

**立法會**  
***Legislative Council***

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**Panel on Economic Development**  
**Meeting on 21 July 2017**

**Background brief on**  
**the proposal to establish new principal fairway in North Lantau**

**Purpose**

This paper provides background information on the Administration's proposal to establish a new principal fairway in North Lantau, and summarizes the views and concerns expressed by members of the Panel on Economic Development ("the Panel") in previous discussion.

**Background**

2. There are 10 principal fairways in Hong Kong. Vessels navigating within the principal fairways are required to comply with a set of rules mandated by the International Maritime Organization, including navigating as close to the right side of the fairway as possible and following specified procedures when overtaking other vessels. With increasing marine traffic around North Lantau due to the development of neighbouring ports in the Pearl River Delta, the Administration proposes to establish a new principal fairway in three sections with different names for the purpose of clear communication — Urmston Road Fairway, Castle Peak Fairway and Ha Pang Fairway. The eastern end of the proposed Ha Pang Fairway will intersect with the existing Ma Wan Fairway and Kap Shui Mun Fairway at a junction. Taking into account the geographical constraints and marine traffic, the Administration proposes to prohibit fishing activities in the junction to ensure navigational safety.

3. According to the Administration, it has consulted the Port Operations Committee, the Local Vessels Advisory Committee, the Pilotage Advisory Committee and the High Speed Craft Consultative Committee on the above proposal to establish a new principal fairway in three sections. Most members

supported the proposal on the ground of enhanced marine safety and were keen to see the early establishment of the new principal fairway. The Administration has explained to the said committees that there would be loss of fishing grounds due to the proposal, but prohibiting fishing activities in the area is essential in the interest of safety for both the fishing community and marine traffic.

4. The Administration aims at tabling the legislative amendments in October 2017 to establish the proposed principal fairway. The proposal will involve amendments to the Shipping and Port Control Regulations (Cap. 313A) and the Merchant Shipping (Local Vessels) (General) Regulation (Cap. 548F)<sup>1</sup>.

### **Previous discussion**

5. The Panel was consulted on various measures to regulate marine traffic, including the proposed establishment of the new principal fairway as outlined in paragraphs 2 to 4 above at the meeting on 24 April 2017. The major views and concerns expressed by members on the relevant matters are summarized in the ensuing paragraphs.

### **Impact on the fishing trade**

6. Some members expressed grave concern about the impact of establishing prohibited fishing areas at the eastern end of the new principal fairway on the livelihood of fishermen. A member specifically raised objection to the proposal and considered that the Administration had not paid due regard to the interests of the fishing trade in formulating the proposal, in view of the fact that the fishing grounds in the Hong Kong waters had been diminishing gradually for the sake of various local development projects. Members urged the Administration to explore alternatives to take forward the suggestion raised by the fishing trade on implementing a traffic separation scheme in this water area so as to allow fishing activities in a separate zone.

7. In response, the Administration advised that the marine traffic around North Lantau had been increasingly frequent. The average daily traffic in the vicinity was about 100 vessel-trips in 2009, going up to over 300 vessel-trips in 2016 and about 400 vessel-trips in 2017. This increasing trend suggested pressing safety concern which the Administration was duty-bound to address. Safety measures in this water area should be stepped up.

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<sup>1</sup> Cap. 313A applies to all vessels (except local vessels) in Hong Kong waters. Cap. 548F applies to local vessels.

8. On the feasibility of implementing a traffic separation scheme in this water area, the Administration advised that having considered the geographical constraints and the increasing marine traffic around North Lantau, fishing activities at the said junction should be prohibited to ensure navigational safety. The width of the water channel in the area was not sufficient for the establishment of traffic separation scheme. Therefore, providing a separate zone for fishing activities in this water area was not feasible. On the impact of establishing prohibited fishing areas to the livelihood of fishermen, the Administration advised that for safety reasons, fishing activities within principal fairways were not allowed. As the principal fairways had no physical boundaries, it was not possible to quantify the impact of the proposal on fisheries produce.

#### Traffic arrangement for high speed ferries

9. Some members opined that it was necessary to divert the high speed ferries ("HSFs") traveling in the vicinity away from the new principal fairway to ease the traffic flow and enhance marine safety. The Administration advised that HSFs were operated according to the routes specified in the Permit to Operate High Speed Craft in Hong Kong. It would discuss with the relevant operators of HSFs to explore appropriate adjustments to the routes of HSFs to avoid their overlapping with the new principal fairway.

10. Some members enquired about the possibility of relaxing the speed limit imposed on HSFs travelling between the SkyPier and Macao/Zhuhai, given that the number of Chinese White Dolphins ("CWDs") within the Hong Kong waters had reduced due to the shift of their habitat. The Administration advised that the speed limit was a condition of the Environmental Permit for the Three-runway System Project to minimize disturbance to the natural habitat of CWDs, which had high ecological value. The Environmental Permit was issued under the Environmental Impact Assessment Ordinance (Cap. 499). All vessels navigating in that area were required to comply with this statutory restriction.

11. Some members enquired about the feasibility of establishing an emergency fairway near the Hong Kong International Airport so as to provide an alternative channel for HSFs or other vessels traveling between Hong Kong and the Pearl River Delta region during emergency situations. The Administration advised that unlike emergency vehicular access in road traffic, there was no equivalent arrangement for marine traffic. Given the busy marine traffic in the Victoria Harbour, it was not possible to designate a navigational channel for emergency use. In case of emergency such as collision within the proposed principal fairways, the Marine Department would direct the navigation of vessels to ensure safety and minimize impact on marine traffic.

### **Council question**

12. At the Council meetings on 20 November 2013, 2 March 2016 and 13 April 2016, Hon Steven HO raised questions relating to assistance provided for fishermen affected by marine works. Hyperlinks to the Council questions and the Administration's responses are provided in the **Appendix**.

### **Latest development**

13. A public hearing on the Administration's proposal to establish a new principal fairway will be held at the meeting on 21 July 2017.

### **Relevant papers**

14. A list of relevant papers which are available on the Legislative Council Website (<http://www.legco.gov.hk>) is in the **Appendix**.

Council Business Division 4  
Legislative Council Secretariat  
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# **List of relevant papers**

<b>Issued by</b>	<b>Meeting date/ Issue date</b>	<b>Paper</b>
Panel on Economic Development	24 April 2017 (Item V)	<a href="#"><u>Administration's paper</u></a> <a href="#"><u>Administration's follow-up paper</u></a> <a href="#"><u>Administration's follow-up paper</u></a> <a href="#"><u>Minutes</u></a>
Council meeting	20 November 2013	<a href="#"><u>Council question on "Assistance provided for fishermen affected by marine works" raised by Hon Steven HO</u></a>
	2 March 2016	<a href="#"><u>Council question on "Sustainable development of agriculture and fisheries which are affected by development projects" raised by Hon Steven HO</u></a>
	13 April 2016	<a href="#"><u>Council question on "Ex-gratia allowance for fishermen in respect of marine works" raised by Hon Steven HO</u></a>