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Legislative Council

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Subcommittee on Port Control (Public Cargo Working Area) Order 2015

Background brief

Purpose

This paper provides information on the background of the Port Control (Public Cargo Working Area) Order 2015 ("the Order") made under the Port Control (Cargo Working Areas) Ordinance (Cap. 81) ("the Ordinance") to declare the new boundaries of the Western District public cargo working area ("PCWA"), and Members' views and concerns on related issues.

Background

2. According to the relevant Legislative Council Brief issued by the Transport and Housing Bureau and Marine Department on 23 January 2015 ("the LegCo Brief"), PCWAs are fenced-off waterfront areas for transferring cargo to and from local barges or small coasters across seawall. Section 3(1) of the Ordinance confers the Secretary for Transport and Housing ("the Secretary") with the power to declare any area of unleased Government land to be a PCWA. Currently, there are six PCWAs¹ in Hong Kong. The Western District PCWA was established in 1981 and its existing boundaries are referred to in section 7 of the Port Control (Public Cargo Working Area) (Consolidation) Order (Cap 81 sub. leg. B). The Western District PCWA occupies a total area of approximately 40 200 square metres with a usable seafrontage of 1 052 metres.

3. The Central & Western District Council ("C&WDC") is implementing an initiative, the *Harbourfront Enhancement and Revitalization at the Western Wholesale Food Market* ("WWFM"), under the Signature Project Scheme

¹ Namely Tuen Mun, Rambler Channel, Stonecutters Island, New Yaumatei, Chai Wan and Western District PCWAs.

("SPS"), with a view to providing a waterfront promenade and open space at WWFM and its vicinity for public enjoyment. The project had the support of the Home Affairs Bureau ("HAB"), the Home Affairs Department ("HAD"), the Harbourfront Commission and the local community. Funding application will be submitted to the Legislative Council in 2015.

4. The proposed site of the SPS at WWFM sits next to the Western District PCWA. In order to provide an access point to the future waterfront open space at WWFM, a small portion of land at the Western District PCWA of approximately 217.6 square metres (11 x 19.78 metres) (marked red in **Appendix I**) needs to be released for the development of the SPS.

5. In addition to the above, to align with the latest Government land allocation boundaries, three additional small portions of land at the entrances/exits (marked blue in **Appendix I**) with a total area of approximately 320 square metres will be incorporated into the Western District PCWA re-delineation. After these minor revisions, the total site area of the Western District PCWA will slightly increase by 100 square metres with the usable seafrontage remains unchanged.

The Order

6. The Order declares the new boundaries of the Western District PCWA by referring to the plan at **Appendix II** which sets out the revised boundaries of the Western District PCWA. With the revised boundaries, the Western District PCWA will occupy a total area of approximately 40 300 square metres. This Order is to commence from a day to be appointed by the Secretary by notice published in the Gazette.

Consultation with the public and Members

7. According to paragraph 10 of the LegCo Brief, the C&WDC agreed at its meeting held on 21 March 2013 to undertake SPS in its district. HAD had organized a wide range of public consultation and engagement activities in 2013 and 2014 and great support to the content and design of SPS was received. PCWA operators including those operating at the Western District PCWA were consulted at the PCWA Management Committee meeting in September 2013 and they raised no objection to the new boundaries of the Western PCWA.

8. The Administration consulted the Panel on Economic Development at the meeting held on 27 October 2014 on the proposal to increase the Operation Area Permit ("OAP") fee of PCWAs prescribed in item 16 of the Schedule to the Port Control (Cargo Working Areas) Regulations (Cap. 81A). In response to members' concerns and suggestions, the Administration advised that it would consider, in the context of the comprehensive review for the allocation of PCWA berths, different ways to reduce the overall operation cost of PCWAs, such as continuing contracting out some of the PCWAs' management tasks and changing the vehicle entry ticket charges from an hourly to a half-hourly basis. The Administration undertook to report the outcome of the review to the Panel in due course.

Latest position

9. At the meeting of the House Committee held on 6 February 2015, Members agreed to form a subcommittee to study the Order.

Relevant papers

10. The relevant papers are available at the following links:

Panel on Economic Development meeting on 26 October 2014 -
Information paper issued by the Administration

<http://www.legco.gov.hk/yr14-15/english/panels/eDEV/papers/eDEV20141027cb4-63-5-e.pdf>

Minutes

<http://www.legco.gov.hk/yr14-15/english/panels/eDEV/minutes/eDEV20141027.pdf>

Port Control (Public Cargo Working Area) Order 2015 (L.N. 28) issued
by Transport and Housing Bureau on 23 January 2015

<http://www.legco.gov.hk/yr14-15/english/subleg/negative/ln028-2015-e.pdf>

Legislative Council Brief on Port Control (Public Cargo Working Area)
Order 2015 issued by Transport and Housing Bureau and Marine
Department on 23 January 2015

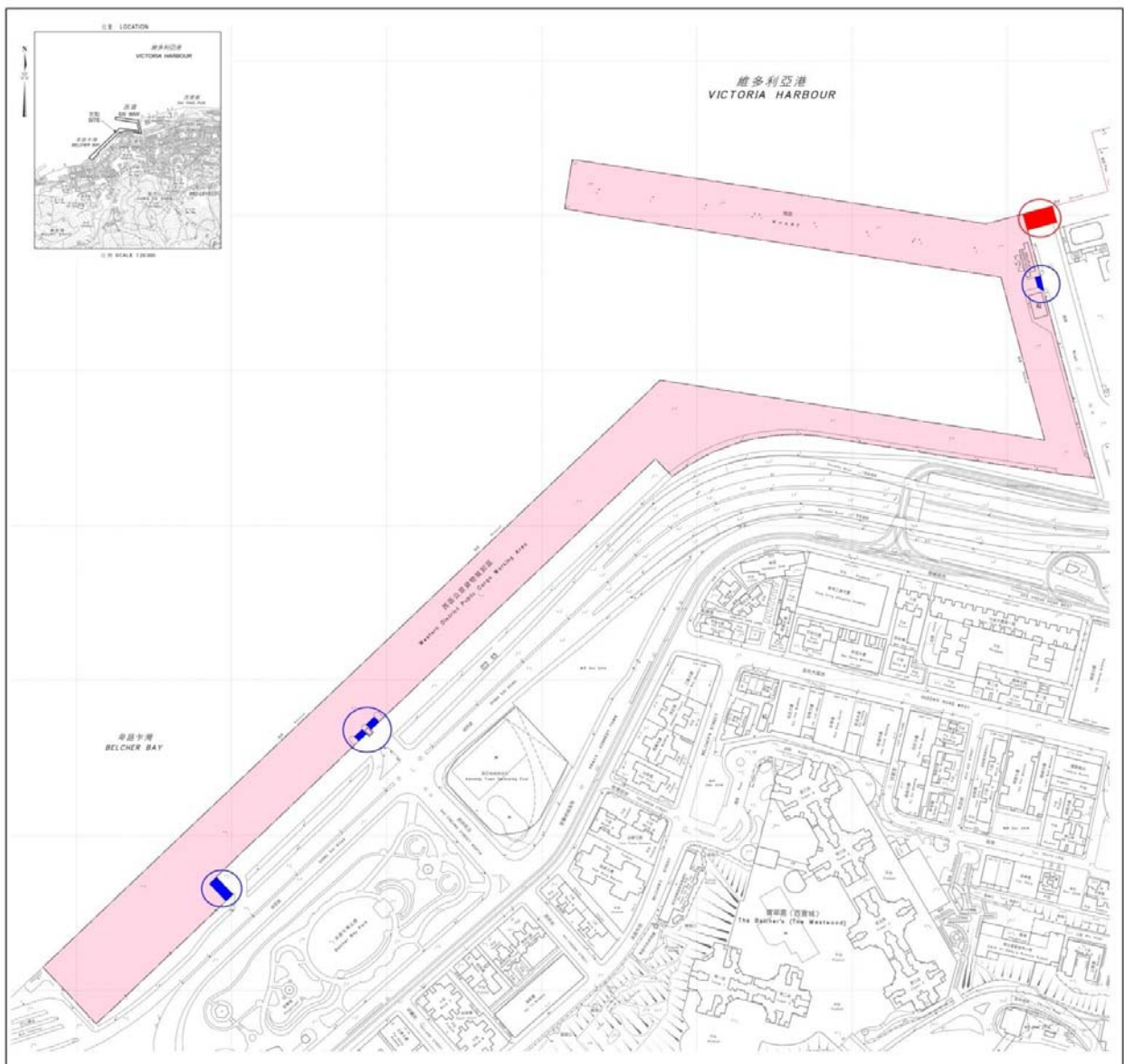
http://www.legco.gov.hk/yr14-15/english/subleg/brief/28_brf.pdf

Legal Service Division Report on Subsidiary Legislation Gazetted on 30 January 2015 issued by Legal Service Division of LegCo Secretariat on 5 February 2015

<http://www.legco.gov.hk/yr14-15/english/hc/papers/hc20150206ls-35-e.pdf>

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Appendix I



- i) Area marked red: To be released for SPS project
- ii) Areas marked blue: Additional portions at the entrances/exits to be incorporated into the PCWA to align with the latest GLA boundaries

Appendix II

