

LOCAL VESSELS ADVISORY COMMITTEE

Temporary Arrangements during Construction of the Proposed Central - Wan Chai Bypass and Island Eastern Corridor Link

Purpose

The purpose of this paper is to seek members' views on some suggestions for temporary re-provisioning of the affected moorings and anchorages in the Causeway Bay Typhoon Shelter (CBTS) during construction of the proposed Central-Wan Chai Bypass and Island Eastern Corridor Link. (hereinafter abbreviated as "the CWB project")

Background

2. The CWB project was gazetted under the Roads (Works, Use and Compensation) Ordinance (Cap. 370) on 27 July 2007 via Gazette Notice GN 4767. The gazette includes temporary reclamation works required for the tunnel construction and a temporary breakwater to form a temporary typhoon shelter immediately to the north of the existing CBTS to accommodate the affected vessels during construction of the CWB tunnel through the CBTS.

3. In response to the application in October 2007 from the Society for Protection of the Harbour (SPH) for Judicial Review (JR) under the Protection of the Harbour Ordinance (Cap. 531) ("PHO"), the Court of First Instance of the High Court in March 2008 ruled that the PHO and the presumption against reclamation did apply to the proposed harbour reclamation works referred to in GN 4767.

4. During the Court hearing, one of the Affirmations submitted by SPH, stated that the Government should avoid any reclamation works in the Harbour, in particular the construction of temporary breakwater. Instead, the Government should consider the practicability and effect of the various alternative options to re-provisioning the temporary typhoon shelter. Their suggestions are listed below:

Re-housing of Boat Dwellers

5. To consider re-housing the boat dwellers or provide them with compensation for moving away from the typhoon shelter so as to provide additional space during construction.

Temporary relocation of vessels to other typhoon shelters or sheltered anchorages

6. To accommodate the affected vessels from the CBTS to other typhoon shelters, or other sheltered anchorages during construction of the CWB project. The alternative locations suggested to be investigated include typhoon shelters at Kwun Tong, Shau Kei Wan, Yau Ma Tei, To Kwa Wan, Hei Ling Chau, mooring sites in Shelter Cove or Middle Island, or Tai Tam, and private marinas in Gold Coast or Sai Kung.

Locating the temporary typhoon shelter outside Victoria Harbour

7. To consider locating the affected vessels outside the limit of the Victoria Harbour.

Provision of a New Permanent Typhoon Shelter

8. In view of the high cost of constructing and removing the temporary typhoon shelter, it will be necessary to consider to construct a permanent

typhoon shelter within the harbour limits, or by permanently increasing the size of other typhoon shelters. Alternatively, to consider locating the affected vessels to permanent typhoon shelter at Siu Lam, Peng Chau, south of Ma Wan Island, or at locations outside the harbour limits.

Cancellation of moorings

9. As a non-engineering alternative, to consider cancellation of those affected moorings in the CBTS during construction and allow their license to be reinstated after construction is completed. Under such arrangement, the vessel owners will have to make their own arrangements during the interim period.

Advice Sought

10. Cogent and convincing materials (CCM) have to be presented to demonstrate that the reclamations for the proposed temporary typhoon shelter/breakwater are justified and the extent is minimum. The CCM should cover considerations on all other possible arrangements for accommodating the affected vessels in the CBTS, including those suggested by SPH. Obviously, non-engineering alternative would also need to be fully evaluated.

11. Members are invited to give their views on the above suggestions for temporary accommodation of the affected vessels in the CBTS. Other suggestions from Members, if any, are also welcomed.

Highways Department

Hong Kong SAR Government

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