

Minutes of the 27th Meeting

Date : Tuesday, 21 October 1997

Time : 2:30 pm

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

Present

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| Mr I B Dale | Chairman |
| Mr K L Choi | Member |
| Mr C Pooley | Member |
| Mr W M Ng | Member |
| Capt. H E Liaw | Member |
| Mr R Yuen | Member |
| Mr K M Lee | Member |
| Mr X Dong | Member |
| Mr L K Ho | Member |
| Mr L K Sit | Member |
| Mr Y K Lee | Member |
| Mr W S Chu | Secretary |

In attendance

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|-------------------------|----------|
| Mr Steve Barclay | PELB |
| Mr Conrad Lam | EPD |
| Mr Michael Pang | EPD |
| Mr John Berry | Maunsell |
| Mr Alex Tam | Maunsell |
| Mr K L Chak | HYF |
| Mr F L Cheuk | MD |
| Mr K C Ng | MD |
| Mr F C Chan | MD |
| Mr J Jse | MD |

Apologies

| | |
|--------------------|--------|
| Mr C S Ho | Member |
| Mr S Y Lau | Member |
| Mr W Y Shiu | Member |

1 Open of Meeting

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

- (i) **Mr Steve Barclay** from the Planning, Environment and Lands Bureau ;
- (ii) **Mr Conrad Lam** from EPD;
- (iii) **Mr Michael Pang** from EPD;
- (iv) **Mr John Berry** and **Mr Alex Tam** from Maunsell;
- (v) **Mr K L Chak** who was representing Mr C S Ho;
- (vi) **Mr John Tse** from Marine Department;
- (vii) **Mr F L Cheuk** from Marine Department;
- (viii) **Mr K C Ng** from Marine Department;
- (ix) **Mr F C Chan** from Marine Department.

2 Confirmation of Minutes of Last Meeting

2.1 The minutes of the 26th meeting held on 26 August 1997 were confirmed subject to the amendments at **Annex 1**.

3 Matters Arising

3.1 MARPOL Charging Scheme

3.1.1 A Summary of MARPOL Waste Collection and Charging for the period from September 1996 to August 1997 was tabled for Members information. (A copy of the summary was at **Annex 2**)

3.2 POC Paper No.15/97

Proposal to Increase the Charges for the Collection and Disposal of MARPOL Wastes at the Chemical Waste Treatment Centre (CWTC)

3.2.1 **The Chairman** invited **Mr S Barclay** to present the paper.

3.2.2 **Mr Barclay** presented the paper. He mentioned that Hong Kong had the obligation to provide reception facilities for MARPOL Wastes under the MARPOL Convention which was provided by the CWTC since 1993. **Mr Barclay** also explained the Government's policy and the key features of the strategy for introducing charges for the CWTC Services.

3.2.3 **The Chairman** invited Members to comment on the proposal.

- 3.2.4 **Mr Sunny Ho** pointed out that they had done a survey last year and noticed that our tariff was basically above other ports, therefore, further increases on charges might stop use of the facilities. The operating costs of the CWTC was far too high, he was doubtful about the actions taken by the CWTC in reducing their operation costs. Finally he said that it was not appropriate to adjust the charges according to the movement of the Consumer Price Index which would be too generous.
- 3.2.5 **Mr Alan Lee** supported the comments made by **Mr Ho** and expressed that the present down trend of shipping business should also be taken into consideration.
- 3.2.6 In response, **Mr Barclay** said that the level of charges might not be the major factor of concern. HONG KONG had good and high standard facilities to dispose of MARPOL wastes efficiently, which attracted some owners to fix their vessels to discharge their wastes in HONG KONG. While maintaining the service, the CWTC had to keep the business viable. **Mr Barclay** also pointed out that the charges cannot be too attractive to ship operators, since the services was subsidised by the Government, so the charges had to be maintained at a reasonable level.
- 3.2.7 **The Chairman** said that the figures revealed that the Port had handled a fair amount of waste.
- 3.2.8 **Mr C Pooley** asked and **Mr Barclay** confirmed that we were required to provide the service under the MARPOL Convention.
- 3.2.9 **Mr Pooley** asked and **the Chairman** explained that the Convention gave no directions on how the operating costs of the services should be recovered. The convention countries had their free hands to handle it by themselves. And **the Chairman** pointed out that there was no immediate plan to recover the operation costs by 100%.
- 3.2.10 The Committee noted the proposal of the paper.

3.3 Visit to Ngan Chau Pilot Station

- 3.3.1 There were a total of 13 persons including 9 Members who visited the Ngan Chau Pilot Station. During the visit, **Mr S H Pau** and **Mr H L Cheung** of the HK Pilots Association Ltd (HKPA) briefed Members about the boarding arrangements at the station and introduced their plan to set up a new operation centre at Ap Lei Chau.
- 3.3.2 **Mr H Liaw** explained that the visit was very useful, and eased their concerns over the safety of the boarding arrangements.
- 3.3.3 **The Chairman** stated that Marine Department would help the HKPA to sort out their lease arrangement of the site at Ap Lei Chau in setting up their new operation centre. In addition, Marine Department would work in

conjunction with the HKPA to bring in the second and third phase of the Ngan Chau Pilot Station as soon as possible. **Mr K M Lee** supplemented that Phase II was tentatively to be implemented on 1 Dec 97, by then, the bunching of vessels at the current Pilot Station would be resolved.

3.4 **Visit to the Government Flying Service (GFS)**

3.4.1 **The Chairman** explained that Marine Department was responsible for Search and Rescue within the HONG KONG waters and some 500,000 sq. miles of the South China Sea. Amongst all the SAR agencies, GFS played a very important role. If members were interested, a visit to GFS could be arranged.

3.4.2 Members agreed to the proposed visit. Details would be provided about the programme later.

4 **New Items**

4.1 **The Renewal of POC Membership**

4.1.1 **The Chairman** informed Members that the current POC membership was due to expire on 14 February 1998. As a general rule, Members were restricted to stay for not more than six years except under special circumstances. **Mr Sunny Ho** and **Mr Jonh Lau** and **Mr K L Choi** were up to six years. However, **the Chairman** intended to write to the Economic Services Bureau to nominate all existing Members to continue their membership. He invited all Members to stay in this committee. However, anyone who would not be available for re-appointment should inform **the Chairman** or the Secretary as soon as possible.

4.2 **Comments on Previous POC Papers**

4.2.1 Further comments on the POC Paper No. 11/97 (Competitiveness of Hong Kong's Container Port) was received from a member of the Shipping Committee of the Hong Kong General Chamber of Commerce. It was tabled for Members' information.

4.2.2 **The Chairman** reminded Members that if they wished to provide comments on any previous POC papers after the meetings were always welcome to do so.

4.3 **POC Paper No.14/97 Inter-Regional Action to Eliminate Sub-standard Shipping**

4.3.1 **The Chairman** invited **Mr John Tse** to present the paper.

- 4.3.2 **Mr Tse** said that this paper informed Members about the First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding (MOU) on Port State Control (PSC), an Inter-regional Action to Eliminate Sub-standard Shipping. The objective of this Declaration was to address the common need and interest to promote closer cooperation to demonstrate to the public a strong commitment of continuous support of PSC activities. And to bring to the attention of flag States their obligations to send a clear message to all concerned and to underline that all parties of the marine industries have a role to play in maintaining maritime safety and protection of the marine environment.
- 4.3.3 **Mr Tse** also drew Members attention to note that the International Safety Management Code (ISM Code) would come into force in July 1998. Those vessels which were not appropriately certificated under the ISM Code would be subject to decisive PSC actions including detention by MOU members' ports.
- 4.3.4 **The Chairman** said that the PSC in HONG KONG would gradually be upgraded specifically to ISM Code requirement from next year. Ships without correct documentation by that time would be stopped under PSC. He also mentioned about the detention principle ideas behind the Code but he believed that a lot of these vessels calling HONG KONG were managed under responsible agents and owners and could comply with the new arrangements by next year.
- 4.3.5 **Mr H Liaw** explained to Members about the flexible arrangements in USA and Australia to deal with vessels having minor defects by which, detention of vessels could be minimized. And **the Chairman** agreed that it was a practical way of handling cases of this kind.
- 4.3.6 In closing **the Chairman** requested **Mr Tse** to update Members on the future development of the PSC regularly.
- 4.4 **POC Paper No.17/97**
Realignment of Southern Fairway
- 4.4.1 **The Chairman** invited **Mr K C Ng** to present the paper.
- 4.4.2 **Mr Ng** explained to Members the historic background in marking a fairway on charts, by which, only fair accuracy was attained. In view of the substantial improvement in accuracy nowadays, we could mark the fairway more precisely now. For this purpose, **Mr Ng** proposed to realign the Southern fairway to keep it's limit away from any dangers and seek Members' comments on the proposal.
- 4.4.3 **Mr K L Chak** tabled another realignment option of the fairway for Members consideration. In response, **Mr Ng** explained that the proposed option was actually considered before, it was found that putting a buoy too close to the shore was impractical. After some discussions, Members accepted the original proposal.

4.5 **POC Paper No.18/97**
Positions and Datum on Charts

- 4.5.1 **The Chairman** invited **Mr K C Ng** to continue to present this paper.
- 4.5.2 **Mr Ng** brought Members through the paper in detail and explained the history of positions and datum on charts. **Mr Ng** stated that we were on the transitional period where different datum were used, meanwhile, Marine Department would take interim measures to quote positions on both datum. And legislation amendment would be followed.
- 4.5.3 **The Chairman** reminded Members that during the transitional period, we needed to be aware of the difference of the two datum in use until the situation was rectified. MDN was issued on this subject and Members might obtain it from the Secretary if so required.

4.6 **POC Paper No.16/97**
Tseung Kwan O Port Development Mid-stream Site at Area 131

- 4.6.1 **The Chairman** invited **Mr John Berry** to introduce the paper.
- 4.6.2 **Mr Berry** explained to Members with background information of the proposed port facilities development in Junk Bay (Tseung Kwan O) at Area 131 and seek Members' views on the proposed development.
- 4.6.3 **Mr Sunny Ho** commented as follows : -
- a) The Junk Bay development was not desirable, because in future most of the activities would shift to Tuen Mun area when the River Trade Terminal was completed. In addition, the site was far away from the Western Anchorage (WA) which was the existing major operation area;
 - b) It would generate a lot of additional traffic between the WA and Junk Bay;
 - c) It would increase the burden on the road traffic and caused great impact to the road system, traffic impact assessment must be carried out before any development;
 - d) The growth rate of the mid-stream figure reduced substantially and the trend was that there would be less demand on mid-stream sites. In addition, the RTT would provide a lot of the required cargo handling capacity in future;
 - e) The existing mid-stream sites were equipped with better facilities and increased in their productivity;
 - f) The Container terminals were under utilized and had started to attract intra-asia cargoes to fill up their capacity;
 - g) The viability of the site should be considered carefully when freight rate and Terminal Handling Charges (THC) were dropping;
 - h) All mid-stream operators must be fully consulted on the proposed

development.

- 4.6.4 **Mr C Pooley** opined that recently there was no shortage of land based sites for mid-stream operations. And the proposed development would cut away the dangerous goods anchorage.
- 4.6.5 **Mr K L Choi** commented that :
- a) Despite the long hauling distance, the site was sheltered and stable which would be ideal for cargo operation, especially during the monsoon season;
 - b) The proposed site would be a valuable supply of land for mid-stream operation. And operators would welcome it provided that the tender price could be lowered;
 - c) When estimating marine traffic volume, the cargo transhipment between the depot and Kwai Chung Terminals should also be included;
 - d) In terms of road traffic, the site at Junk Bay would avoid the concentration of traffic off the Kwai Chung area. So some of the existing operators enjoyed staying in Junk Bay ;
 - e) The site was closer to Xiamen, Shantou and served the needs of the river trade vessels plying to these ports. **Mr Choi** concluded that the site had merit.
- 4.6.6 **Mr Richard Yuen** said that other than the present demand, we had to look at the next 5 to 10 years. He pointed out that we were lack of permanent sites for mid-steam operation, we should be concerned more on the suitability of sites, whereas the tender price, the market would decide on it's own.
- 4.6.7 **Mr Berry** said that although the major shipping centre was in the West however, there was demand for shipping facilities in the East, particularly East Kowloon. Regarding the road system, he pointed out that new roads would be built to tie up with the development, therefore, road traffic should be all right. He further explained that the construction would be either by the Government or by the entrustment to one or more private developers. And the provision of breakwater was prevented by the environmental water quality problem.
- 4.6.8 **Mr Terence Sit** asked and **Mr K M Lee** replied that the PCWA proposed at the end of the Kai Tak runway when the new airport opened would be a temporary reprovisioning of facilities at Cha Kwo Ling and Kwun Tong, which was different to the site at Junk Bay.
- 4.6.9 **The Chairman** asked and **Mr Yuen** replied that this proposal should had gone through the Mid-steam Committee of PDB sometime ago.
- 4.6.10 **The Chairman** said the committee was not yet in a position to give a clear indication. And PDB committee Members would be in a much better

position to give firm advice on this.

- 4.6.11 **Mr Yuen** said that PDB committee would look at it again after the consultant finished various studies. And as far as the Government was concerned, we wanted to make sure there's sufficient supply of facilities to meet forecast demand to balance the interest of operators and port users. The long term interest of the Port should be looked at.
- 4.6.12 **Mr F L Cheuk** invited Members to comment on the layout of the proposed development. **Mr Choi** opined that the provision of breakwater would give shelter to vessels during the typhoon seasons.
- 4.6.13 **Mr Terence Sit** asked and **the Chairman** replied that the type of buoys and moorings could be changed without much difficulties in future.

5 Any Other Business

5.1 Oil Pollution Emergency Response

- 5.1.1 In view of the recent oil spill incident taken place in Singapore, **Mr H Liaw** asked about the Port's emergency response capability under a similar situation.
- 5.1.2 **The Chairman** said that we had considerable equipment here and also had the ability to call on existing equipment from private sector however, the equipment in the Port would not be able to handle such size of spill (130 thousand tons). But he pointed out that there was no oil refinery in HONG KONG, therefore, it was almost impossible to have such size of oil spill here.
- 5.1.3 **Mr K M Lee** said that, the HONG KONG Response Limited jointly formed by the Oil Companies in Hong Kong would arrange to fly equipment to HONG KONG when circumstances required.
- 5.1.4 **The Chairman** said that a paper would be prepared and presented to Members in the next meeting about the Port's emergency arrangement in handling oil pollutions.

6 Date of Next Meeting

- 6.1 The next meeting would be held on 16 December 1997.

7 Close of Meeting

- 7.1 The meeting closed at 4:35 pm.

Confirmed this

day of

1998

Chairman

Secretary