

LCQ17: Kwun Tong Typhoon Shelter

Following is a question by the Hon Paul Tse and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (April 3):

Question:

Some studies have pointed out that reclamation at the Kwun Tong Typhoon Shelter (KTTS) can produce a sizable piece of land in a short period of time, and is a more cost-effective option than the Lantau Tomorrow Vision. Besides, some members of the public have relayed that there are not many economic activities at KTTS, with only some yachts and oil barges berthing at it for most of the time. It has been reported by the media that some people use pontoons to occupy berthing spaces at KTTS for berthing of yachts and they make profits by extorting "security fees" and "berthing fees" from the relevant parties. In its Direct Investigation Report published last month, the Office of The Ombudsman expressed concern about whether the right of other vessels to the fair use of KTTS had been deprived of. Some members of the public have criticised the Protection of the Harbour Ordinance (Cap 531) for its overcorrection, which has become an ordinance offering protection to all sorts of illegal activities at typhoon shelters. Besides, there are views that at present, KTTS is unable to provide ancillary transport facilities for the Kai Tak Cruise Terminal (KTCT) which has remained idle for a long period of time, not to mention creating synergy with it. In this connection, will the Government inform this Council:

(1) whether it has studied if the aforesaid occupation of berthing spaces by pontoons and extortion of fees for the berthing of yachts is an organised crime; if it has studied and the outcome is in the affirmative, of the follow-up actions taken by the Government and the number of successful prosecutions against the persons concerned, in the past three years;

(2) given that while the Government intends to submit to this Council a funding application of \$500 million-odd for undertaking studies relating to the artificial islands in the Central Waters under the Lantau Tomorrow Vision, some members of the public consider such an amount too high, whether the Government will consider sparing, by reducing the relevant expenditure, an amount of money for conducting studies on the feasibility and benefits of reclamation at KTTS, including the value of the newly formed land, the number of units that can be built, the population that can be accommodated, as well as the ancillary transport facilities that can be provided for KTCT and the synergy that can be achieved with it;

(3) whether the Government assessed, in the past three years, (i) the economic benefits that could have been generated by arranging vessels to berth at KTTS (including the aforesaid activity of occupying berthing spaces for berthing of yachts) and (ii) the economic contributions brought about by the various commercial activities at KTTS;

(4) whether it will expeditiously conduct the studies and assessments mentioned in (2) and (3) respectively, so as to assess whether the KTTS reclamation plan should be taken forward;

(5) given that the Development Bureau mentioned earlier, in reply to my suggestions made in respect of the 2019-2020 Budget, that if reclamation was to be conducted at KTTS, site(s) had to be identified in advance for planning of new typhoon shelters or sheltered anchorages, whether the Government has proposals on the sites for the provision of typhoon shelters; if so, of the details; if not, whether it will immediately commence the site identification work;

(6) given that a few days ago, the Secretary for Development indicated, in reply to a question on the Environmentally Friendly Linkage System for Kowloon East (EFLS) raised by a Member of this Council, that the proposed viaduct, which had originally been planned to run from the tip of KTCT and cross KTTS to connect with the MTR Kwun Tong Station via Hoi Yuen Road, was faced with a lot of technical difficulties as it failed to meet a number of fire safety requirements stipulated under the Fire Safety (Buildings) Ordinance (Cap 572), whether the Government will continue to study EFLS on the one hand, and examine the road transport network that can be provided through reclamation at KTTS on the other, as a contingency plan in the event that EFLS is not pursued; and

(7) whether it will immediately amend the Protection of the Harbour Ordinance to facilitate the implementation of EFLS and reclamation of KTTS, so as to provide a large piece of residential land for the Energizing Kowloon East vision, thereby solving the traffic problems in the district and at KTCT?

Reply:

President,

The Government has been adopting a multi-pronged approach to increase land supply by means of optimising the use of existing developed land on one hand, and developing new land resources on the other including taking forward New Development Area projects and proposing the Lantau Tomorrow Vision (LTV).

Regarding the topic of reclaiming the Kwun Tong Typhoon Shelter (KTTS), the Government proposed in 2001 under the completed Comprehensive Feasibility Study for the Revised Scheme of South East Kowloon Development a total development area of 460 hectares (ha) with about 133 ha from reclamation including the northern part of the KTTS. In light of the judgment handed down by the Court of Final Appeal regarding the interpretation of the Protection of the Harbour Ordinance (Cap 531) in January 2004, the Government launched the Kai Tak Planning Review in mid-2004 with a view to examining the planning and engineering works of the former Kai Tak Airport site and preparing a new development proposal based on the "zero reclamation" principle. Three stages of public engagement were conducted between 2004 and 2006. Subsequently, recommendations of the Kai Tak Planning Review were incorporated into the Kai Tak Outline Zoning Plan (OZP) in November 2006, which were approved by the Chief Executive in Council in November 2007. The approved Kai Tak OZP No.

S/K22/6 currently in force is mainly based on the OZP exhibited in 2006 which does not involve any reclamation proposal and has gone through several rounds of public participation.

In fact, the KTTS is the second largest typhoon shelter in Victoria Harbour. If the KTTS was reclaimed, the overall supply of sheltered berthing spaces in Hong Kong would decrease. As such, the Government has no plan to study whether reclamation works can be carried out at the KTTS.

Our responses to the various parts of the question raised by the Hon Tse, having taken into account the inputs of relevant bureaux and departments, are as follows:

(1) and (3) According to the information provided by the Transport and Housing Bureau, typhoon shelters are established to provide suitable sheltered spaces for local vessels to take refuge during typhoons and inclement weather. The permitted lengths of vessels to use typhoon shelters are 30.4 metres, 50m or 75m, depending on the respective typhoon shelters. The KTTS, as one of the 14 typhoon shelters in Hong Kong, has an area of about 33 ha. Since the KTTS can provide shelter for around 350 vessels during the passage of typhoons and in inclement weather, if reclamation is to be conducted at the KTTS, site(s) must be identified in advance for planning of new typhoon shelters or sheltered anchorages, so as to ensure that there will be sufficient safe berthing spaces in Hong Kong waters for local vessels to take refuge during typhoons or inclement weather.

Moreover, in accordance with the current legislation, with a few exceptions (for example, if a vessel carries dangerous goods or has exceeded the aforesaid permitted length of typhoon shelters), all vessels (including Class II vessels to which pontoons belong) may enter and remain in any typhoon shelters at any time. Furthermore, it is not a contravention of the current legislation for a vessel (such as a pontoon) to provide services to another vessel within a typhoon shelter (including the provision of water, electricity, berthing, security and maintenance services). As regards the economic benefits brought about by the commercial activities within typhoon shelters including the aforesaid activities, they are matters between the shipowners and the service providers concerned. The Marine Department (MD) does not possess the relevant information.

Regarding whether the right to fair use of vessels of typhoon shelters has been affected by the commercial activities therein, according to the MD's on-site observation, there are still adequate berthing spaces available for vessels within the KTTS. The aforesaid pontoon have neither obstructed the free access of other vessels to the typhoon shelter, nor the passageway, they have therefore not contravened any marine legislation. The Ombudsman has also agreed in its report that this has not affected the vessels' right to fair use of the KTTS.

With regard to the management of the KTTS, since November 2018, the Hong Kong Police Force (HKPF) together with the MD have stepped up efforts in patrolling the KTTS and conducted a total of five joint operations to curb any illegal activities within the typhoon shelter. The MD will continue to

maintain close liaison with the HKPF as well as undertake patrols and operations as appropriate, so as to ensure the safe and orderly berthing of vessels within typhoon shelters.

(2) There is an acute shortage of land supply in Hong Kong. The Government endorses the views of the Task Force on Land Supply that there is no single option to solve the land shortage problem. The Government will continue to adopt a multi-pronged approach in order to increase land supply. The LTV has proposed various land supply initiatives in the medium-to-long term. One of the key initiatives of the LTV is to commence studies on the phased reclamation for the formation of artificial islands in the Central Waters. There are multiple strategic advantages of this initiative. The Government estimates that the artificial islands near Kau Yi Chau (the KYC Artificial Islands), with a total reclaimed area of about 1 000 ha, under the first phase development of the LTV are capable of providing 150 000 to 260 000 housing units, 70 per cent of which are public housing. The KYC Artificial Islands will also support the development of the third Core Business District (note: the first two Core Business Districts of Hong Kong are Central and Kowloon East), which fosters economic development and provides some 200 000 diversified employment opportunities. The artificial islands will be supported by a comprehensive network of strategic roads and rails that connects the Hong Kong Island, Lantau and the coastal areas of Tuen Mun, benefiting not only the artificial islands but also the Northwest New Territories as well as the territory as a whole.

The proposed studies related to Artificial Islands in the Central Waters comprise a detailed planning and engineering study for the KYC Artificial Islands to establish the reclamation extent, land uses and technical feasibility, including the formulation of detailed land use proposals, preparation of preliminary design of the associated engineering works, and conducting statutory environmental impact assessment as well as public engagement exercise in relation to the formulation of development proposals; a strategic transport infrastructure study; and collection of information on waters within and in the vicinity of the possible artificial islands near Hei Ling Chau and Cheung Chau South for future reference in long-term planning. Besides, the studies also include associated site investigation including supervision.

The Government estimates the capital cost of the above-mentioned studies to be \$550.4 million in money-of-the-day prices, which is considered reasonable. As mentioned above, the Government has currently no plan to study whether reclamation works can be carried out at the KTTS.

(4) to (7) The detailed feasibility study for the Environmentally Friendly Linkage System for Kowloon East is underway, which includes exploring the feasibility of provisioning a link bridge across the KTTS. Besides, as mentioned above, if the KTTS was reclaimed, the overall supply of sheltered berthing spaces in Hong Kong would decrease. Furthermore, the KTTS is part of our busy working harbour and a good place for water recreation. The Government is promoting the development of water sports and recreational activities in accordance with the direction laid down in the approved Kai Tak OZP. The concerned reclamation idea will affect the direction of promoting

water body co-use in the KTTS. The Government has currently no plan to study whether reclamation works can be carried out at the KTTS. There is also no intention to make amendment to the Protection of the Harbour Ordinance (Cap 531).