

## LEGISLATIVE COUNCIL BRIEF

### PORT CONTROL (PUBLIC CARGO WORKING AREA) ORDER 2010

#### INTRODUCTION

The Secretary for Transport and Housing (“the Secretary”) has made the Port Control (Public Cargo Working Area) Order 2010 (“the Order”) at Annex A 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”). This paper briefs Members on the Order.

Annex A

#### 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 Western District PCWA was established in 1981 and its present boundaries were declared under the Port Control (Public Cargo Working Area) (No. 5) Order 1998 (L.N. 58 of 1998).

3. To facilitate the construction of the West Island Line (“WIL”), a small portion of the Western District PCWA is needed as a barging point for transporting the excavated materials to Government reception facilities. It occupies a total area of 7 500 square metres with a usable seafrontage of 172 metres. It is expected that the site will be reverted as part of the Western District PCWA in August 2014.

## **THE ORDER**

4. The Order declares the new boundaries of the Western District PCWA by substituting the existing section 7 of the Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg. B) with a new one that **Annex B** refers to the plan at **Annex B** which sets out the revised boundaries of the Western District PCWA, and by repealing the Port Control (Public Cargo Working Area) (No. 5) Order 1998. With the revised boundaries, the Western District PCWA will occupy a total area of 32 700 square metres with a useable seafrontage of 880 metres. The Order is to commence on 13 November 2010.

## **LEGISLATIVE TIMETABLE**

5. The Order will be gazetted on 9 July 2010 and tabled at the Legislative Council on 14 July 2010.

## **IMPLICATIONS OF THE PROPOSAL**

6. The new boundaries of the Western District PCWA should have little impact on the daily operation of the existing cargo operators. The proposal thus has no 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, environmental and sustainability implications.

## **PUBLIC CONSULTATION**

8. The Subcommittee on Matters Relating to Railways under the Legislative Council Panel on Transport was informed of the temporary release of a small portion of the Western District PCWA in 2007 when we briefed Members on the WIL project. PCWA cargo operators including those operating at the Western District PCWA were also consulted in 2007. Moreover, the Government and the MTR Corporation Limited regularly report to the Central & Western District Council on the construction of the WIL. They all raised no objection to the proposal.

## **PUBLICITY**

9. A press release will be issued on 9 July 2010 and a spokesman will be available to handle enquiries.

## **ENQUIRIES**

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

**Transport and Housing Bureau**

**7 July 2010**

**PORT CONTROL (PUBLIC CARGO WORKING  
AREA) ORDER 2010**

(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 13 November 2010.

**2. Public cargo working area**

The area of unleased Government land situated at Western District (having an area of approximately 32 700 square metres), delineated and coloured pink on the plan numbered HKM 8800 signed by the Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 1 April 2010 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. 5) Order 1998 (L.N. 58 of 1998) is repealed.

**4. Section substituted**

Section 7 of the Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg. B) is repealed and the following substituted –

**“7. Western District public cargo working  
area**

The area of unleased Government land situated at Western District (having an area of approximately 32 700 square metres), delineated and coloured pink on the plan numbered HKM 8800 signed by the Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 1 April 2010 and deposited in the Land Registry, is declared to be a public cargo working area.”

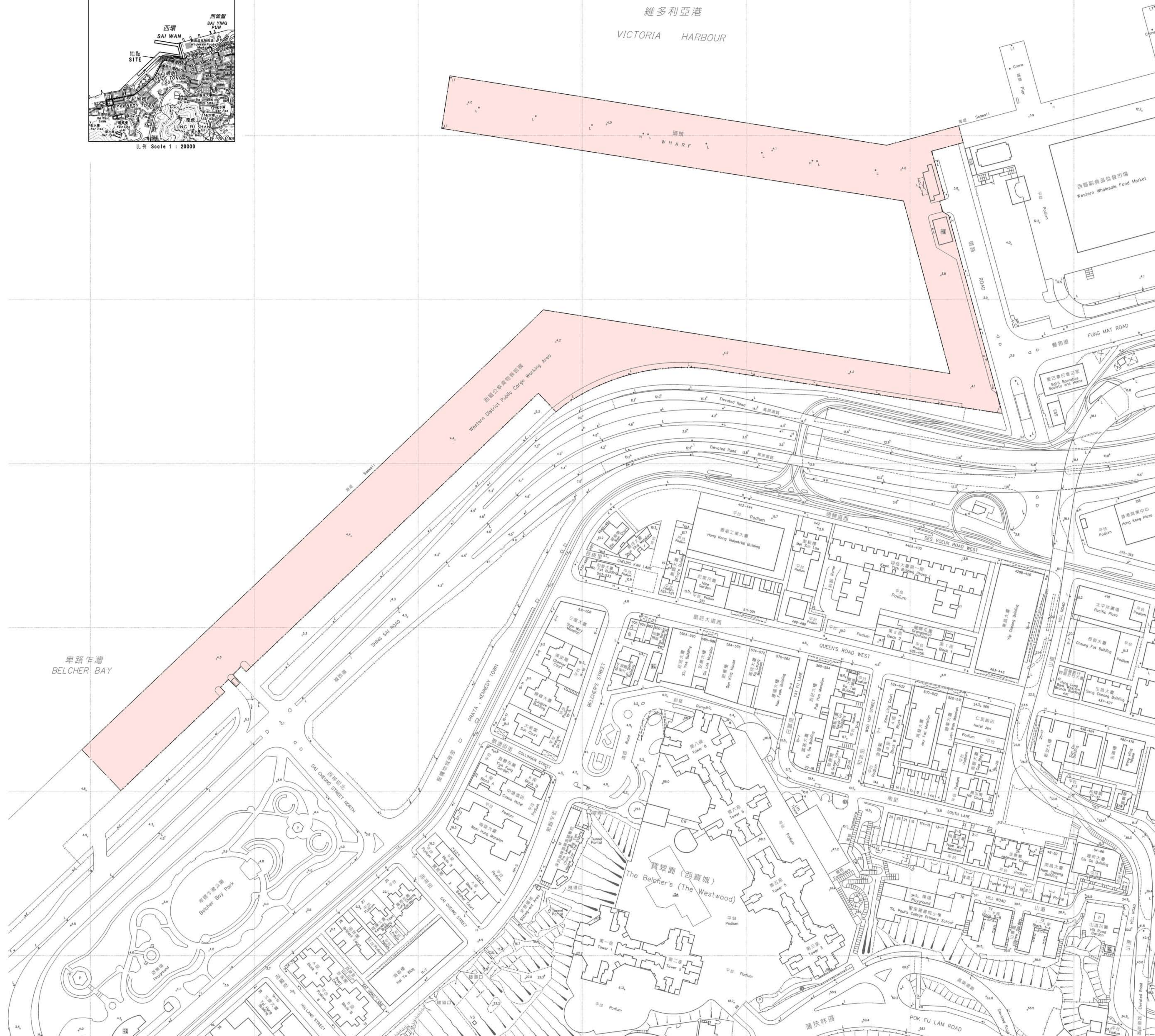
A handwritten signature in black ink, appearing to read "Iru Chen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Secretary for Transport and Housing

5 July 2010

**Explanatory Note**

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



以粉紅色標示的面積約為 32 700 平方米  
COLOURED PINK AREA 32 700 SQUARE METRES (ABOUT)

比例尺 Scale 1 : 1000

METRES 20 0 20 40 60 80 100 METRES

(Note: This plan is not to scale.)

Signed  
地政總署署長 (黃仲勳代印)  
WONG Chung-hang for Director of Lands  
1/4/2010  
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西區公眾貨物裝卸區圖則  
PORT CONTROL (CARGO WORKING AREAS) ORDINANCE (CAP.81)  
PLAN OF WESTERN DISTRICT PUBLIC CARGO WORKING AREA, DEPOSITED IN THE LAND REGISTRY UNDER SEC. 3(2)

檔案編號 File No. DSO/HK 14/2/5  
測量圖號 Survey Sheet No. 11-SW-6B & 7A  
發展計劃圖號 Layout Plan No.  
參考圖號 Reference Plan No.  
圖則編號 PLAN No. HKM8800