

# **PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE**

**Minutes of the 22<sup>nd</sup> Committee  
Meeting held on 29 July 1999 at 9:30 a.m.  
in Room 1405-1406, 14/F., Harbour Building**

## **Present**

Chairman:	Mr. M.C. TSANG	Deputy Director of Marine
Member:	Mr. KEUNG Yin-man	Representing Fishing Industry
	Mr. CHOI Kim-lui	Representing Launch & Excursion Vessel Operators
	Mr. HO Chi-shing	Representing Ferry Vessels Operators
	Mr. SHUEN Wai	Representing HK Cargo Vessel Traders
	Mr. HUNG Bing	Representing Local Seafarers Operators
	Mr. HE Wei-ping	Representing River Trade Cargo Operators
	Mr. Tony YEUNG	Representing Seafarers' Training
	Mr. LEUNG Chung-ting	Commissioner of Police
	Mr. NG Kwing-kee	Representing Marine Department
	Mr. TUNG Hon-ming	Ditto
Secretary:	Mr. Michael YEUNG	Asst. Departmental Secretary/Marine Department

## **In Attendance**

	Mr. J. N. Mckay	Survey & Inspection Companies
	Mr. HO Kwun-yin	Local Seafarers Operators
	Capt. WU Ka-shun	HK Shipping Staff Association
	Mr. CHEUNG Yau-kwong	Marine Excursion Association
	Mr. LEUNG Wai-ying	HK Fishermen's Association
	Mr. KWOK Kam-tung	HK & Kln Motor Boats & Tugs Boats Association
	Mr. LEUNG Ming-kai	Ditto
	Mr. PUI Chi-keung	Ditto
	Mr. LEE Ka-mo	Marine Department
	Mr. LEE Ping-kuen	Ditto
	Mr. LI Kwok-ping	Ditto
	Mr. Y. N. CHAN	Ditto

## **Presentation of Papers**

No. 5/99:	Mr. Peter K. F. LEUNG	Scott Wilson HK Ltd.
	Mr. Vincent NG	Ditto
	Mr. Anthony Y. W. LI	Civil Engineering Department
	Mr. WAN Moon-tong	Marine Department
No. 6/99:	Dr. Richard Colwill	BMT Asia Pacific Ltd.
	Mr. Peter French	Ditto
	Mr. Davis LEE	Over Arup and Partners
	Mr. K. P. WONG	Highways Department
	Mr. H. C. WONG	Ditto
	Mr. CHAN Kwong-chun	Marine Department
Nos. 7-9/99:	Mr. TSANG Cheuk-yin	Ditto
No. 10/99:	Mr. YEUNG Chung-kwong	Ditto
No. 11/99:	Mr. CHEUK Fun-lun	Ditto

Absent with Apologies

Mr. SZETO Kin, Vitus	Ships Buildings & Ships Repairs
Dr. Peter CHENG	Naval Architect
Dr. Alan LAU	Pleasure Boating Operators
Mr. Elden YAU	Marine Insurance Companies
Mr. R. W. Pickup	Survey & Inspection Companies

**I. INTRODUCTION**

- M259 1. The Chairman welcomed all and introduced Mr. HE Wei-ping representing River Trade Cargo Operators vice Mr. YANG Rixiang and Mr. Tony YEUNG representing Seafarers' Training vice Mr. Jack Haworth.

**II. CONFIRMATION OF MINUTES OF THE LAST MEETING**

- M260 2. The minutes of the last meeting were confirmed without amendments.

**I. PRESENTATION OF PAPERS**

*Paper No. 5/99 "Planning and Engineering Feasibility Study for Development on Sham Tseng Further Reclamation"*

- M261 3. Mr. Peter LEUNG informed members of the following-
- to maintain the "kaito" service subject to Transport Department's review;
  - to reserve spare room for additional landing steps;
  - to allow small crafts to reach the edge of the future seawall;
  - to minimize boundary spotlights for safety navigation at night time; and
  - to maintain Ma Wan Fairway's traffic throughout the reclamation work.
4. Mr. LEUNG explained to members that the vertical seawall design was adopted in order not to cause reduction in navigable sea area and measures would be taken for the absorption of wave reflection. He undertook to conserve the environment by minimizing dredging and to work according to EPD's standards and requirements, the filling progress and clearance of debris would be closely monitored. He revealed to members that he had already consulted the Ma Wan Rural Committee on this study. Finally, he undertook to consult members again before the commencement of the stage 2 reclamation.

*Paper No. 6/99 "Route 9 between Tsing Yi and Cheung Sha Wan – Stonecutters Bridge"*

- M262 5. Mr. H.C. WONG briefed members that the Stonecutters Bridge would span the 1000m shipping channel between CT8 and CT9 with a navigation clearance of 73.5m P.D. The design of the bridge, either suspension or cable-stayed, was yet to be decided.

6. Dr. Richard Colwill continued to brief members on the Marine Impact Assessment Study. He informed members that the conclusion of the study would only be finalized by January 2000. However, he explained to members that traffic restriction/control had to be imposed during the bridge construction period. He undertook to avoid/minimize total closure of Kwai Chung Channel even during the lifting operation, however, delays would be inevitable during the one way traffic period.
7. Concerns were expressed at the meeting about the adverse effect that would be caused to the terminals as well as to the river trade vessels that have to carry out their operations at the terminals, other concern was about the possible growing traffic when the economic downturn was over. The Chairman explained that this project would benefit Hong Kong in long term by and large and the issue would be widely discussed in other forums such as the Port Operation Committee and Pilotage Advisory Committee therefore the interest of all concerned parties would be properly looked after. He undertook that Marine Department would strengthen the traffic control to minimize the impact so caused and he assured the meeting that the consultants would take into consideration members' concerns and to conduct reviews on the traffic flow should there be any increase in the years to come.

**Paper No. 7/99 "Establishment of a Naval Anchorage off Stonecutters Island"**

- M263 8. Mr. C. Y. TSANG informed members of the establishment of a Naval Anchorage off Stonecutters Island in accordance with the Defence Lands Agreement. Four typhoon-moorings would be laid for naval vessels but the anchorage itself would not be a restricted area for through traffic.

**Paper No. 8/99 "Proposed Extension of the Yau Ma Tei Anchorage (YMTA)"**

- M264 9. Mr. C.Y. TSANG informed members that the YMTA would be enlarged to ease the congestion inside and to prevent future accidents. It was proposed to realign and extend the boundaries of YMTA by 47%, "YMT 1" light buoy and GMB B5 and A34 would have to be relocated as a result of the extension.
10. Mr. HE Wei-ping requested to reduce the extension to 25% only and to restrict YMTA for vessels below 60 meters. Mr. TSANG explained that over 50% of the vessels using YMTA were over 60 meters therefore it would not be practicable to impose the length restriction, also to reduce the extension would not help much in alleviating the congestion. Some other concerns were raised on the problem of "dead ships" inside the YMTA and the traffic black spot at the entrance. Mr. TSANG noted the problem of "dead ship" and he advised members that vessels should approach the YMTA from the YMT fairway that was established recently. The Chairman added that patrolling service would be strengthened to maintain safety navigation in and out of the YMTA.

Paper No. 9/99 "Proposed Amendment to Regulation 50 of the Shipping and Port Control Regulations"

- M265 11. Mr. C.Y. TSANG informed members about the removal of some ambiguity in the existing Regulations to prevent vessels from exempting the paying of anchorage dues on their first day of arrival in Hong Kong. The Chairman added that this amendment would only affect OGVs. Members offered no comments and the proposed amendments were endorsed.

Paper No. 10/99 "Optimisation of Water Space to the West of Lamma Island"

- M266 12. Mr. C.K. YEUNG briefed members on the proposal to optimise the usage of water area to the west of Lamma Island by establishment of a West Lamma Anchorage. The proposal also suggested the realignment of the South Cheung Chau Fairway and establishment of a West Lamma Traffic Separation Scheme.

13. Some members considered that the proposed area might not be a suitable anchorage area for small vessels especially during southwest monsoons when the sea condition would be very rough. Their suggestion was to provide a breakwater to facilitate the operations there. Mr. K.M. LEE stressed that the proposal was designed to provide "short-stay" anchorage for vessels with a draft up to 7m, suitability for operations very much had to depend on the weather. There being no other comments and the proposal was endorsed.

Paper No. 11/99 "New Requirements for Pleasure Vessels"

- M267 14. Mr. F.L. CHEUK briefed the meeting on the new requirements for pleasure vessels (PV) carrying more than sixty passengers and/or engaged in chartering activities. It was proposed that any pleasure vessel allowed to carry more than 60 passengers should be subject to mandatory safety inspection and any pleasure vessel let under a charter agreement should have a valid Certificate of Seaworthiness.

15. Members in general welcomed the proposals with the following points raised during the meeting-

- to provide a clearer definition of the term "commercial purpose";
- to strengthen the mandatory safety inspection to cover pleasure vessels with a lower passenger capacity;
- to avoid over control in order not to jeopardize the survival of the excursion business;
- to consider carefully the need of a "Certificate of Seaworthiness";
- to strike a reasonable balance between safety and operating costs because any additional cost would most likely be borne by users; and
- to prosecute illegal passenger carrying activities.

15. Mr. F.L. CHEUK explained that for future Class I passenger vessel, the safety requirement for the passenger capacity of over sixty would be more stringent. Such capacity was therefore adopted for the requirement of mandatory safety inspection for pleasure vessels. The statutory definition of "commercial purpose" in UK would be adopted in the new regulations. The Certificate of Seaworthiness would be absolutely essential as it would be showed to the charterer, his relatives/friends that the vessel being chartered was safe for its intended purpose. Inspections and surveys would be carried out by the Class Societies in order to obtain a fair and professional assessment of the suitability for issuing of a certificate. He assured members that strict enforcement action would be taken against those illegal passenger carrying activities.
16. The Chairman added that safety of passengers would always be given the first priority and he suggested the forming of a working group to take care of the technicalities and the development of appropriate code of practices. He further suggested that the working group should be comprised of representatives from the pleasure vessel operators and members who volunteered to participate. The suggestions were agreed by all. (Post meeting notes: The working group was formed and chaired by Mr. K.K. NG, the first meeting was called on 15 September 1999).

#### **IV. MATTERS ARISING FROM MINUTES OF THE LAST MEETING**

##### ***(i) Helping Business Study (M252)***

- M268 15. Mr. H.M. TUNG informed members that five more recommendations of the Phase II Helping Business Study were implemented. The recommendations had either served to improving operational effectiveness of the department or the enhancing of service delivery to the public in respect of licensing and survey for local vessels.

##### ***(ii) Merchant Shipping (Local Vessels) Bill (M253)***

- M269 19. The Chairman informed members that the Bill had passed its third reading on 7 July 1999. He envisaged that all the relevant regulations should be finalized by end of the year. Mr. F.L. CHEUK added that the final draft of the regulations would be circulated to members for consultation when available.

#### **V. ANY OTHER BUSINESS**

##### ***(i) Working Group on Fishing Vessels***

- M270 20. The Chairman suggested the forming a working group to centrally coordinate fishing vessel matters in addition to the ad-hoc meetings held by district marine offices at district level. He identified several issues such as those related with the fishing banned period and the local survey standard of iron-hull China fishing vessels that could be dealt with by the Working Group. Members all in support of this

suggestion. (Post meeting notes: The Working Group was formed and chaired by Mr. H.M. TUNG, the first meeting was called on 28 October 1999).

*(ii) Transport of Vehicles or Motor Cycles in Containers*

- M271 21. Mr. K.K. NG reported to the meeting an explosion in Stonecutters PCWA on 25 May 1999 that had caused one death and one serious injury. The explosion took place when a container of second hand motor cycles was lifted onto a barge. He informed members that this was indeed the third explosion incident that was connected with the conveyance of second hand motor vehicles/cycles. He urged members to remind all relevant operators to observe the safety guidelines that was jointly prepared by Transport Department, Fire Services Department, Marine Department and the Hong Kong Police for transport of motor vehicles/cycles. A Marine Department Notice No. 57 of 1998 had also been issued to this effect.

**VII. DATE OF NEXT MEETING**

- M272 22. Members would be advised of the date in due course.