

# 立法會

## *Legislative Council*

LC Paper No. CB(1) 922/10-11  
(These minutes have been seen  
by the Administration)

Ref : CB1/SS/12/09

### **Subcommittee on Port Control (Public Cargo Working Area) Order 2010**

**Minutes of the first meeting held on  
Tuesday, 19 October 2010, at 10:45 am  
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Miriam LAU Kin-ye, GBS, JP (Chairman)  
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP  
Hon Jeffery LAM Kin-fung, SBS, JP  
Hon WONG Ting-kwong, BBS, JP  
Hon KAM Nai-wai, MH  
Hon Cyd HO Sau-lan  
Hon Tanya CHAN  
Hon Albert CHAN Wai-yip
- Members absent** : Hon CHEUNG Hok-ming, GBS, JP  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Hon IP Kwok-him, GBS, JP  
Dr Hon PAN Pey-chyou
- Public Officers attending** : **Agenda item II**  
  
Mr YAU Shing-mu, JP  
Under Secretary for Transport and Housing  
  
Ms Doris CHEUNG Mei-chu, JP  
Deputy Secretary for Transport and Housing  
(Transport)

Ms Jenny CHAN Wai-man  
Principal Assistant Secretary for Transport and  
Housing (Transport)

Mr SIN Tak-cheung  
Assistant Director / Planning and Services  
Marine Department

Mr Edward LAU Chi-shing  
Senior Marine Officer / Cargo Handling  
Marine Department

Mr TAM Hon-choi  
Chief Engineer / Railway Development  
Highways Department

Mr Peter SZE Chun-fai  
Government Counsel  
Department of Justice

**Clerk in attendance :** Ms Joanne MAK  
Chief Council Secretary (1)2

**Staff in attendance :** Mr Bonny LOO  
Assistant Legal Adviser 3

Mr Ken WOO  
Council Secretary (1)2

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Action

**I Election of Chairman**

Ms Miriam LAU was elected Chairman of the Subcommittee.

**II Meeting with the Administration**  
(L.N. 98 of 2010

— Port Control (Public  
Cargo Working Area)  
Order 2010

File Ref: MA 40/4	— The Legislative Council Brief issued by the Transport and Housing Bureau
LC Paper No. LS 98/09-10	— Legal Service Division Report on subsidiary legislation gazetted on 9 July 2010
LC Paper No. CB(1)35/10-11(01)	— Marked-up copies of the Port Control (Public Cargo Working Area) (No. 5) Order 1998 (L.N. 58 of 1998) and the Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg. B) prepared by the Legal Service Division
LC Paper No. CB(1)83/10-11	— Background brief on Port Control (Public Cargo Working Area) Order 2010 prepared by the Legislative Council Secretariat)

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).

3. The Administration informed members that the Port Control (Public Cargo Working Area) Order 2010 sought to release a small portion of the Western District Public Cargo Working Area (PCWA) for setting up a temporary barging point. The barging point would be used for transporting excavated materials arising from the construction of the West Island Line (WIL) and modification works for the Admiralty Station in connection with the construction of the South Island Line (East) (SIL(E)).

4. The Administration advised that a fully enclosed conveyor belt system leading to the barging point would be built for transporting most of the excavated materials arising from the construction of WIL. Part of the excavated materials from the Admiralty Station would also be transported by dump trucks to the barging point by way of Connaught Road and Shing Sai Road.

Action

5. Members noted that the Legislative Council (LegCo) could amend or repeal the Order, and expressed the following major concerns about the Order –

- (a) it was necessary to clearly stipulate in the Order that the site to be temporarily excised for use as a barging point (the Site) would be reverted as part of the Western District PCWA on a date no later than 1 January 2015;
- (b) concern about the environmental impact that might be posed by the excavated materials which were dusty;
- (c) the Administration should make the best use of the excavated materials; and
- (d) information such as travelling route of the dump trucks and the truck trips during different times of the construction period should be provided to LegCo and/or the District Council concerned for consideration.

6. In response, the Administration made the following points –

- (a) it was the Administration's plan to restore the Site as part of the Western District PCWA in August 2014 upon completion of the relevant excavation works;
- (b) as most of the excavated materials generated from the construction of WIL would be transported all the way underground and through enclosed facilities, the dust and traffic impacts on local roads and the environment would only be minimal;
- (c) the MTR Corporation Limited would require the contractor to re-use the excavated materials on site or in other suitable construction sites as far as possible; and
- (d) existing cargo operators at the Western District PCWA had been consulted and they considered that the proposed barging point would have little impact on their operation or the maritime traffic there.

Admin 7. After discussion, the Administration was requested to –

Action

- (a) amend the Order to stipulate that the Site would be reverted as part of the Western District PCWA on a date no later than 1 January 2015; and

*(Post-meeting note: The proposed amendments to the Order provided by the Administration were issued vide LC Paper No. CB(1)195/10-11(01) on 25 October 2010.)*

- (b) provide information on the relevant consultations and discussions with Central and Western District Council (C&WDC).

*(Post-meeting note: The supplementary information provided by the Administration was issued vide LC Paper No. CB(1)132/10-11(01)-(02) on 20 October 2010.)*

8. The Chairman advised that the scrutiny period of the Order had been extended to 10 November 2010. The deadline for giving notice of amendments to the Order was 3 November 2010.

9. Members agreed to hold the next meeting on 27 October 2010 at 8:30 am.

**III Any other business**

10. There being no other business, the meeting ended at 12:30 pm.

Council Business Division 1  
Legislative Council Secretariat  
31 December 2010

**Proceedings of the first meeting of the  
Subcommittee on Port Control  
(Public Cargo Working Area) Order 2010  
on Tuesday, 19 October 2010, at 10:45 am  
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<b>Agenda item I – Election of Chairman</b>			
000114 – 000259	Ir Dr Raymond HO Ms Cyd HO Miss Tanya CHAN Ms Miriam LAU	- Opening remarks and election of Chairman	
<b>Agenda item II – Meeting with the Administration</b>			
000300 – 000756	Chairman Administration	- Administration’s briefing on the Order	
000757 – 001511	Chairman Mr KAM Nai-wai Administration	- Discussion on the selection of site for the proposed barging point within the Western District PCWA, the service of the barging point for both the WIL and SIL(E) projects, and the dust mitigation measures to be put in place  - Discussion on the mechanism on ensuring the reversion of the Site as part of the Western District PCWA in August 2014	
001512 – 002056	Miss Tanya CHAN Administration Chairman	- Discussion on the handling of the excavated materials  - Discussion on the monitoring on both the progress of the works and on the reversion of the Site by both C&WDC and the management of the Western District PCWA	
002057 – 003203	Mr WONG Ting-kwong Administration Chairman	- Discussion on transporting excavated materials by dump trucks during non-peak hours to minimize impact on road traffic	
003204 – 004250	Mr Albert CHAN Administration Chairman	- The Administration’s explanation on the wording “unleased Government land” as contained in the Order  - Discussion on proposing amendments to the Order by supplementing an additional plan with an effective date specified for the reversion of the Site to Western District PCWA	
004251 – 004914	Mr Jeffery LAM Administration Chairman	- Discussion on the measures to mitigate the impact of the operation of the barging point on the surrounding area, including fencing off the barging point, putting in place enclosed cover at the barging point, and making available wheel washing and water spraying systems	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
		- Discussion on the impact on maritime traffic as a result of the operation of the barging point	
004915 – 010622	Ms Cyd HO Administration Chairman	- Discussion on the locations of the entrances and the exit points of the underground conveyor belt system  - Discussion on the future planning of the Site which would be affected by the proposed closure of the Kwun Tong PCWA and Cha Kwo Ling PCWA	
010623 – 012414	Mr KAM Nai-wai Assistant Legal Advisor 3 Chairman Administration Mr Albert CHAN	- Discussion on proposing amendments by LegCo members or the Administration to the Order to ensure reversion of the Site as part of the Western District PCWA by a specified date  - The Administration's explanation on the selection of the westernmost site within the Western District PCWA for the barging point to avoid splitting the PCWA and disturbing its operation  - Discussion on the measures to mitigate nuisance arising from the operation of the barging point	
012415 – 013404	Miss Tanya CHAN Chairman Administration Assistant Legal Advisor 3	- Discussion on the reuse of the excavated materials by the contractors concerned  - Discussion on the coordination role of the Civil Engineering and Development Department on the operations of PCWAs	
013405 – 013940	Ms Cyd HO Chairman Administration	- Discussion on proposing amendments to the Order by the Administration  - Discussion on the proper reuse of the excavated materials by the contractors concerned	
013941 – 014035	Miss Tanya CHAN Administration	- The Administration's explanation in response to Miss CHAN that the barging point would not be involved in the handling of explosives for the WIL project	
014036 – 014613	Chairman Administration Ms Cyd HO	- Discussion on scheduling another meeting to receive the requisite information to be provided by the Administration	The Administration and the Clerk to take follow-up actions (paragraphs 7 and 9 of minutes)