

## Minutes of the 37th POC Meeting

Date : Wednesday, 26 September 2001

Time : 2:30 pm

Venue : Conference Room (A), Marine Department Headquarters, Central

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Present	Mr S Y Tsui	<b>Chairman</b>
	Mr K M Lee	Member
	Mr K L Choi	Member
	Mr Rueben Chung	Member
	Mr David C S Ho	Member
	Mr Neil Russell	Member
	Mr S.H. Pau	Member
	Mr Chris Pooley	Member
	Mr John Lee	Member
	Mr Terence Sit	Member
	Mr Alex Fong	Member
	Mr K.S. Li	(on behalf of Mr F M Luk)
	Mr H Y Cheung	(on behalf of Mr Bosco Louie)
	Mr Sunny Ho	(on behalf of Mr Jeffrey Lam)
Mr C K Lam	(on behalf of Mr Luo Hui Lai)	
Mr K Y Wong	Secretary	
In attendance	Mr David Hill	Maunsell
	Mr Peter Cheek	Maunsell
	Mr J S Park	Hyundai
	Mr David Holmes	CT9 Project Management Ltd
	Mr Y W Yeung	Ove Arup & Partners
	Mr Jim Marriage	Au Posford Consultants Ltd
	Mr Richard Colwill	BMT Asia Pacific Ltd
	Mr Edward Wong	Agriculture, Fisheries and Conservative Department
	Mr C B Mak	Territory Development Department (TDD)
	Mr H H Yeung	TDD

Mr Bosco Chan	TDD
Mr Roger Tupper	MD
Mr Francis Liu	MD
Mr B B Rao	MD
Mr. K C Chan	MD
Mr S C Leung	MD
Mr K C Ng	MD

## **1. Open of Meeting**

- 1.1 The **Chairman** welcomed all to the meeting.

## **2. Confirmation of Minutes of the Last Meeting**

- 2.1 The draft minutes of the 36th meeting held on Wednesday, 7 March 2001 were confirmed without amendment.

## **3. New Items**

### **3.1 POC Paper No. 7/01**

#### **Merchant Shipping (Limitation of Shipowners Liability) Ordinance (CAP.434)**

- 3.1.1 **Mr. Rao** briefed members on the rationale for revoking section 17 of the Merchant Shipping (Limitation of Shipowners Liability) Ordinance, which permitted a lower limitation of liability for maritime claims for ships with gross tonnage less than 300.
- 3.1.2 The **Chairman** said the proposed amendment would bring the Ordinance in line with the limitation level as stipulated in the 1996 Protocol, which only applied to ships of 2,000 gross tonnage or less.
- 3.1.3 Upon the enquiry of **Mr. Choi**, the **Chairman** said that local craft would not be affected as the Ordinance only applied to seagoing ships of less than 300 gross tonnage.
- 3.1.4 Upon the enquiry of **Mr. David Ho**, **Mr. Rao** said that so far four countries had already ratified the 1996 Protocol while other ten countries were in the process of ratification.
- 3.1.5 **Mr. Pooley** said that he welcomed the proposed amendment to the Ordinance considering the risks to which shipowners and operators of marine facilities were exposed.

3.1.6 After discussion, the paper was endorsed by the Committee.

### **3.2 POC Paper No. 8/01**

#### **Proposed Marine Parks at Southwest Lantau and Soko Islands**

3.2.1 **Mr. Edward Wong** briefed members on the preliminary proposal of designating marine parks at Southwest Lantau and Soko Islands.

3.2.2 On the enquiry of the **Chairman**, **Mr. Edward Wong** said that the proposed boundaries of the two marine parks would not encroach upon the adjacent fairways and thereby affect the navigation of vessels.

3.2.3 **Mr. K S Li** informed that the Civil Engineering Department was conducting a study on the long-term accommodation arrangement for inert construction and demolition materials and dredged mud. As two of the marine-based sites identified in the study were in close proximity to the proposed marine parks, he said that they would closely liaise with the AFCD with a view to resolving any conflicts that might arise.

3.2.4 Upon the enquiry of **Mr. Sunny Ho**, **Mr. Edward Wong** said the proposed marine parks would not be affected by the Tonggu Waterway. However, the **Chairman** pointed out that the northeast end of the Tonggu Waterway as proposed by the Mainland side would cut through the northwest corner of the Lung Kwu Chau Marine Park. **Mr. Edward Wong** noted this point.

3.2.5 **Mr. Pooley** said that though he was in favor of the entire proposal but was concerned that the prohibition of vessel anchoring in the core area within the marine park at Soko Islands might deter pleasure-boat passengers from using the beaches for recreational purposes. In response, **Mr. Edward Wong** said that hitherto they did identify the need to designate an anchorage within the marine park to cater for the needs of commercial fishermen, amateur fishers and other recreational users considering the fishing gears in use and the nature of existing recreational activities. However, **Mr. Wong** said that they had the statutory power to designate an anchorage area under the Marine Parks and Marine Reserves Regulation should there be a need in the future. In the interests of recreational users, **Mr. Pooley** asked AFCD to consider granting exemption to pleasure boats allowing them to anchor within 30 to 40 ft. from the shorelines along the Soko Islands.

3.2.6 Upon the enquiry of the **Chairman**, **Mr. Edward Wong** said that the two proposed marine parks, once designated, would be managed in a similar manner as the existing marine parks.

- 3.2.7 **Mr. David Ho** was concerned about the proximity of the northern boundary of the marine park at Soko Islands to the adjacent fairway highly frequented by high-speed ferries. In response, **Mr. Edward Wong** said that a 200 metres clearance would be allowed between the northern boundary of the marine park and the neighboring fairway, and that concerned government departments (including the Marine Police and the Marine Department) had been consulted in drawing up the proposed boundaries. **Mr. Edward Wong** assured members that they would revisit the clearance in the light of members' comments. The **Chairman** asked **Mr. K C Chan** to follow up on this matter with the AFCD.
- 3.2.8 **Mr. K M Lee** asked and **Mr. Edward Wong** responded that vessels anchoring within marine parks in emergency situations would not be prosecuted.
- 3.2.9 Upon **Mr. Alex Fong**'s enquiry, **Mr. Edward Wong** said that in sizing the proposed marine parks due consideration had been given to the conservation value of the environs, the importance of the areas to the Chinese White Dolphins, Finless Porpoise and other species, as well as the interests of other users.
- 3.2.10 **Mr. Alex Fong** asked whether there was an arbitration mechanism to help judge the scale of size of a marine park in a professional manner as the process could be very political if the proposal was submitted to the LegCo. In response, **Mr. Edward Wong** said that the answer could be both "yes" and "no". On the "yes" side, **Mr. Edward Wong** said that the boundaries of the proposed marine parks were drawn up after taking into consideration the comments raised by the public and different statutory/advisory bodies. To justify the proposal, the report produced by the Hong Kong Institute of Education had identified the important area to be protected. This could be one of the benchmarks for justifying the size of the proposed marine parks. On the "no" side, there were no clear-cut criteria in determining the size of marine parks.

### **3.3 POC Paper No. 9/01 Proposed Dredging Plan for the Rambler Channel & the Northern Fairway (Container Terminal 9 Development)**

- 3.3.1 **Mr. Park** briefed members on the proposed dredging plan for the Container Terminal 9 (CT 9) site area, Rambler Channel and the Northern Fairway.

- 3.3.2 Mr. Alex Fong was concerned about the impact of the delay in dredging on the overall programme. In response, Mr. Holmes said that at the present moment the project was delayed because of the dumping issue; however, the contractor had been trying to catch up on the programme for the last few months and the level of impact had yet to be gauged.
- 3.3.3 On the enquiry of **Mr. Alex Fong**, **Mr. Holmes** said that even though the dredging for the terminal and backup area could be completed by April 2002, the first berth of CT 9 could not be used until the dredging in the Rambler Channel was completed; as a matter of fact, this was one of the lease conditions they should follow.
- 3.3.4 The **Chairman** asked whether the first berth of CT 9 could be commissioned upon the completion of the dredging works for the Rambler Channel by April 2003. **Mr. Holmes** said that mud disposal was still a major issue they were confronting with, and they had been trying their best to overcome this issue and catch up on the programme.
- 3.3.5 The **Chairman** asked whether the allocated disposal areas were capable of receiving about 24 million m<sup>3</sup> of dredged mud arising from the project. In response, **Mr. Park** said that the disposal limit imposed by the Environmental Protection Department had restricted their daily mud disposal capacity, thereby affecting the progress of the dredging.
- 3.3.6 Upon the **Chairman**'s enquiry, **Mr. Park** said that soundings were carried out by the Civil Engineering Department (CED) to monitor water depths in the disposal areas, and their vessels would follow the directions of the CED as to where to dump the dredged mud. **Mr. K S Li** said that the mud disposal facilities were managed by the Port Works Division of the CED, and they had a monitoring scheme in place to control and monitor the disposal of dredged mud as well as water depths.
- 3.3.7 **Mr. K M Lee** was concerned about the preventive measures that would be taken by dredgers to ensure their operations would not adversely affect the safety of navigation both in mud disposal areas and adjacent fairways. He then quoted an incident in which the discovery of a bump in the mud disposal area at South Tsing Yi early this year had entailed the partial closure of the area for navigation. **Mr. Park** said that following the incident they had been submitting a sounding plan to the CED every fortnight and they would closely monitor their disposal activity to avoid the recurrence of similar incidents.

- 3.3.8 Considering that the works area had overlapped with the fairway, **Mr. David Ho** asked what measures had been taken to ensure the safety of navigation. In response, the **Chairman** said that a Marine Department Notice had been issued to promulgate the dredging works and patrolling the area had been stepped up.
- 3.3.9 **Mr. Pau** was concerned about the high siltation rate which had occurred in the Kwai Chung basin and along the seafronts of CT 7 and 8, and about the traffic regime in that area during the dredging works with particular regard to possible conflicts with smaller vessels. The **Chairman** said that MD had a comprehensive plan in place to deal with various marine issues that might arise at different stages of the dredging and the patrolling of the area would also be stepped up. **Mr. John Lee** said that they had recently completed the maintenance dredging off CT 1, 2 and 5 because high siltation had been experienced following the dredging carried out in the same area last year, and that they would closely monitor the water depths around the terminals.
- 3.3.10 As the width of the Kwai Chung basin would effectively be reduced from 800 m to 500 m when dredging in the sub-areas GB01 to GB06, **Mr. John Lee** asked what measures would be implemented to ensure safe manoeuvring of vessels to and from the berths 1, 2, 3 and 5. **Mr. Park** said that they would maintain close liaison with the Vessel Traffic Centre to minimize possible disruption to vessel traffic, and the anchors of grab dredgers would be kept within the permitted working area and, if needed, the anchor chains could be slackened down to avoid posing any hazard to other vessels. **Mr. K C Chan** added that both the terminal operators and pilots had been consulted upon regarding the proposed dredging plan and they were agreeable to it. The **Chairman** said that the works should be so coordinated as to minimize its impact on concerned parties.
- 3.3.11 Upon the enquiry of the **Mr. Alex Fong**, **Mr. Holmes** said that they were responsible for maintaining the water depth at -15.5m CD in the Rambler Channel and the realigned Northern Fairway before handing over to the Government.  
[**Mr. Alex Fong left at this juncture.**]

#### **3.4 POC Paper No. 10/01 Comprehensive Feasibility Study for the Revised Scheme of South East Kowloon Development**

- 3.4.1 **Mr. Y W Yeung** (Ove Arup) briefed members on the key findings of the new Comprehensive Feasibility Study for the Revised Scheme of the South East Kowloon Development (SEKD) as well as the reprovisioning arrangements for the existing marine facilities which had to make way for the development.

- 3.4.2 **Mr. Pooley** was concerned about the Naphtha berth to be provided amidst the recreational and residential area of SEKD, and envisaged that such facility would likely arouse strong public objection. **Mr. Mak** (PM/K, TDD) responded that the proposed Naphtha berth was to re-provision the existing gas works at Ma Tau Kok, and that a risk assessment conducted for the facility concluded that the level of risk associated with it was acceptable.
- 3.4.3 The **Chairman** asked whether the re-provisioning of the existing Public Cargo Working Areas (PCWAs) at both Kwun Tong and Cha Kwo Ling to a site in close proximity to the proposal cruise terminal would be environmentally acceptable. **Mr. Mak** clarified that only the Kwun Tong PCWA would be temporarily re-provisioned at the former runway. It was the intention to permanently relocate the PCWA to Area 131 at Tseung Kwan O before the cruise terminal became operational.
- 3.4.4 **Mr. Russell** pointed out that the current trend in the cruise industry was towards larger passenger ships, and the largest one on the market was 342 m in length. Hence, **Mr. Russell** considered that the proposed sizing of the cruise terminal was too conservative; in particular it would not be available until ten years from now. The **Chairman** asked whether there was any scope for expanding the cruise terminal. **Mr. Marriage** (Au Posford Consultants) responded that he did not envisage any major constraints on future expansion taking into account the growth in vessel sizes and manoeuvrability of cruise vessels.
- 3.4.5 **Mr. Pau** asked and **Mr. Marriage** explained that the simulation plot based on the real-time ship simulation programme was showing the path of a cruise ship taking the berth. **Mr. Pau** remarked that the track depicted was not in line with the ordinary practice of pilots who would normally adopt a more direct approach rather than taking a curved track towards the berth. **Mr. Marriage** supplemented that the limiting conditions on cruise vessels berthing without tug assistance were 25 knot wind at 1.1 knot flood tide, and expected that tugs would be employed by cruise operators while berthing their vessels beyond these prescribed limits.
- 3.4.6 **Mr. Pau** said that more detailed navigation studies should be carried out to ascertain the feasibility of the proposed cruise terminal. **Mr. Mak** said that the primary objective of the navigation simulation exercise was to find out whether or not there was any insurmountable problem associated with the proposal and assured that more detailed assessments would be carried out to address various marine related issues and to refine the pier configuration.

- 3.4.7 **Mr. K M Lee** asked Territory Development Department to gauge public reaction to the turning of the water area where the existing five mooring buoys would be reprovisioned into an anchorage for local and river-trade vessels in their public consultation process. **Mr. Mak** noted the request and remarked that the public at large might be more concerned about land uses than marine usage; however, various water sports would be carried out at the waterfront. **Mr. Sit** said that concomitant marine facilities should be provided if the subject water area was designated as an anchorage for vessels. **Mr. S C Leung** supplemented that hitherto there was no planned marine facilities along the inner waterfront facing the Kowloon Bay.
- 3.4.8 Upon **Mr. Francis Liu**'s enquiry, **Mr. Mak** said that the design vessel assumed in the simulation study was based on the particulars of the cruise vessel "Carnival Destiny" (i.e. 101,353 GRT, Length 272 m, Width 35.3 m and Draft 8.2 m). **Mr. Francis Liu** pointed out that the available water depth in the area was only -11 m CD. After deduction for about 1.5 m under-keel clearance allowed for safe navigation, the actual navigable water depth would be -9.5 m CD. **Mr. Tupper** said that this water depth restriction essentially capped the maximum draught of cruise vessels that could be received by the cruise terminal. **Mr. David Ho** inquired and the **Chairman** said that such restriction was caused by the Eastern Harbour Tunnel, which precluded any dredging works from carrying out in the area.
- 3.4.9 **Mr. David Ho** pointed out there was a need to reprovision the existing ferry piers given that the SEKD was going to accommodate a population of 250,000 and create 70,000 employment opportunities. **Mr. Mak** responded that their current traffic forecasts indicated that the patronage of ferry services across the harbour would be low. However, there was a potential for part of the excursion pier to be developed as a ferry pier to serve both the needs of ferry commuters and tourists.
- 3.4.10 Upon **Mr. Francis Liu**'s enquiry, **Mr. Mak** said Kwun Tong PCWA and Cha Kwo Ling PCWA would be relocated to Tseung Kwan O subject to further review by the Government.
- 3.4.11 **Mr. Choi** was concerned about the poor water quality in the Kwun Tong Typhoon Shelter (KTTS) and asked whether the sewerage outfall would still be located within the KTTS. **Mr. Mak** said that the sewerage outfall would be laid outside the KTTS under the new development. The **Chairman** envisaged that the water in KTTS would be properly treated and cleaned up before turning the area into a tourism node.



- 3.4.12 Upon **Mr. S C Leung**'s enquiry, **Mr. Mak** said that TDD would formally consult all affected PCWA operators and the associated trades before relocating them.
- 3.4.13 Upon **Mr. David Ho**'s request, the **Chairman** said that **Mr. S C Leung** would obtain a development staging plans of the SEKD from the TDD for members' information.
- 3.4.14 After discussion, the **Chairman** said **Mr. S C Leung** would coordinate and consolidate comments from members for onward transmission to the TDD for their consideration.  
**[Mr. Pooley left at this juncture.]**

### **3.5 POC Paper No. 11/01 Wan Chai Development Phase II**

- 3.5.1 **Mr. Cheek** (Maunsell Consultants Asia Ltd) briefed members on the key findings of the Comprehensive Feasibility Study of the Wan Chai Development Phase II (WDII) project.
- 3.5.2 On the enquiry of **Mr. Choi**, **Mr. Cheek** said that existing public landing steps in the Causeway Bay Typhoon Shelter (CBTS) would be fully reprovisioned, and an additional set of landing steps would be provided on the Wan Chai waterfront for public use.
- 3.5.3 **Mr. Choi** opined that adequate landing facilities should be provided along the Wan Chai shoreline to cater for the safe embarkation and disembarkation of passengers arising from various tourism activities such as harbour tours, firework displays and so forth. **Mr. Cheek** said that the baseline of the study was to reprovision existing waterfront facilities affected by WDII, and anticipated that the new landing facilities for tourists would be addressed in the Planning Study on the Harbour and its Waterfront Areas undertaken by the Planning Department. Nonetheless, **Mr. Cheek** said that a floating pontoon could be provided at the seafront adjacent to the proposed harbour museum for the mooring of vessels. **Mr. K M Lee** wondered whether landing steps and floating pontoons would be suitable for the reception of tourists in a safe and comfortable manner, as these facilities were incapable of providing a stable platform for embarking and disembarking passengers in unfavorable harbour wave conditions. Hence, **Mr. K M Lee** recommended that a dedicated pier be provided rather than landing steps. **Mr. Tupper** agreed the same and said that the notorious sea conditions encountered at the Queen's Pier had made its landing steps unpopular to coxswains of vessels. **Mr. H H Yeung** (PM/HKI&I, TDD) noted members' concerns.

- 3.5.4 Upon **Mr. David Ho**'s enquiry, **Mr. H H Yeung** said that the construction works for the WDII, which would be implemented in stages, was anticipated to commence in March 2004 for completion in 2010. To allow reclamation works to proceed ahead, **Mr. H H Yeung** said that a number of existing waterfront facilities affected by the project would have to be relocated first.
- 3.5.5 In response to **Mr. David Ho**'s enquiry, **Mr. H H Yeung** said that the WDII project had reserved land for the development of both the North Hong Kong Island Line (NIL) and the Sha Tin to Central Link (SCL). With regard to NIL, **Mr. H H Yeung** said that the Mass Transit Railway Corporation had recently made a submission to the Government and there was no firm decision yet. Regarding the SCL, the Kowloon-Canton Railway Corporation and the Mass Transit Railway Corporation had separately made a bid to the Government for this project and again no firm decision had yet been made.
- 3.5.6 **Mr. Francis Liu** enquired about the details of the arrangements for temporarily reprovisioning the affected private moorings in the Causeway Bay Typhoon Shelter off-site and the number of affected moorings at any one time. **Mr. Cheek** responded that they were still examining the temporary reprovisioning arrangements to be implemented during the construction period, and envisaged that between approximately 3 ha. - 5 ha. of anchorage area would be affected.
- 3.5.7 Upon **Mr. Tupper**'s enquiry, **Mr. Cheek** said that off-site reprovisioning programme would span a period of around 3 to 4 years. **Mr. Francis Liu** supplemented that the off-site option was very complicated and the affected users and mooring owners should be consulted on such arrangements as early as possible. **Mr. Cheek** said that consultation with the affected parties would be carried out.
- 3.5.8 **Mr. Choi** and **Mr. Pau** stated that their moorings off the Lung King street might be affected by the WDII project. **Mr. H H Yeung** said that the reprovisioning of these moorings would be duly addressed in the Central Reclamation Phase III project.
- 3.5.9 Upon **Mr. S C Leung**'s enquiry, **Mr. H H Yeung** said that since the issue related to the fishing vessel anchorage in the Chai Wan Basin would soon be resolved the Wan Chai PCWA would be reprovisioned to Chai Wan in 2003 as planned.
- 3.5.10 The **Chairman** said that members were welcomed to send in their views on the project to **Mr. S C Leung** who would consolidate the comments before sending them to TDD for consideration.

### **3.6 POC Paper No. 12/01 Proposal to Undertake a Consultancy Study on Marine Traffic Risk Assessment for Hong Kong Waters**

3.6.1 The **Chairman** briefly outlined the objectives of the proposed study. In response, both **Mr. Pau** and **Mr. David Ho** considered that the port as a whole would benefit from the study. They therefore supported the proposal to carry out the study.

3.6.2 After discussion, the paper was endorsed by the Committee.

### **3.7 POC Paper No. 13/01 Digital Tidal Stream Atlas**

3.7.1 The **Chairman** said that the new digital tidal stream atlas was jointly developed by the Marine Department and the Civil Engineering Department. This electronic atlas provided users with up-to-date tidal information for the next 7 days at 2 hours interval.

## **4. Any Other Business**

### **4.1 Membership Renewal**

The **Chairman** said that as the current term of the Committee would expire in February 2002, the membership renewal process would soon be initiated.

### **4.2 Donations to Port Welfare Committee**

The **Chairman** said that the Port Welfare Committee was appealing for donations to cater for the welfare and recreational needs of visiting seafarers during their stay in Hong Kong, and members would soon receive a letter from **Mr. George CHAO**, Chairman of the Port Welfare Committee in connection with the appeal.

## **5. Date of Next Meeting**

The **Chairman** said that the next meeting would be held onboard the VIP Launch "Tin Hau" on 11 December 2001. Further details will be sent to members in due course.

**6. Close of Meeting**

6.1 The meeting was closed at 1720 hours.

Confirmed this                      day of    2001

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**Chairman**

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**Secretary**