

LCQ13: Management of typhoon shelters

Following is a question by the Hon Steven Ho and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (July 8):

Question:

Some vessel owners have relayed that the numbers of vessels of various types, particularly Class IV pleasure vessels, have been growing continuously in recent years. The authorities have stressed that the overall supply of sheltered spaces in Hong Kong waters is sufficient for meeting the estimated demand up till 2030, and the authorities have implemented several improvement measures. However, given the practices of the trade and a habit of berthing vessels at the homeport, most vessel owners choose to berth their vessels at the typhoon shelters within or near the urban areas, thus causing an acute shortage of berthing spaces in those typhoon shelters and conflicts among the persons-in-charge of different types of vessels from time to time over the use of such berthing spaces. On the other hand, the occupancy rates of some relatively remote typhoon shelters (e.g. Hei Ling Chau Typhoon Shelter and Yim Tin Tsai Typhoon Shelter) have all along been on the low side. Regarding the management of typhoon shelters, will the Government inform this Council:

- (1) of the numbers of vessels berthing at the various typhoon shelters and sheltered anchorages during normal and inclement weather conditions in each month of the past three years, with a breakdown by type of vessel lengths permitted in the typhoon shelters;
- (2) of the current utilization of the Kwun Tong Typhoon Shelter by various types of vessels; the effectiveness of the authorities' measure of setting up a non-pleasure vessel mooring area in this typhoon shelter to achieve better mooring management; whether it will consult the trade again to introduce improvement measures;
- (3) of the details of the law enforcement actions taken in the past three years by the Marine Department (MD) to combat the acts of profiteering from the berthing spaces in typhoon shelters, including (i) the number of inspections conducted, (ii) the number of complaints handled, (iii) the number of prosecutions instituted, and (iv) the number of convictions; whether MD has taken other measures to maintain the safe and orderly berthing of vessels within typhoon shelters;
- (4) whether the authorities will review and amend the Merchant Shipping (Local Vessels) (Typhoon Shelters) Regulation (Cap. 548E) so that the Director of Marine will be vested with more powers to immediately dispose of those vessels that have breached the mooring requirements in typhoon shelters; if so, of the details; if not, the reasons for that; and
- (5) given that some fishermen have relayed to me that recently some people have used float lifts in some typhoon shelters for stowing pleasure vessels

which are not in use temporarily, and that such equipment has obstructed watercourses and posed safety hazards to other vessels, of the details of the regulatory measures currently taken by MD against such equipment?

Reply:

President,

In response to the Hon Steven Ho's question, in consultation with the Marine Department (MD), our reply is as follows:

(1) Typhoon shelters are established to provide sheltered spaces for local vessels during typhoons or inclement weather so as to ensure the safety of these vessels and their crew. The MD does not maintain information on occupancy of typhoon shelters and sheltered anchorages in normal days, but keeps track of the highest occupancy of each typhoon shelter during typhoons to ensure that vessels' demand for sheltered spaces during inclement weather can be met. The highest occupancy of each typhoon shelter by class of vessels during typhoons in the past three years (i.e. between 2017 and 2019) is at Annex.

(2) The MD has, on a trial basis, designated through administrative measures a specific area within the Kwun Tong Typhoon Shelter (KTTS) since August 2017 for the exclusive mooring of non-pleasure vessels with a view to achieving better mooring management. Since the implementation of such measure, a total of about 15 hectares of mooring space at the south of the KTTS has become available for the exclusive mooring of non-pleasure vessels. The MD has been monitoring the situation closely, and our observation is that more water area is now available for use by non-pleasure vessels. We will keep in view the effectiveness of the trial and have no plan to implement other measures for the time being. The MD will maintain its regular patrols at the KTTS and its communication with the sector to collect their views.

(3) The MD patrols the Hong Kong waters including typhoon shelters from time to time. In the past three years (i.e. between 2017 and 2019), the MD successfully prosecuted 191 vessels that were in breach of the relevant marine legislation. In addition, the Hong Kong Police Force (HKPF) and the MD have conducted 12 joint operations to curb any illegal activities within the KTTS since November 2018. As at June 23, 2020, no report of illegal activities within typhoon shelters was received by the MD.

The MD will continue to work with the HKPF to take appropriate action at typhoon shelters to ensure the safe and orderly berthing of vessels therein. If irregularities are found, the MD will take follow up actions as appropriate. The MD will also continue to maintain good liaison with the sector, and will distribute publicity leaflets during patrols to remind vessel operators to comply with marine legislation at all times.

(4) Under section 8 of the Merchant Shipping (Local Vessels) (Typhoon Shelters) Regulation (Cap. 548E), if a local vessel fails to take up a particular position as directed by the Director of Marine or to be berthed, moored, anchored or secured in accordance with the direction, the Director

may, subject to relevant requirements, take possession of the vessel and remove it from the typhoon shelter or move it from the position in which it is lying. The Director shall give the owner of the vessel concerned, his agent or the coxswain of the vessel not less than 7 days' notice in writing of the exercise of his powers and the notice shall state the reason therefor. The Director may also exercise the above powers as the circumstances (such as inclement weather) require, notwithstanding that the period of the notice has not expired, or if the owner of the vessel concerned, his agent or the coxswain of the vessel cannot be found. Since the existing legislation has empowered the Director to handle such cases, we have no plan for any legislative amendment at the moment.

(5) The MD patrols the Hong Kong waters including typhoon shelters from time to time, to ensure that fairways and passage areas in typhoon shelters are unobstructed. Regarding the use of float lifts, the MD is examining and exploring the details involved, and will consult stakeholders on this matter in due course.