, “Livestock Waste Control Areas” refer to the areas specified in Schedule 1 by reference to maps identified therein.

⁴ LegCo Brief of reference HWF(F) CR 5/6/1 dated 7 February 2006.

⁵ Under the Regulation, “specified bird” means a chicken, duck, goose, pigeon or quail. As only chicken farms remain in Hong Kong (see footnote 1) and that no new LKL will be issued upon existing farm(s) ceasing operation (see paragraph 4), the provision in the Regulation de facto applies only to chicken farms.

Facilitating the enhancement of bio-security at local chicken farms

11. Existing chicken farms have been operating in their current locations for a long period of time, and most of them are mingled with domestic structures in rural villages. Some of them are hindered by their physical constraints (e.g. those on slopes, or whose sheds are scattered, or those with insufficient space) for implementing more comprehensive or updated bio-security measures for the purpose of disease prevention (e.g. AI) and management of disease spread. If the current restriction under the Regulation is relaxed, chicken farms can apply to be moved to suitable locations within the livestock waste control areas, and implement more comprehensive and purpose-designed bio-security measures.

12. In July 2017, the Government announced a five-year strategy and plan (“Action Plan”) to combat the growing threat of antimicrobial resistance (“AMR”) in order to safeguard public health. One of the objectives identified in the Action Plan is to “develop and strengthen infection prevention and control programmes in veterinary settings and along food supply chain”. It is indeed advocated by the World Health Organisation that, to prevent and control the spread of AMR, the agricultural industry can improve bio-security on farms and prevent infections through improved hygiene.

13. AFCD has been advising livestock farmers to use antimicrobials properly and prudently. A target under the Action Plan is to optimise the use of antimicrobials in animals, and AFCD will work with the veterinary and food animal farming sectors to devise farm-specific disease management plans for disease prevention, management of disease spread, and minimising the use of antimicrobials. In addition, if modernisation and enhancement of bio-security facilities necessitate a certain degree of expansion of the farm footprint, relaxation of the restriction on farm relocation could allow a farm to move to a location of suitable size. The risk of disease outbreaks and environmental contamination in these relocated farms will be reduced, thereby further minimising antimicrobial usage for disease prevention and treatment purposes.

14. Enhanced measures that the relaxation could provide the farms with greater flexibility to implement may include :

- (i) installation of purpose-built bio-security measures (e.g. bird entrance barriers, and modernisation of manure discharge systems, etc.);

- (ii) reconstruction of chicken sheds that could allow better delineation of the production area from non-production area, use of “all in, all out” (“AIAO”) systems⁶, and more extensive disinfection and cleansing facilities; and
- (iii) possible consolidation of smaller farms into a bigger one to reap the benefits of economy of scale.

15. In addition to the above enhancements, facilitation of relocation would also move chicken farms away from residential structures, further reducing the risk of human infection of AI and minimising nuisances. Also, chicken farmers could continue their daily operations in existing farms during the setting up of relocated farms, which would ensure continuous supply of live chickens to the local market while the bio-security facilities in the farms are being upgraded.

Facilitating the relocation of existing chicken farms affected by the land developments of the Government for continued operation

16. The current restriction on relocation makes existing chicken farms very difficult, if not impossible, to move to another location. All of them are now situated mainly in Yuen Long and North District, where a number of major land development projects have been proposed by the Government. Given that the Government has decided to continue the live poultry trade in Hong Kong, the chicken farms which will be affected by these Government projects and which wish to continue their operation could be relocated to other suitable sites within the livestock waste control areas when the restriction under the Regulation is relaxed.

Next Step

17. We will consult relevant advisory bodies and the live chicken trade on the proposal of relaxing the restriction under the law to facilitate the relocation of chicken farms. Taking into account the views of relevant stakeholders, we will put forward the legislative proposal to the Legislative Council.

⁶ Use of “all in, all out” (“AIAO”) systems in poultry farm has been advocated by a variety of international organisations, including the World Organisation for Animal Health and Food and Agriculture Organisation of the United Nations, as a major component of an effective bio-security plan. One of the major advantages of AIAO is that emptying chickens from a shed (all out) at regular intervals could allow facilities to be cleaned thoroughly before the next batch of chickens is admitted (all in), thereby reducing the level of pathogen contamination. However, due to the size restriction of existing sheds in some chicken farms, this systems cannot be practised effectively.

AGRICULTURAL REHABILITATION

Agricultural Land Rehabilitation Scheme

18. AFCD operates the Agricultural Land Rehabilitation Scheme through which owners of farmland and interested farmers are brought together to work out agreement on leasing the farmland, so as to facilitate rehabilitation of fallow farmland. AFCD provides technical advice (e.g. soil improvement, crops cultivation, pest and disease control, etc.) and lending agricultural machines to farmers to get the land prepared for cultivation. Over the past five years (2013-2017), there were 105 successful cases, involving approximately 20 hectares (“ha”) of agricultural land.

Agricultural Park

19. The Government plans to establish an Agricultural Park (“Agri-Park”) under the management of AFCD to help nurture agro-technology and knowledge on modern farm management. In addition, the Agri-Park will contribute to agricultural rehabilitation through rejuvenating some 50 ha of currently fallow farmland for use by tenant farmers when the Agri-Park is fully commissioned. The Agri-Park will also serve to accommodate farmers displaced by government development projects that happen to take place within the same timeframe.

Agricultural Priority Areas

20. The Food and Health Bureau and the Development Bureau will jointly commission a consultancy study on Agricultural Priority Areas (“APAs”) to identify relatively large areas of quality agricultural land and recommend suitable policies and measures to provide incentives for farmland owners to put their fallow land into long-term agricultural use so as to support local agricultural development. In addition to identifying APAs for crop farming uses, the study will help identify potential sites suitable for relocation of livestock farms.

21. Identification and designation of APAs should be able to help facilitate agricultural rehabilitation and at the same time complement the proposal to relax the restriction on relocating chicken farms. The Government will consider the way forward for APAs upon completion of the consultancy study. The study is expected to commence in the latter half of 2018.

22. Progress of the Agri-Park and APA consultancy study is separately reported in another paper submitted to this Panel for discussion on 10 July 2018.

Special Agricultural Land Rehabilitation Scheme

23. To assist farmers to be affected by the Kwu Tung North/Fanling North New Development Areas (“NDAs”), and Hung Shui Kiu NDA and Yuen Long South development projects, the Government will proactively identify suitable government land and landowners who are willing to lease or sell their land for agricultural rehabilitation, and carry out matching under the Special Agricultural Land Rehabilitation Scheme (“SALRS”). The Government has initially identified agricultural land in the North and Yuen Long Districts with potential for agricultural rehabilitation purpose based on relevant factors like the existing land uses, water supplies, road infrastructures, availability of facilities nearby and surrounding environment, etc. The Government will promulgate details of the implementation arrangements in tandem with the development schedules of the projects. We will also continue to identify land suitable for agriculture rehabilitation purpose under SALRS.

24. As part of the Kwu Tung North/Fanling North NDAs project, we will resume land to establish the Long Valley Nature Park so as to preserve the ecological value of the Long Valley and existing farming operations. Farmers currently operating in the Long Valley can continue their farming activities there if they can meet the future requirements of the management scheme of the Nature Park. Alternatively these farmers can consider farming on other suitable farmland under SALRS.

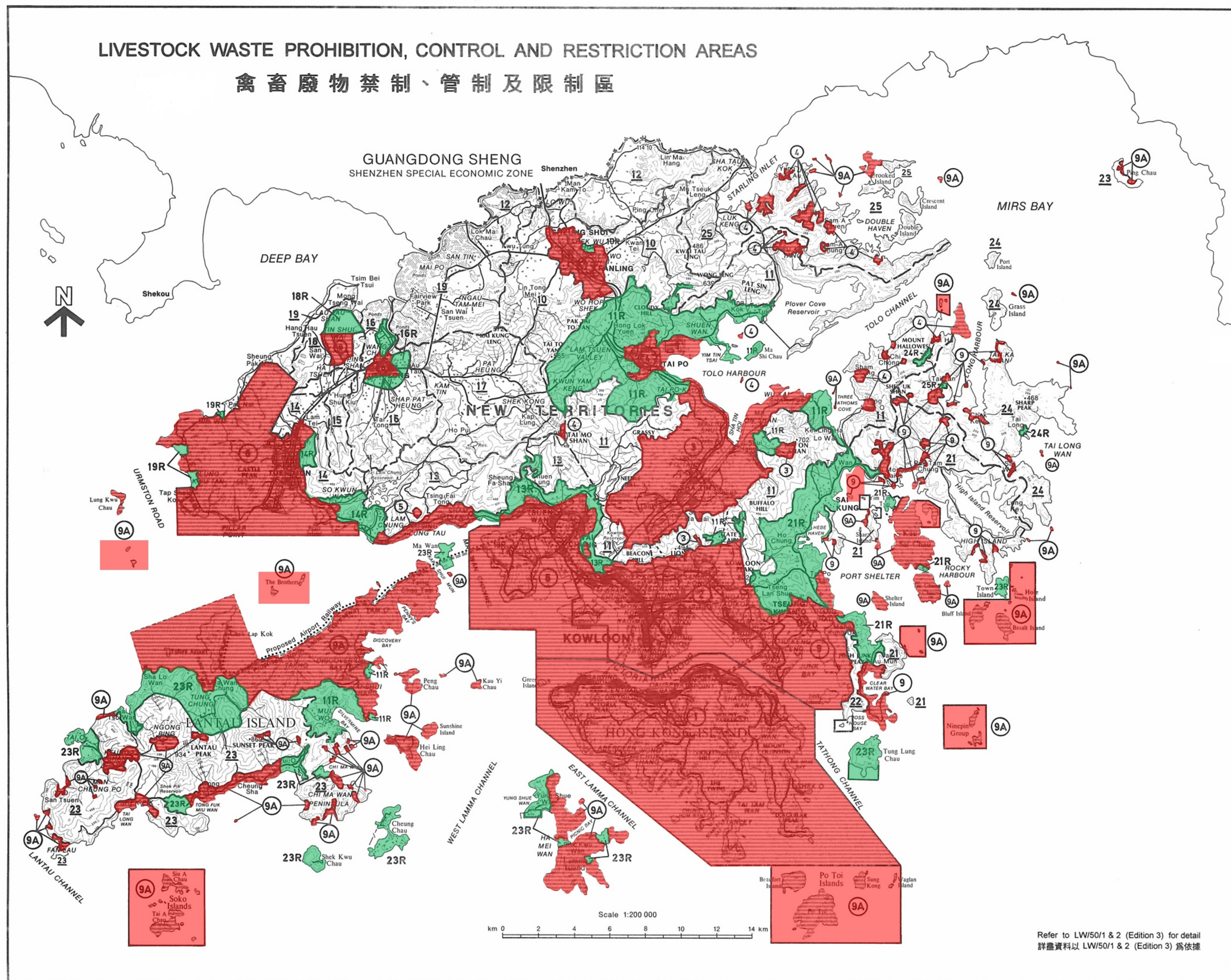
ADVICE SOUGHT

25. Members are invited to provide views on the proposal to relax the restriction on the relocation of chicken farms and note the Government’s work on agricultural rehabilitation.

**Food and Health Bureau
Agriculture, Fisheries and Conservation Department
July 2018**

LIVESTOCK WASTE PROHIBITION, CONTROL AND RESTRICTION AREAS

禽畜廢物禁制、管制及限制區



LEGEND 圖例

- PROHIBITION / RESTRICTION AREA BOUNDARY 禁制/限制區界線
- CONTROL AREA BOUNDARY 管制區界線
- LIVESTOCK WASTE PROHIBITION AREAS 禽畜廢物禁制區
- LIVESTOCK WASTE PROHIBITION AREA NUMBER 禽畜廢物禁制區編號
- LIVESTOCK WASTE CONTROL AREA NUMBER 禽畜廢物管制區編號
- LIVESTOCK WASTE RESTRICTION AREA NUMBER 禽畜廢物限制區編號

LIVESTOCK WASTE PROHIBITION, CONTROL AND RESTRICTION AREAS 禽畜廢物禁制、管制及限制區

AREA No. 編號	LOCATION 地點
PROHIBITION AREAS 禁制區	1-9 & 9A URBAN COUNCIL AREA, REGIONAL COUNCIL AREA, ALL NEW TOWN AREAS, PART OF LANTAU ISLAND & PART OF OUTLYING ISLANDS 城市區、區域市政管理範圍、所有新市鎮區、部份大嶼島及部份離島
CONTROL AREAS 管制區	10 PART OF RIVER INDUS AREA 部份格利河區
	11 TOLO HARBOUR & PART OF TOLO CHANNEL AREA 吐露港及部份吐露港海峽區
	12 UPPER SHAM CHUN (SHENZHEN) RIVER AREA 深圳河上游區
	13 PART OF TSUEN WAN, LIU TO VILLAGE & ENVIRONS & TAI LAM CHUNG AREA 部份荃灣、流吐村一帶及大瀨灣區
	14 PART OF TSIEN MUN AREA 部份屯門區
	15 CORRIDOR BETWEEN TSIEN MUN & YUEN LONG 屯門元朗走廊地帶
	16 PART OF YUEN LONG AREA 部份元朗區
	17 PART OF KAM TIN RIVER AREA 部份錦田河區
	18 PART OF TIN SHUI WAI AREA 部份天水圍區
	19 PART OF SAN TIN & LAU FAU SHAN ENVIRONS 部份前田及流沙山一帶
	20 MAU WU TSHAI VILLAGE & ENVIRONS 茅湖仔村一帶
	21 PART OF SAI KUNG AREA 部份西貢區
	22 JUNK BAY ENVIRONS 鯉魚灣一帶
	23 PART OF OUTLYING ISLANDS 部份大嶼海峽區
	24 PART OF LONG HARBOUR AREA 部份大瀨海峽區
25 PART OF STARLING INLET AREA 部份沙頭角海峽區	
RESTRICTION AREAS 限制區	10R PART OF RIVER INDUS AREA 部份格利河區
	11R PART OF MAU WU & PART OF TOLO CHANNEL AREA 部份流吐及部份屯門海峽區
	13R PART OF TSIEN MUN AREA 部份荃灣區
	14R PART OF TSIEN MUN AREA 部份屯門區
	16R PART OF YUEN LONG AREA 部份元朗區
	18R PART OF TIN SHUI WAI AREA 部份天水圍區
	19R PART OF SAN TIN AREA 部份前田區
	21R PART OF SAI KUNG AREA 部份西貢區
	23R PART OF OUTLYING ISLANDS 部份大嶼海峽區
	24R PART OF LONG HARBOUR AREA 部份大瀨海峽區
25R PART OF STARLING INLET AREA 部份沙頭角海峽區	

ENVIRONMENTAL PROTECTION DEPARTMENT 環境保護署

PLAN No. 圖則編號 LW/200/1 (Edition 3)

Refer to LW/50/1 & 2 (Edition 3) for detail 詳盡資料以 LW/50/1 & 2 (Edition 3) 為依據