

For information
7 November 2011

Legislative Council Panel on Economic Development

Port Control (Public Cargo Working Area) Order 2011

Purpose

This note informs Members that the Secretary for Transport and Housing will make the Port Control (Public Cargo Working Area) Order 2011 at **Annex** (“the Order”) under the Port Control (Cargo Working Areas) Ordinance (Cap. 81) (“the Port Control Ordinance”) to repeal two earlier orders¹ in view of the decommissioning of the Kwun Tong and Cha Kwo Ling Public Cargo Working Areas (“PCWAs”).

Annex

Background

2. PCWA is a fenced-off area for transferring cargo to and from barges or small coasters across seawall. Pursuant to the Port Control Ordinance, Kwun Tong PCWA was commissioned in 1978 and Cha Kwo Ling PCWA in 1989. To make way for development of south-east Kowloon (including Stage 2 of the Kwun Tong Promenade Development), the two PCWAs were not released for further tendering upon the expiry of the Berth Licence Agreements (“BLAs”) which ended in end-July 2011. As the BLAs for other PCWAs² also expired at the same time, three rounds of tendering have been conducted in time so that existing operators and new comers who wish to operate under BLAs commencing from August 2011 could bid for berths in PCWAs other than the above two PCWAs. At present, all operators previously operating at the Kwun Tong and Cha Kwo Ling PCWAs have moved out and the said PCWAs are vacant.

¹ Port Control (Public Cargo Working Area) (No. 7) Order 1998 (L.N. 60 of 1998) and Port Control (Public Cargo Working Area) Order 2009 (L.N. 85 of 2009).

² They include the Tuen Mun, Rambler Channel, Stonecutters Island, New Yaumatai, Chai Wan and Western District PCWAs.

Public consultation

3. The Legislative Council (“LegCo”) Panel on Economic Development was informed of the planned closure on 17 March and 11 April 2008 and was briefed on the tendering arrangements for PCWA berths on 24 January and 28 February 2011. The PCWA operators were also informed of the matter since 2008 through the PCWA Management Committee which met from time to time. At the district level, the Kwun Tong District Council supports the decommissioning of the two PCWAs. It passed a motion on 29 January 2008 urging the Government to close the two PCWAs and develop the area into a waterfront promenade.

Order to decommission the Kwun Tong and Cha Kwo Ling PCWAs

4. The Transport and Housing Bureau will publish the Order, which will give effect to the decommissioning of the Kwun Tong and Cha Kwo Ling PCWAs, in the Gazette on 9 December 2011 and table it at the sitting on 14 December 2011 for negative vetting by LegCo. The Order is expected to take effect on 6 February 2012.

5. Members are invited to take note of the above.

Transport and Housing Bureau
November 2011

Port Control (Public Cargo Working Area) Order 2011

(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 6 February 2012.

2. Enactments repealed

The following enactments are repealed—

- (a) the Port Control (Public Cargo Working Area) (No. 7) Order 1998 (L.N. 60 of 1998);
- (b) the Port Control (Public Cargo Working Area) Order 2009 (L.N. 85 of 2009).

3. Port Control (Public Cargo Working Area) (Consolidation) Order amended

The Port Control (Public Cargo Working Area) (Consolidation) Order (Cap. 81 sub. leg. B) is amended as set out in section 4.

4. Sections 5 and 9 repealed

Sections 5 and 9—

Repeal the sections.

Secretary for Transport and Housing

2011

Explanatory Note

This Order repeals 2 earlier Orders which declared certain areas in Cha Kwo Ling and Kwun Tong as public cargo working areas, following the decommissioning of those public cargo working areas.