

PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE

Minutes of the 27th Committee Meeting held in Conference Room 1405-06, 14/F, Harbour Building on 18 May 2001 at 9:30 a.m.

Present

Chairman:	Mr. TSANG Man-ching	Acting Director of Marine
Member:	Ms. Una CHAN Yau-ying	Representing Marine Insurance Industry
	Dr. CHENG Jui-shan	Representing Naval Architects
	Mr. CHOI Kim-lui	Representing Launch & Excursion Vessels' Operators
	Mr. HE Wei-ping	Representing River Trade Cargo Operators
	Mr. HO Chi-shing	Representing Ferry Vessels' Operators
	Mr. HUNG Bing	Representing Local Seafarers' Association
	Mr. KEUNG Yin-man	Representing Fishing Industry
	Dr. Alan LAU Kwok-lam	Representing Pleasure Boating Community
	Mr. Vitus SZETO Kin	Representing Ship Building & Repairing Industry
	Mr. Tony YEUNG Pui-keung	Representing Seafarers' Training Institutes
	Mr. NG Kin-man	Representing Marine Department
	Mr. TUNG Hon-ming	Representing Marine Department
Secretary:	Mr. Victor NG Chi-chi	Asst. Departmental Secretary/Marine Department

In Attendance

Mr. CHEUNG Yau-kwong	Marine Excursion Association Ltd
Mr. Paul CHENG	Cargo Vessels' Operators
Mr. CHOW Yat-tak	HK Cargo-Vessel Traders' Association
Mr. HO Kwun-yin	Local Seafarers' Association
Mr. LEUNG Wai-ying	HK Fishermen's Association
Capt. WU Ka-shun	HK Shipping Staff Association
Mr. BUTT Lee-yuen	Marine Department
Mr. CHEUK Fan-lun	Ditto
Mr. CHAN Kwong-chun	Ditto
Mr. CHENG Yeung-ming	Ditto
Mr. LEE Kwok-ping	Ditto
Mr. LEUNG Siu-chee	Ditto

Presentation of Papers

No. 4/2001:	Dr. Richard Colwill	BMT Asia Pacific Ltd
	Mr. Steve LO	Engineer/Port Works Division, CED
No. 5/2001:	Mr. Raymond WONG	Chief Town Planner/Sub-Regional, PD
	Mr. LEE Yam-sang	Sr. Town Planner/Sub-Regional, PD
No. 6/2001:	Mr. CHENG Yeung-ming	Sr. Surveyor/TP(2), Marine Department

Absent with Apologies

Mr. James SHUEN Wai (represented by Mr. Paul CHENG)	Representing Cargo Vessels' Operators
Mr. R. W. Pickup	Representing Ship Survey Companies
Mr. LING Wai-po	Representing Commissioner of Police

I INTRODUCTION

- M311 1. The Chairman welcomed all members.

II CONFIRMATION OF MINUTES OF THE LAST MEETING

- M312 2. No comments were received from members and the minutes of last meeting were confirmed.

III PRESENTATION OF PAPERS

Paper No.4 /2001 “proposed Kwai Chung Public Filling Barging Point”

- M313 3. Mr. Steve LO of the Civil Engineering Department (CED) gave a brief account of the background of the paper. He told members that most construction and demolition materials were inert materials which could be used for reclamation instead of being dumped at landfills. The setting up of a public filling barging point (PFBP) will facilitate mass transport of these construction and demolition materials to the remote reclamation areas by barges, therefore reducing the burden of the major trunk roads. Dr. Richard Colwill, consultant of CED for this project, then briefed members of the Marine Transport Impact Assessment (MTIA) conducted. Having taking into account the volume of existing marine traffic, forecasts of future activities and records of vessel incidents, the MTIA concluded that with the implementation of a number of control measures as detailed in the Paper, the associated marine risks could be reduced to a minimum. Mr. Steve LO added that the compound would provide about 48 parking space for trucks so that they would not need to queue up outside.
4. While supporting the proposal in principle, Mr. KEUNG Yin-man enquired whether reclamation work was required. In response, Mr. Steve LO said that reclamation work was not necessary in the proposed Kwai Chung PFBP and the future Apleichau PFBP. With regard to Mr. WU Ka-shun’s enquiry about the size of the barges using the PFBP, Mr. CHAN Kwong-chun replied that the maximum length of the barges would be about 50 m. Mr. HO Chi-shing asked what measures would be introduced to minimize dust coming out from the barges. Mr. Steve LO answered that a sprinkler system would be installed inside the compound so that the construction materials carried by the barges would be made wet before the barges left the PFBP. Besides, Mr. CHAN Kwong-chun told members that CED had been advised to require the future operators not to transport the construction materials under open air. Members made no more questions and the Paper was endorsed.

Paper No. 5/2001 “Joint Public Consultation on Stage II Study on Review of Metroplan and Planning Study on the Harbour and its Waterfront Areas”

- M314 5. Mr. Raymond WONG of Planning Department introduced the Paper. The original Metroplan was approved in 1991. In view of the changing circumstances, a review of Metroplan would be necessary. Stage II of the Metroplan Review commenced in March 1999 and it came up with a set of development themes for the Metroplan. In December 1999, the Planning Study on the Harbour and its Waterfront Areas also started. The Stage II Metroplan Review together with the present Study on the Harbour and its Waterfront Areas were being undertaken in tandem and the public's views on their findings were being sought widely. Mr. WONG then gave a brief account of the findings of the Metroplan Review which included various development constraints and opportunities. He told members that a development strategy would be drawn up later and there would be another round of consultation in future.
6. Mr. LEE Yam-sang of Planning Department took over at this juncture and briefed members of the background of Planning Study on the Harbour and its Waterfront Areas (the Study). He pointed out that although the Study was funded by the Hong Kong Tourism Board, this had no bearing on the findings of the Study itself. During the course of the Study, reference had been drawn from other international cities like Singapore, Sydney, and San Francisco etc. which were renowned for their harbour front development. Mr. LEE highlighted several key issues identified by the Study, namely lack of public accessibility to the waterfront, lack of waterfront attractions and incompatible land use along the waterfront. He explained that all these were consequences of historical development as people had different expectations at different stages of development of Hong Kong. The Study noted that some waterfront areas like those next to the Kwai Chung Container Terminal were unsuitable for tourism development. On the other hand, the Study found that the waterfront along the inner harbour core had much potential for developing tourism. Besides, the Study also recommended that some areas, say those at the former Kai Tak Airport and Western Kowloon, could be developed into secondary tourism nodes. For uses which were incompatible with tourism development, the long term solutions might include termination or relocation of such uses or else mitigation measures should be introduced to minimize interface problems. Finally, Mr. LEE outlined a number of proposals put forward by private companies for members' information.
7. Dr. CHENG Jui-shan and Mr. HO Chi-shing commented that there were room for ferry

service development if the Government could give due consideration to its role in the planning stage. Mr. Lee Yam-sang replied that Transport Department was conducting a review on this issue and the findings of the review would be considered by his Department later. Mr. Raymond WONG further stated that the Study would not examine the ferry service development in the whole territory in view of the scope and the nature of the Study. However, the Study would look into the possibility of promoting some waterbus and shuttle ferry services in the inner harbour area and his department would liaise with concerned departments for the provision of landings and berthing facilities along the harbour front which were necessary for the ferry services.

8. Mr. CHOI Kim-lui, Mr. He Wei-ping and Mr. KEUNG Yin-man commented that all people would welcome an improvement in quality of living. However, if the use of Yaumatei Public Cargo Working Area and the Yaumatei Typhoon Shelter were terminated, both the livelihood and personal safety of many people would be affected. Mr. CHOW Yat-tak also commented that the Study had not attached much attention to the needs of the shipping industry. Following accession of China to the World Trade Organization, he expected that the cargo throughput of Hong Kong would continue to rise and so the Government should take this into account when making any long term development plans. Mr. Raymond WONG stated that given the competing demand for waterfront areas, the Study would aim to balance the needs of different uses in drawing up the planning framework for the harbour and waterfront. The proposal regarding the existing location of Yaumatei Typhoon Shelter and Public Cargo Working Area (PCWA) was only a long term concept and should not be considered as a programmed project ready for implementation. The proposal would only be pursued further provided that the facilities were no longer required or the reprovisioning issue had been resolved. There might be other alternative such as implementation of improvement work to the Typhoon Shelter and PCWA to make them more compatible with the uses in the wider area. Mr. WONG further assured that the Planning Department was aware of the concerns of the operators and the main aim of the current consultation exercise was to exchange and solicit views of stakeholders and the public on the interim findings of the Study. Members were glad to know that there would be reprovisioning for displaced facilities.
9. Mr. CHEUNG Yau-kwong pointed out that the utility rate of many museums had been far from satisfactory and so he opined that it would be advisable to think twice before building more cultural facilities. Instead, he suggested the Government should

explore the feasibility of developing more natural scenic spots into tourism nodes. In response, Mr. Raymond WONG said that this strategy had already been adopted in the South East New Territories Development Strategy.

10. Once again, Mr. Raymond WONG reiterated that the Study aimed at formulating a long term strategy for harbour front development. It was never the intention of the Government to implement all the recommendations of the Study immediately. He promised that views of members would be carefully considered by the Government.

Paper No. 6/2001 “Control of Pollution from Noxious Liquid Substances listed under Chapter 18 of the IBC Code when Carried in Bulk—Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations (Cap. 413 Sub. Leg. B)”

- M315 11. Mr. CHENG Yeung-ming of MD introduced the Paper. Mr. CHENG told members that the control of pollution from noxious liquid substances in bulk was currently enforced through the Merchant Shipping (Control of Pollution by Noxious Liquid substances in Bulk) Regulations (Cap. 413 Sub. Leg. B). This Regulation applied to Hong Kong registered ships, locally licensed vessels and ships using Hong Kong waters. Recently there had been an increase in number of oil tankers carrying vegetable oils in addition to petroleum products. Therefore it was considered necessary to tighten control in this respect. To achieve this, the Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations (Cap. 413 Sub. Leg. B) would have to be amended by including the noxious liquid substances listed under Chapter 18 of the IBC Code into the definition of the “Noxious Liquid substance” in the Regulations. Mr. CHENG then gave a brief account of the additional requirements that oil tankers and chemical tankers had to be complied with under the proposed legislation amendment. Members unanimously endorsed the Paper.

IV. MATTERS ARISING FROM MINUTES OF THE LAST MEETING

Matters Discussed in the Fishing Vessels Working Group (M291)

- M316 12. Mr. TUNG Hon-ming of MD told members that the Working Group had met several times and consensus had been reached for the following 3 issues:-
- a) Radio Communication Equipment
- For the sake of safety, the Working Group considered that all fishing

vessels leaving Hong Kong should carry on board some sort of radio communication equipment. For fishing vessels departing for East China Sea and South China Sea, the leader fishing vessel should be equipped with one set of SSB Radio and one set of citizen band radio while the other accompanying fishing vessels should be equipped with one set of citizen band radio. For fishing vessels operating in the nearby mainland coastal areas, they should be equipped with one set of mini-radio communication equipment.

b) Muffler

The Working Group considered that the engines of all fishing vessels should be equipped with mufflers.

c) Fishing Sampan

At the request of the fishing community, the Working Group agreed that the power of outboard petroleum engines of fishing sampans could be increased up to 90 HP subject to the following safety requirements:

- i) 100% built-in buoyancy;
- ii) structure in compliance with the requirements of classification society or Mainland Fishing Vessel Inspection Bureau;
- iii) longitudinal heeling < 4 degrees and turning < 8 degrees at full speed;
- iv) availability of suitable and sufficient navigation lights, life-saving and fire fighting appliances;
- v) survey afloat once every two years; and
- vi) the vessel operator should hold a fishing vessel coxswain licence.

13. With regard to the enquiry raised by Mr. KEUNG Yin-man and Mr. HUNG Bing, Mr. TUNG Hon-ming clarified that use of diesel oil would not be prohibited. Mr. WU Ka-shun enquired about the difference between a fishing sampan and a P4 sampan. Mr. TUNG replied that a P4 sampan could only operate in certain areas but a fishing sampan could operate in all waters of Hong Kong. At this juncture, Mr. LEUNG Wai-ying explained to members the historical background of fishing sampans. Mr. CHOI Kim-lui indicated that he had some worries about the fast moving speed of fishing sampans and he commented that such sampans should not be used for carriage of passengers. Mr. HO Chi-shing asked whether it would be lawful for a fishing sampan owner to carry anglers on board. Mr. TUNG replied that the issue would be

considered by the Working Group.

Development of Legislation for Coastal Trade Vessels (M307)

- M317 14. Mr. LEE Kwok-ping of MD reported that an internal Working Group had been set up to work on the project. The Working Group had held 2 meetings with the Beijing MSA on some principal matters like the mechanism for implementation of safety standards and crew requirements. It was agreed that a Memorandum of Understanding should be worked out. The Working Group would hammer out details of the subsidiary legislation and code of safety practice etc for consideration of the Technical Sub-committee. Afterwards, the draft legislation requirements and the code of safety practice would be tabled before this Committee for endorsement.

Working Group to Study Registered Professional Engineer (Marine and Naval Architecture) (RPE(MNA)) as Authorized Surveyor (M308)

- M318 15. Mr. TUNG Hon-ming reported that the Working Group, having considered the qualification and experience required of RPE(MNA) and surveyors in MD and in the classification societies, and the authorization systems adopted by other Government departments like the Electrical & Mechanical Services Department, Labour Department and Buildings Department, recommended that RPE(MNA) could be appointed as authorized surveyor and the Working Group would work out the details of appointment and monitoring systems. The recommendation of the Working Group was endorsed by the Committee.

V. ANY OTHER BUSINESS

- M319 16. Ms. Una CHAN enquired about the progress of legislation about compulsory third party insurance. In response, the Chairman said that the Department was still examining the issue.
- M320 17. Mr. CHEUK Fan-lun of MD reported that the Merchant Shipping (Local Vessels) Ordinance was enacted by Legco in July 1999. There would be a total of 10 subsidiary legislations under the Ordinance. Both the English and Chinese versions of 5 subsidiary legislations would be available shortly and members would be requested to scrutinize the subsidiary legislations and offer comments as soon as possible. He added that the remaining 5 subsidiary legislations would probably be available for members' comment by the end of this year. In response to Mr. CHOI Kim-lui's enquiry, Mr. CHEUK said that the 10 subsidiary legislations would come

into force at the same time.

VI. DATE OF NEXT MEETING

- M321 18. There being no other business, the meeting ended at 12:00 am. The next meeting would be held in August/September 2001.