

PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE

**Minutes of the 29th Committee Meeting
held in Conference Room 1405-06, 14/F, Harbour Building
on 26 July 2002 (Friday) at 11:00 a.m.**

Present

Chairman:	Mr. TSANG Man-ching	Deputy Director of Marine
Member:	Mr. Vitus SZETO Kin	Representing Ship Building & Repairing Industry
	Dr. CHENG Jui-shan, MBE	Representing Naval Architects
	Mr. Martin CHU	Representing Ship Survey Industry
	(on behalf of Mr. R.W. Pickup)	
	Ms. Una CHAN Yau-ying	Representing Marine Insurance Industry
	Mr. Tony YEUNG Pui-keung	Representing Seafarers Training Institutes
	Mr. HUNG Bing	Representing Local Seafarers' Associations
	Mr. SIU Wing-fai	Cargo Vessels' Operators
	(on behalf of Mr. SHUEN Wai)	
	Mr. CHOI Kim-lui, JP	Representing Launch & Excursion Vessels' Operators
	Mr. HO Chi-shing	Representing Ferry Vessels' Operators
	Mr. XU Jian	River Trade Cargo Operators
	(on behalf of Mr. HE Wei-ping)	
	Dr. Alan LAU Kwok-lam	Representing Pleasure Boating Operators
	Mr. KEUNG Yin-man, MBE	Representing Fishing Industry
	Mr. LING Wai-po	Hong Kong Police Force
	Mr. BUTT Lee-yuen	Marine Department
	Mr. Michael LEE	Marine Department
Secretary:	Mr. Ernest LAM	Marine Department

In Attendance

Mr. CHEUNG Yau-kwong	Marine Excursion Association Ltd
Mr. HO Kwun-yin	Local Seafarers' Association
Mr. PANG Wah-kan	HK Fishermen's Association
Capt. WU Ka-shun	HK Shipping Staff Association
Mr. CHEUK Fan-lun	Marine Department
Mr. LEU Kun-man	Ditto
Mr. WONG Chan-kwong	Ditto

Presentation of Papers

No. 1/2002:	Mr. Jon Varndell Mr. P.W. LAU Mr. K. K. HO Mr. S. O. LEUNG	Project Manager/Atkins China Ltd Engineer/Atkins China Ltd Senior Engineer/Territory Development Department Engineer/Territory Development Department
No. 2/2002:	Mr. LI Yiu-kwong	Marine Department
No. 3/2002:	Mr. WONG Kun-lun	Marine Department

I Opening Remarks

1. The Chairman welcomed all to the meeting, especially Mr. XU Jian, Mr. SIU Wing-fai and Mr. PANG Wah-kan who attended this meeting for the first time.

II Confirmation of Minutes of Last Meeting

2. The minutes of the last meeting were confirmed subject to the following amendments proposed by Ms. Phoebe Y M CHAN of Planning Department:

Paragraph 9

To replace “In view of the unique history of Aberdeen Harbour, ... each provides with its own pier.” with “In view of the unique history of Aberdeen Harbour, it was proposed to adopt the Fishing Port Theme and the Fisherman’s Wharf Development concept to guide the selection and design of tourism and recreation products for the Harbour. Based on the above development concept, it was proposed to provide five major tourism nodes in the Harbour, with provision of facilities like waterfront promenades, dining, retail and entertainment facilities, floating market, harbour taxi, etc. Among the three proposed conceptual development option, the Conceptual Development Option 3, which had a development level between the “Do-minimum Option” and the “Do-maximum” Option, was recommended as it would promote tourism and create employment, whilst keeping down the impacts on environment, infrastructure and transport network.”

III. Presentation of Papers

PLVAC Paper No. 1/2002 - Central Reclamation Phase III

3. Mr. K K HO of Territory Development Department (TDD) told the meeting that the detailed design for the Central Reclamation Phase III (CRIII) project was substantially completed in 1997. Following the enactment of the Protection of the Harbour Ordinance in the same year, a critical review of the scope of the Central and Wan Chai Reclamation including CRIII was conducted in order to formulate a scheme which would comply with the Ordinance and at the same time provide enough land to serve the long term needs of the territory. This review led to the development of a revised layout for CRIII, with significant changes to the original reclamation configuration and the reclaimed area would be reduced from 32 hectares to approximately 18 hectares.
4. Mr. Jon Varndell then gave a brief account on the scope of the CRIII project. Members were informed that the area to be reclaimed extended from outside the General Post Office in the west, to Lung King Street in the east. The existing marine facilities located within the CRIII project site viz. Star Ferry Piers, Queen's Pier and TST East Ferry Pontoon, public landing steps at Central Reclamation Phase I and Tamar (with associated moorings and motor boat/launch operators' kiosk) would be relocated to the refurbished Ferry Pier 7, new Ferry Pier 8 and new Public Piers 9 and 10 located at the west of the reclamation. All the existing ferry services therein would be reprovisioned within the CRIII site, except for those of the Discovery Bay which would be relocated to Pier 3 before the reclamation started. Regarding the existing Public Cargo Working Area at Wan Chai Basin, it would be relocated to Chai Wan Basin in June 2003 to make way for the reprovisioning of the existing Government Heliport at Tamar. Members were also informed that some new marine facilities would be constructed in the reclaimed area including a military dock with 150m long berth and a wave-absorbing seawall along the northern edge of the reclamation.
5. The Chairman invited members to give their comments/views on the project.
6. Upon Dr. CHENG Jui-shan's queries, Mr. S. O. LEUNG clarified that the seawall to be used in CRIII would reduce about 50% of the height of sea waves generated by vessels. By reducing wave reflection near the shore, it would help to prevent further worsening of the existing harbour conditions. Mr. LEUNG said the same design would also be adopted in the future Wanchai Reclamation Phase II project.
7. Mr. CHOY Kim-lui and Mr. KEUNG Yin-man supported the new seawall design as it would improve the safety of smaller vessels while berthing.

8. In response to Dr. CHENG's and Mr. HO Chi-shing's enquiries, Mr. Jon Varndell said that a new footbridge of about 300m would be constructed to provide access from the areas near the Hong Kong Station of MTR/Central Post Office to the new ferry piers. Mr. S. O. LEUNG supplemented that elevators and facilities for the disabled would be provided at appropriate locations.
9. Mr. CHEUNG Yau-kwong enquired, and Mr. S. O. LEUNG replied that the existing berths for leisure vessels at Queen's Pier would be reprovisioned in the new Piers 9 and 10. Mr. LEUNG said that the government was still considering various development plans of Piers 9 and 10 and members would be further consulted on the reprovisioning arrangements when details were available.
10. In response to Mr. Martin CHU's enquiry, Mr. Jon Varndell said that the impact of the CRIII project on the road traffic was assessed and some temporary arrangements would be adopted during the construction period to avoid congestion.

Paper No. 2/2002 "Amendments to the International Regulations for Preventing Collisions at Sea, 1972 adopted by the 22nd Sessions Assembly of International Maritime Organizations"

11. Mr. LI Yiu-kwong presented the paper. The relevant amendments to the International Regulations for Preventing Collisions at Sea, 1972 were adopted by the International Maritime Organization on 29 November 2001. As the convention concerned applied to ships registered in Hong Kong and any ships within Hong Kong waters, these amendments would be implemented when they came into force internationally in November 2003. In this connection, amendments to the existing legislation (i.e. Merchant Shipping (Safety) Signals of Distress and Prevention of Collisions) Regulations (Cap. 369N) were necessary. Major amendments were summarized below:
 - (a) Inclusion of the related regulations regarding the operation of "Wing-In-Ground (WIG) craft" i.e. taking off, landing and in flight near the surface.
 - (b) New requirement of sound signal equipment with different sound characteristics (e.g. whistle, bell and gong) for vessels of various sizes.

- (c) Relaxation of masthead light requirement of high-speed craft.
12. The Chairman told the meeting that the proposed amendments would have little impact to the existing local vessels of Hong Kong. Members made no further comments.

Paper No. 3/2002 "Proposed Amendments to the Legislation Relating to Conveyance of Dangerous Goods in the Waters of Hong Kong"

13. Mr. WONG Kun-lun presented the paper. The meeting was informed that the Dangerous Goods (Amendments) Bill was introduced into the Legislative Council in 2000 and was passed on March 2002. Following the gazette of the Dangerous Goods (Amendments) Ordinance 2002 on 22 March 2002, consequential amendments to the Dangerous Goods (Shipping) Regulations (Cap. 295 sub. leg.) (DS(S)R) and other relevant maritime legislation were required. Major amendments were summarized below:

- (a) Incorporation of existing provisions under the Merchant Shipping (safety) (Dangerous Goods and Marine Pollutions) Regulation (Cap. 413 sub. leg.) in respect of compliance with the IMDG Code into the DG(S)R of which would apply to local vessels including locally licensed vessels and Mainland non-convention vessels.
- (b) Relocation of the relevant regulations of the Dangerous Goods (General) Regulations (Cap. 295 sub. leg.) concerning the issue of removal permits, prohibition of carrying explosives on public ferry and discharge of firework in Hong Kong waters into the DS(S)R.
- (c) Introduction of new provisions relating to the conveyance of dangerous goods by Types I, II and III vessels under the respective Regulations.
- (d) Deletion of obsolete regulations of the DG(S)R.
- (e) Update of the relevant regulations of the DG(S)R.
- (f) Replacement of the maximum fines under the DG(S)R by "level of fines" as stipulated in Schedule 8 of the Criminal Procedure Ordinance (Cap. 221).

14. Mr. WONG added that barge operators involving in the conveyance of dangerous goods and members of the Hong Kong Port Operations Committee had been consulted on the proposed amendments to the DS(S)R.
15. In response to Mr. CHOI Kim-lui's enquiry, Mr. WONG Kun-lun clarified that the Type III vessels mentioned in paragraph 5(g) of Annex 1 referred to those vessels carrying dangerous goods on board. As regards implementation date of the related regulations, Mr. WONG Kun-lun replied that the legislation procedures would take a considerable time to complete. A grace period for compliance with the requirements of the new legislation would be allowed.

IV. Matters Arising From Minutes of Last Meeting

Development of Legislation for Coastal Trade Vessels (M331)

16. Mr. Michael LEE said that the draft safety standard was discussed at the 3rd Expert Meeting with Beijing MSA in early July 2002 and a consensus about this subject was reached. Upon completion of the consultation and other outstanding issues such as crew identity, safety training, crew certification, minimum manning and simplified requirements of the International Safety Management, the draft legislation requirements would be submitted to members for endorsement.

Working Group to Study Registered Professional Engineer (Marine and Naval Architecture) (RPE(MNA)) as Authorized Surveyor (M332)

17. Mr. Michael LEE reported that a draft "Guideline for Appointment of RPE(MNA) as Authorized Surveyors" prepared by the Department was discussed by the Working Group in early 2002. As some members disagreed to certain contents of the draft guideline, further deliberation was required before an agreement could be reached.

V. Any Other Business

18. The Chairman said that a document namely "中華人民共和國內河交通安全管理條例" issued by the State Council was tabled, which was for members' information only.

19. Mr. CHOI Kim-lui expressed that the launch and excursion vessel operators were very concerned about the reduction of typhoon shelter provisions in Kwun Tong and To Kwa Wan from 48 hectares to some 20 hectares. Upon Mr. CHOI's request, the Chairman agreed that the Department would reflect the industry's concern to PMB for consideration.
20. Ms. Una CHAN enquired about the progress of drafting the new Merchant Shipping (Local Vessels)(Compulsory Third Party Risks Insurance) Regulation and when the new Regulation would be implemented. The Chairman said that there were some legal concerns in drafting the new Regulation. It was hoped that the new Regulation could be implemented in mid 2003. The marine insurance industry would be informed of the implementation time in due course.
21. The Chairman told the meeting that he would proceed with his pre-retirement leave in early October 2002. He thanked members for their continuous support and invaluable advice offered in the past few years.

VI. Date of Next Meeting

22. There being no other business, the meeting ended at 12:40 pm. The date of next meeting would be announced in due course.