

LEGISLATIVE COUNCIL BRIEF

PORT CONTROL (PUBLIC CARGO WORKING AREA) ORDER 2009

INTRODUCTION

The Secretary for Transport and Housing (“the Secretary”) has made the Port Control (Public Cargo Working Area) Order 2009 (“the Annex A Order”) at Annex A under the Port Control (Cargo Working Areas) Ordinance (Cap. 81) (“the Ordinance”) to declare the new boundaries of the Kwun Tong Public Cargo Working Area (“PCWA”). This paper briefs Members on the Order.

BACKGROUND AND JUSTIFICATIONS

2. PCWA is a fenced-off area for transferring cargo to and from local barges or small coasters. Section 3(1) of the Ordinance confers the Secretary with the power to declare any area of unleased Government land to be a PCWA. Currently, there are eight PCWAs in Hong Kong. The Kwun Tong PCWA was established in 1978 and its present boundaries were declared under the Port Control (Public Cargo Working Area) (No. 4) Order 1998 (L. N. 57 of 1998).

3. Under the Kai Tak Outline Zoning Plan, the site of the Kwun Tong PCWA is planned to be developed into open space in the long term. The berths at the Kwun Tong PCWA were due for re-tendering last year. To enable the early conversion of the site into a promenade, we have re-arranged the berthing area and exclude a contiguous stretch of marine frontage, totalling 200 metres in length, from the tendering exercise. The stretch of marine frontage is now ready for conversion into a promenade. Accordingly, the boundaries of the Kwun Tong PCWA have to be re-delineated. The Order is to declare the new boundaries of the Kwun Tong PCWA.

THE ORDER

4. The Order declares the new boundaries of the Kwun Tong PCWA by substituting the old paragraph 5 of the Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg. B) with a new one that refers to the site map at Annex B as the revised boundaries of the Kwun Tong PCWA, and by repealing the Port Control (Public Cargo Working Area) (No. 4) Order 1998. Under the revised boundaries, the Kwun Tong PCWA will occupy a total area of 23 000 square metres with a seafront length of 712 metres. The Order is to take effect from 25 June 2009.

LEGISLATIVE TIMETABLE

5. The Order will be gazetted on 30 April 2009 and tabled at the Legislative Council on 6 May 2009.

IMPLICATIONS OF THE PROPOSAL

6. The new boundaries of the Kwun Tong PCWA will not affect the business of the existing cargo operators. The proposal does not have any economic implications.

7. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance. It has no productivity, financial, civil service and sustainability implications. It helps improve the environment by allowing conversion of the said stretch of 200-metre marine frontage into a promenade.

PUBLIC CONSULTATION

8. The Legislative Council Panel of Economic Development has been informed of the proposal to convert the concerned part of the Kwun Tong PCWA and has raised no objection. Both the Kwun Tong PCWA

cargo operators and the Kwun Tong District Council were also consulted on the proposal in 2008 and have raised no objection.

PUBLICITY

9. A press release will be issued on 30 April 2009 and a spokesman will be available to handle enquiries.

ENQUIRIES

10. Any enquiry on this brief can be addressed to Mr C S LAU, Senior Marine Officer (Tel: 2852 4452).

Transport and Housing Bureau
29 April 2009

**PORT CONTROL (PUBLIC CARGO WORKING
AREA) ORDER 2009**

(Made by the Secretary for Transport and Housing under section 3(1) of
the Port Control (Cargo Working Areas) Ordinance (Cap. 81))

1. Commencement

This Order comes into operation on 25 June 2009.

2. Public cargo working area

The area of unleased Government land situated at Hoi Bun Road at Kwun Tong (having an area of approximately 23 000 square metres), delineated and coloured pink and pink hatched black on the plan numbered KM 5540b signed by the Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 11 February 2009, and deposited in the Land Registry, is declared to be a public cargo working area.

3. Repeal

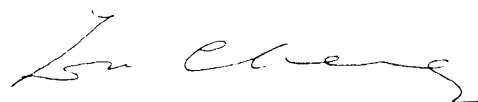
The Port Control (Public Cargo Working Area) (No. 4) Order 1998 (L.N. 57 of 1998) is repealed.

4. Section substituted

Section 5 of the Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg. B) is repealed and the following substituted –

“5. Kwun Tong public cargo working area

The area of unleased Government land situated at Hoi Bun Road at Kwun Tong (having an area of approximately 23 000 square metres), delineated and coloured pink and pink hatched black on the plan numbered KM 5540b signed by the Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 11 February 2009, and deposited in the Land Registry, is declared to be a public cargo working area.”



Secretary for Transport and Housing

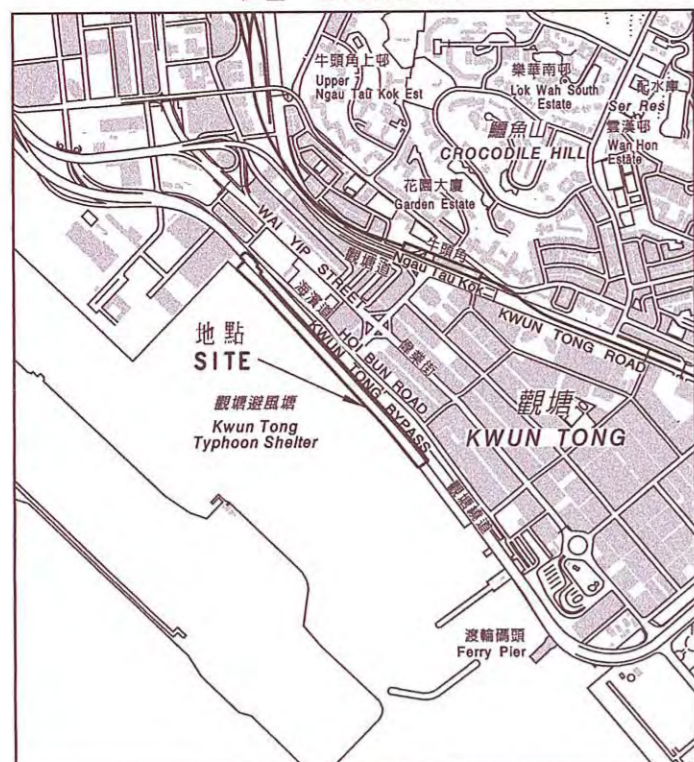
21 April 2009

Explanatory Note

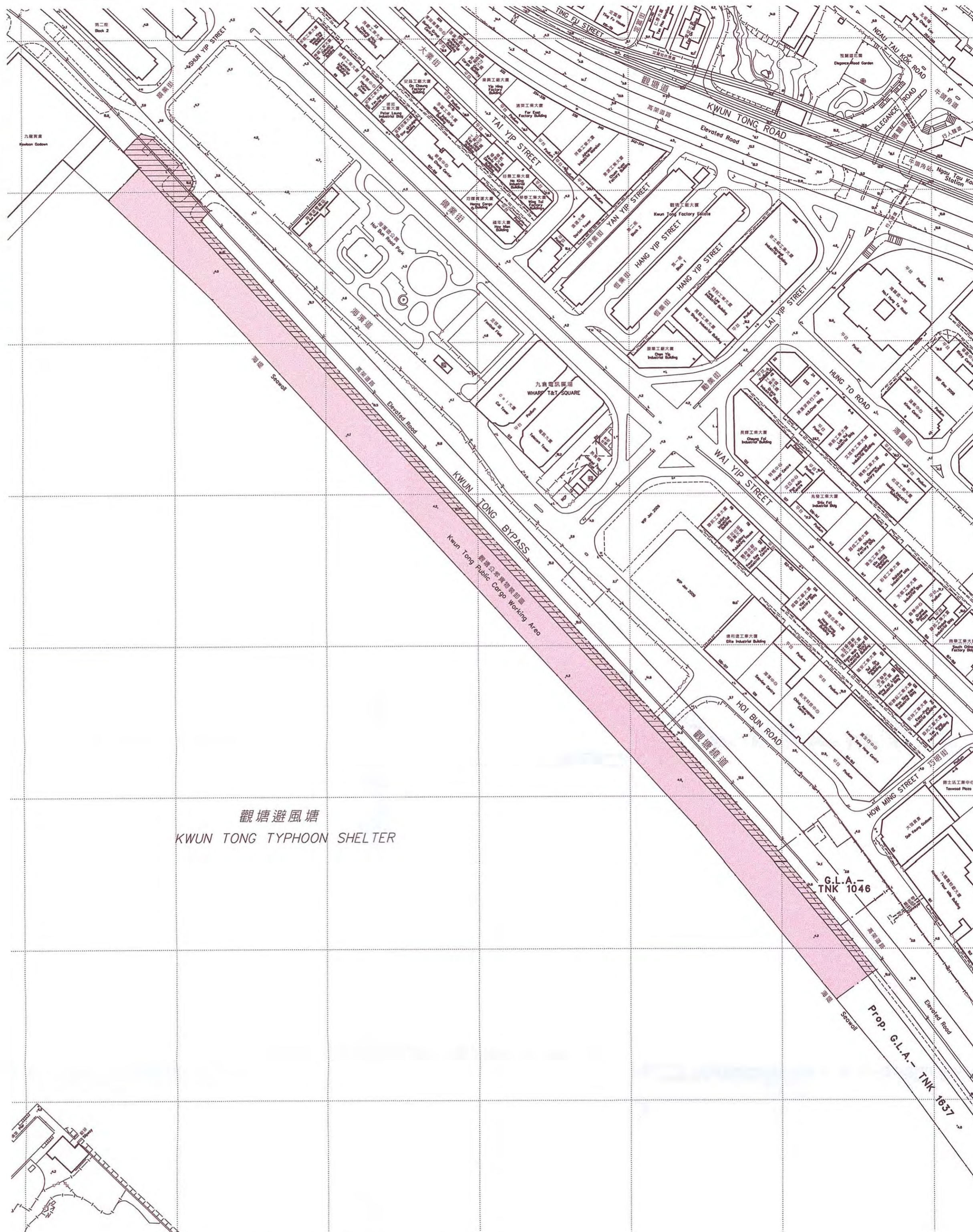
This Order declares new boundaries for the Kwun Tong public cargo working area and repeals an earlier Order relating to that public cargo working area.

Annex B

位置 LOCATION



比例 Scale 1 : 20000



高架道路下的範圍
AREA UNDER ELEVATED ROAD

以粉紅色及粉紅色間黑斜線標示的面積約為 23 000 平方米
COLOURED PINK AND PINK HATCHED BLACK AREA 23 000 SQUARE METRES (ABOUT)

比例尺 Scale 1 : 2000
METRES 50 0 50 100 150 200 METRES

Note: this plan is not of the same scale as shown on the original Plan No. KM5540b

Signed

地政總署署長 (黃仲衡代行)
WONG Chung-hang for Director of Lands
11 / 02 / 2009

地政總署 測繪處
Survey and Mapping Office, Lands Department

港口管制 (貨物裝卸區) 條例 (第 81 章)

根據第 3 (2) 條的規定存放於土地註冊處的觀塘公眾貨物裝卸區圖則

PORT CONTROL (CARGO WORKING AREAS) ORDINANCE (CAP. 81)

PLAN OF KWUN TONG PUBLIC CARGO WORKING AREA, DEPOSITED IN THE LAND REGISTRY UNDER SEC. 3(2)

檔案編號 File No. DSO/K W605
測量圖編號 Survey Sheet No. 11-NE-17D, 22B, 23A
發展藍圖編號 Layout Plan No.
參考圖編號 Reference Plan No.
圖則編號 PLAN No. KM5540b

日期 Date : 11/02/2009