

## LCQ4: Management of typhoon shelters

Following is a question by the Hon Steven Ho and a reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (May 11):

Question:

Some fishermen have relayed that at least three cases of fire involving yachts broke out in typhoon shelters in the latter half of last year which were suspected to be related to home-stay-lodging yachts that operated staycations at sea. Moreover, in recent years, yachts operating home-stay lodging have occupied much of the spaces in typhoon shelters. As such yachts have mixed berthing with other types of vessels (mixed berthing), they have seriously affected other vessels, resulting in frictions and conflicts. On the other hand, some yachts have illegally connected to shore power supplies which may easily cause fire on a chain of neighboring vessels. Regarding the management of typhoon shelters, will the Government inform this Council:

(1) whether it has taken law enforcement and regulatory actions in respect of those home-stay-lodging yachts operating in typhoon shelters, and whether it has assessed the effectiveness of such work;

(2) as currently there is a shortage of space and a serious mixed berthing situation in typhoon shelters, whether the Government will adopt the industry's suggestion of implementing an arrangement for demarcated berthing areas for vessels in typhoon shelters; and

(3) as some fishermen have pointed out that under the outdated planning and regulatory legislation, typhoon shelters have seen insufficient spaces, incessant conflicts and inadequate capability for typhoon resistance, whether the Government will expeditiously commission a consultancy study on expansion of existing typhoon shelters or the construction of new ones?

Reply:

President,

The Government attaches great importance to the management of typhoon shelters and has been maintaining communication with the stakeholders, pragmatically handling different issues and proactively improving the management and facilities of the typhoon shelters.

There are currently 14 typhoon shelters in Hong Kong, providing a total of 419 hectares of mooring space for use by local and small visiting vessels. The Government will ensure that there is sufficient space within Hong Kong waters as typhoon shelters suitable for small vessels to take refuge during inclement weather, so as to safeguard the safety of vessels and the crew members on board.

The Marine Department (MD) has been regulating the operation of typhoon shelters in accordance with the current legislation. The MD has designated passage areas and anchorage areas in the typhoon shelters to ensure safe navigation and orderly anchoring of vessels. During its daily patrol, the MD also strives to keep the passage areas clear, as well as conducting inspections on any safety issues related to vessels, such as the risk of bilging, listing, sinking and fire. Apart from assisting and instructing the vessels concerned to rectify the situation, the MD will carry out investigations and appropriate follow-up actions when necessary.

Regarding improvement to the facilities of the typhoon shelters, in response to the demand of fishermen, we completed the construction of additional landing facilities in the Tuen Mun Typhoon Shelter in November last year. Regarding the industry's request for constructing a landing facility in the Aberdeen Typhoon Shelter for use by small vessels, the MD has carried out consultation with relevant stakeholders recently on the preliminary design proposal.

In addition, wave walls of about 1-metre-high were constructed by the Civil Engineering and Development Department on the breakwater at the Aberdeen West Typhoon Shelter and the outer breakwater at the Aberdeen South Typhoon Shelter last year, with a view to enhancing the capability of breakwaters at typhoon shelters against wave attack. The construction works at the inner breakwater at the Aberdeen South Typhoon Shelter is also expected to be completed in the third quarter of this year.

My replies to the Hon Steven Ho's questions are as follows:

Under the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation, a pleasure vessel (i.e. Class IV vessel) shall only be used by its owner, or if it has been let to any person, by that person exclusively for pleasure purposes. If a pleasure vessel is used for residential purposes in the waters of Hong Kong, the owner of the vessel, his agent and the coxswain each commits an offence and is liable on conviction to a maximum fine of \$10,000.

The MD's officers conduct inspections of vessels in Hong Kong waters from time to time and carry out investigations upon public complaints. If illegal activities are found, such cases will be handled in accordance with the law. In recent years, the MD has noticed that some pleasure vessels are being used for operating home-stay lodgings business via internet. In view of this, the MD has taken law enforcement operations specifically to combat pleasure vessels being used for non-pleasure purposes. The MD conducted undercover operations in the Shau Kei Wan Typhoon Shelter and the Aberdeen Typhoon Shelter respectively in December last year, during which two pleasure vessels were suspected to be used as guesthouses. The MD is carrying out prosecution.

In the past five years, out of the 27 successful prosecutions by the MD against pleasure vessels being used for non-pleasure purposes, eight cases involved pleasure vessels being used as guesthouses. The MD will keep enhancing patrol in typhoon shelters and taking enforcement actions to combat

contraventions.

Under the Merchant Shipping (Local Vessels) (Typhoon Shelters) Regulation, generally all local vessels are allowed to enter into typhoon shelters for refuge. The Regulation does not empower the MD to designate a specific area in a typhoon shelter exclusively for the mooring of certain classes of vessels. Nevertheless, in response to the request of the industry, the MD launched a pilot scheme for the exclusive mooring of non-pleasure vessels within the Kwun Tong Typhoon Shelter through administrative arrangement in 2018. The pilot scheme was implemented with the collaboration of stakeholders of the Kwun Tong Typhoon Shelter. Under the pilot scheme, non-pleasure vessels berth at the southern part of the typhoon shelter, whereas the northern part is for the berthing of all classes of vessels.

The Transport and Housing Bureau and the MD will continue communication with the industry and actively explore with relevant stakeholders different proposals to introduce designated berthing areas for vessels in the Aberdeen Typhoon Shelter through administrative arrangement.

The MD is willing to extend the successful experience of the pilot scheme to other typhoon shelters. This will serve as the basis for the MD's continual discussions with the stakeholders of the Aberdeen Typhoon Shelter, with a view to reducing the frictions and conflicts caused by berthing of vessels of different classes in typhoon shelters.

The MD has also been carrying out assessments of the overall territory-wide supply and demand of sheltered spaces regularly. Based on the Assessment of Typhoon Shelter Space Requirements (the Assessment) released in 2017, the overall territory-wide supply of sheltered spaces from then on till 2030 was estimated to be adequate to meet the demand from local vessels. A new round of the Assessment has already commenced to assess the overall territory-wide supply of sheltered spaces from now on till 2035, and is expected to be completed in the second half of this year. During the assessment, we will review different suggestions made by the industry.

Thank you, President.