

Minutes of the 35th POC Meeting

Date : Wednesday, 6 December 2000

Time : 10:30 am

Venue : MD VIP Launch "Tin Hau"

Present	Mr S Y Tsui	Chairman
	Mr S M Chung	(on behalf of Mr K M Lee)
	Mr K L Choi	Member
	Mr Rueben Chung	Member
	Mr David C S Ho	Member
	Mr Alex Fong	Member
	Mr Neil Russell	Member
	Mr C K Lam	(on behalf of Mr Luo Hui Lai)
	Mr H Y Cheung	(on behalf of Mr Bosco Louie)
	Mr Y P Shum	(on behalf of Mr S.H. Pau)
	Mr Sunny Ho	(on behalf of Mr Jeffrey Lam)
	Mr Raymond Cheng	(on behalf of Mr Terrence Sit)
	Mr Phileas Fong	(on behalf of Mr Chris Pooley)
Mr K Y Wong	Secretary	
In attendance	Mr Phylip Leferink	HITT
	Mr Dick Langejan	HITT
	Mr K K LING	Plan D
	Mr C Y Tsang	MD
	Mr K C Chan	MD
	Mr C T Lai	MD
	Mr Summy Chu	MD
	Mr H P Liu	MD
Apologies	Mr John Lee	Member
	Mr F M Luk	Member

1. Open of Meeting

1.1 The **Chairman** welcomed all to the meeting and introduced the following persons :

- (i) **Mr C K Lam** representing Wharf and Godown Operators on behalf of Mr Luo Hui Lai.
- (ii) **Mr H Y Cheung** representing Shipowners Association on behalf of Mr Bosco Louie.
- (iii) **Mr Y P Shum** representing Hong Kong Pilots Association on behalf of Mr S H Pau.
- (iv) **Mr Sunny Ho** representing Hong Kong Shipper' s Council on behalf of Mr Jeffrey Lam.
- (v) **Mr Raymond Cheng** representing Hong Kong General Chamber of Commerce on behalf of Mr Terrence Sit.
- (vi) **Mr Phileas Fong** representing Tug Operators on behalf of Mr Chris Pooley.

2. Confirmation of Minutes of the Last Meeting

2.1 The draft minutes of the 34th meeting held on 18 July 2000 were confirmed without amendment.

3. New Items

3.1 POC Paper No. 5/2000 Power Boat Grand Prix

3.1.1 The **Chairman** said that the latest indication from Hong Kong Tourist Association was that the chance of having the race was slim and hence the paper would not be presented.

3.2 POC Paper No. 6/2000 Review of the Control of Smoke Emission from Vessels

3.2.1 **Mr C T Lai** briefed members on the findings of the review and sought members' endorsement of the recommendations to adopt the Ringelmann Chart as a reference to measure the extent of dark smoke emission, codify the existing smoke test requirement for locally licensed vessels, and educate the shipping community on this subject.

- 3.2.2 In response to **Mr David Ho's** enquiry, the **Chairman** said that it would take at least nine months to go through the normal procedure of amending the regulations. **Mr Alex Fong** supplemented that his bureau had not taken a view on the subject matter yet, and that a decision would have to be taken as to whether the control of smoke emission from vessels should be housed in the environmental legislation similar to land transport or marine legislation.
- 3.2.3 **Mr K L Choi** asked whether tugs emitting dark smoke as a result of towing laden barges against strong currents would be treated leniently. In response, **Mr Raymond Chung** said that it was the onus of tug owners to ensure their tugs' engines were properly maintained and not over-loaded so as not to emit dark smoke in excess of the required standard. While the towing was taking place, **Mr Raymond Chung** said that they would not require the tugs to stop immediately for inspection but would arrange the test to be carried out at a latter date so as not to interfere with the safety of passage.
- 3.2.4 **Mr Sunny Ho** asked and the **Chairman** responded that vessels suspected to be emitting dark smoke in excess of the proposed limit would also be inspected.
- 3.2.5 In response to **Mr David Ho's** inquiry, **Mr Raymond Chung** said that only smoke emissions darker than Shade 2 and lasting more than 3 minutes would constitute an offense while sporadic smoke emissions from vessels by starting or reversing its engines would not be deemed to have breached the proposed limit.
- 3.2.6 **Mr Y P Shum** inquired and **Mr Raymond Chung** responded that the proposed duration (i.e. 3 minutes) was widely adopted by other major ports around the world and hence this would be a good yardstick to start with. Currently, though special operations were mounted from time to time to prosecute polluting vessels, the action had not been successful due to the lack of a standard to define what nuisance meant in the existing law. With the introduction of this new emission standard, **Mr Raymond Chung** said that the Marine Department would have better control over dark smoke emission from vessels.
- 3.2.7 After discussion, the Committee endorsed the paper.

3.3 POC Paper No. 7/2000

Control of Bunkering Operation in Hong Kong Waters

- 3.3.1 The **Chairman** said that bunkering operations had proliferated near the boundaries of the Hong Kong waters owing to rising extra-territory demand for diesel oil, and this type of activity was highly risky in terms of navigational safety and environmental pollution. To address the concerns arising out of these currently unregulated activities, the **Chairman** said that there was a need to control bunkering operations in Hong Kong waters

- 3.3.2 **Mr Summy Chu** briefed members on the existing problems associated with bunkering operations by mobile barges and the proposed controls to regulate these operations.
- 3.3.3 **Mr Russell** asked and the **Chairman** replied that permission would be granted to a barge to go to a special location outside the permitted areas to deliver bunkers should there be a genuine need.
- 3.3.4 **Mr Raymond Chung** said that the intent of the new regulation was to get rid of those illicit bunkering activities at the boundaries of Hong Kong waters. The **Chairman** stressed that the extant modus operandi of supplying bunkers to ocean-going and local vessels would not be affected by the new regulation.
- 3.3.5 **Mr Alex Fong** said that the Port and Maritime Board (PMB) had recently completed a study on “Hong Kong’s Potential as a Replenishment Port”, which concluded that there was a market demand for expanded bunkering and ship replenishment services in Hong Kong.. The study also recommended some procedural changes such as the set up of a bunkering procedure, classification and licensing systems for bunker barges and so forth. In light of this, **Mr Alex Fong** opined that both PMB and MD should work more closely to develop a package which would address not only the safety aspect of bunkering operation but also the opportunity of developing Hong Kong as a bunkering port.
- 3.3.6 **Mr Russell** was concerned that responsible operators might be victimized by imprudent ones as a result of the proposed controls. The **Chairman** assured members that the purpose of the new regulation was mainly to control smaller vessels, in particular mainland cargo vessels, which came to Hong Kong to buy diesel oil, and that the proposed controls would not affect the existing pattern of delivering fuel to both ocean-going and local vessels.
- 3.3.7 In response to **Mr Phileas Fong** enquiry, **Mr Raymond Chung** said that supplying fuel to floating docks would not be subject to the permit system as required of oil barges delivering fuel to vessels outside the permitted areas.
- 3.3.8 **Mr David Ho** enquired and **Mr Raymond Chung** said that the new regulation would be incorporated in the General Regulations of the Merchant Shipping (Local Vessels) Ordinance, and this was a corollary of the fact that local oil barges were controlled through the local licensing system administered by the Department.
- 3.3.9 **Mr Sunny Ho** inquired and the **Chairman** replied that should a mainland vessel ran out of fuel within Hong Kong waters it could simply contact the Vessel Traffic Center for obtaining a special permission to receive bunker at a special location outside the designated areas.

- 3.3.10 **Mr Rueben Chung** inquired and the **Chairman** indicated that if deemed necessary traffic measures would be taken to avoid congestion in the designated bunkering areas where oil barges congregated.
- 3.3.11 **Mr Alex Fong** asked whether there were merits of designating a sea-based site as a bunkering depot for ocean-going vessels to receive bunkers, thereby enhancing the overall efficiency of bunkering operation in Hong Kong. In response, the **Chairman** said that the existing practice was that oil barges would normally deliver fuel to ships either berthed in the port or moored at service anchorages; however, consideration would be given to the proposal.
- 3.3.12 **Mr David Ho** inquired and **Mr Raymond Chung** said that the designation of Yau Tong as one of the bunkering areas would facilitate the existing bunkering trade taking place in the area, and that the relocation of the bunkering operations from Yau Tong to Junk Bay was considered undesirable as the latter had already been earmarked for other future developments.
- 3.3.13 In response to **Mr David Ho's** further enquiry, **Mr Chung** said that the designated bunkering area at Yau Tong was well away from the adjacent Eastern Fairway and hence would not give rise to any traffic conflict envisaged by him.
- 3.3.14 **Mr David Ho** expressed his concern that some people might illegally occupy designated bunkering areas and asked genuine users to pay for using the areas. **Mr Raymond Chung** replied that the Marine Police were well aware of the proposal and the Marine Department would work closely with them to prevent such occurrence.
- 3.3.15 After discussion, the Committee endorsed the paper.

3.4 POC Paper No. 8/2000 Western District Development Strategy (WDDS)

- 3.4.1 **Mr K K Ling** presented to members the latest conceptual proposal of the Western District Development Strategy. In the development package, a permanent barging point and a new pier for reprovisioning the existing China Merchant wharf were included but there was no reprovisioning of the Western District Public Cargo Working Area (PCWA).
- 3.4.2 The **Chairman** inquired and **Mr K K Ling** said that the public consultation commenced in mid-October and was scheduled for completion by the end of December. Even after the consultation period, comments would still be welcome and could be posted to the Planning Department for consideration.

- 3.4.3 The **Chairman** said that the Marine Department was implementing the second phase of PCWA reform which involved allocating the berthing space in the PCWAs to the operators through a tendering exercise, and he reminded that the proposed development should not affect the new tenancy agreements which would last for three years.
- 3.4.4 The **Chairman** inquired and **Mr K K Ling** said that if the Government decided to take forward the development proposal, detailed feasibility studies would be carried out which would include a marine traffic impact assessment to address all pertinent marine issues.
- 3.4.5 **Mr Alex Fong** asked and **Mr K K Ling** replied that a hydraulic study had not been carried for the latest reclamation scheme but based on the previous study conducted by the Territory Development Department for the old scheme having a larger scale of reclamation, the resultant findings revealed that the hydraulic impact was insignificant. Besides, **Mr K K Ling** envisaged that the wave impact would be mitigated by adopting wave-absorbing seawall along the northern face of the development. **Mr Alex Fong** reminded that the likelihood of the shifting of bottom materials as a result of reclamation should be examined.
- 3.4.6 **Mr K L Choi** said that operators would raise objection to the lack of reprovisioning of the Western District PCWA in the latest scheme as opposed to the old one, and asked how many government buoys would be affected by the development. In response, **Mr K K Ling** said that there would be ample time to sort out the PCWA issue as the operators would not be affected in the next 4 to 5 years, and though detailed assessment had not been carried out he did not envisage any significant impact on the mooring buoys.
- 3.4.7 In response to the **Chairman's** enquiry, **Mr K K Ling** said that the potential impacts of the proposed development on existing marine facilities would be addressed by TDD who would solicit views from the affected operators through the Marine Department while carrying out the detailed feasibility studies. **Mr K L Choi** and **Mr Y P Sham** emphasized that the provision of landing steps should be addressed in the development strategy. **Mr Francis Liu** supplemented that various navigational issues arising out of the development, e.g. fairway realignment, the obscurity of sight by high-rise buildings, noise impact from vessel traffic, mitigatory measures to facilitate safety of navigation etc., should be addressed.
- 3.4.8 To sum up, the **Chairman** said that the reprovisioning of PCWA and the potential impacts of the development on existing marine facilities should be looked into during the detailed feasibility studies.

3.5 POC Paper No. 9/2000 Replacement and Upgrading of Hong Kong Vessel Traffic Services (VTS) System

- 3.5.1 **Mr Leferink** along with **Mr C Y Tsang** provided members with an overview of the key features and functions of the new VTS system to be installed by the Marine Department.
- 3.5.2 In response to **Mr David Ho's** enquiry, **Mr Leferink** replied that the seven CCTV would be strategically sited to facilitate close monitoring of marine traffic and real-time indication of sea and weather conditions. Port user who were interested in such information could contact the Vessel Traffic Centre (VTC).
- 3.5.3 **Mr Sunny Ho** asked and **Mr Leferink** responded that VTC's surveillance potential, which currently covered 95% of Hong Kong waters navigable by vessels, could be enhanced by integrating the radar systems of both Ma Wan and Kwai Chung Marine Traffic Control Stations. **Mr C Y Tsang** added that the Civil Aviation Department had recently agreed with the Department on the shared usage of their surface radar at the Chek Lap Kok Airport.
- 3.5.4 **Mr Phileas Fong** asked and **Mr Raymond Chung** replied that though the VTS system could be utilized to track local craft, there were difficulties in identifying these VTS non-participating vessels. The **Chairman** supplemented that, if Automatic Identification System (AIS) was required to be installed on local vessels in the future, the current identification problem faced by the Department could be resolved.
- 3.5.5 **Mr Phileas Fong** asked and **Mr C Y Tsang** replied that organizations which were currently subscribing to VTC's shipping information service would be advised of the hardware requirements for linking to the Informatics Centre after upgrading.
- 3.5.6 The **Chairman** said that the upgrading works entrusted to Holland Institute of Traffic Technology was estimated to cost over HK\$150 million.

4. Date of Next Meeting

- 4.1** The date of the next meeting will be advised in due course.

5. Close of Meeting

5.1 The meeting was closed at 1230 hours.

Confirmed this day of 2000

Chairman

Secretary