

Hong Kong, 8 December 2009

Panel on Economic Development Legislative Council Legislative Council Building 8 Jackson Road Central, Hong Kong (panel\_edev@legco.gov.hk)

#### Submission on Lei Yue Mun Waterfront Enhancement

Honorable Chair and Members,

Enclosed please find a report with our findings and recommendations regarding the enhancement of Lei Yue Mun.

Although the matter is not scheduled to be taken until July 2010, as the Town Planning Board and Lands Department are considering changes to the Outline Zoning Plan as well as reclamation in Lei Yue Mun Channel, we believe it is timely for members to consider the matter at this time.

We Members to consider the need for a foul sewerage in Lei Yue Mun as a matter of priority in improving the tourism appeal of Lei Yue Mun.

The attached report includes further measures to improve the Lei Yue Mun Waterfront Enhancement Project, and to enhance Lei Yue Mun as a destination for local and international tourism.

Herewith we so submit for your consideration.

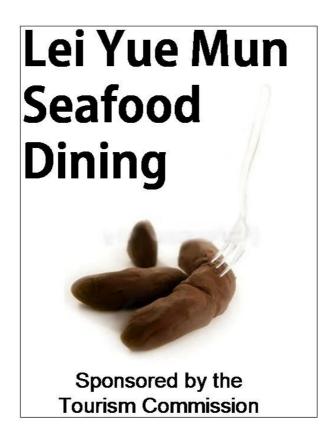
Kind regards,

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Encl. Review of the Lei Yue Mun Waterfront Enhancement Project November 2009

Review of the Lei Yue Mun Waterfront Enhancement Project

> November 2009 Designing Hong Kong Limited



Tourists visiting Lei Yue Mun are exposed to human excrement and restaurant waste flowing through open drains while on their way to a seafood meal. The e-coli content of the seawater and typhoon shelter exceeds the statutory limit for keeping live seafood served to restaurant patrons. Attracting more tourists to Lei Yue Mun without first fixing the sewerage is in conflict with the 'quality' image Hong Kong is pursuing under its tourism strategies.

### **Objection to the Lei Yue Mun Waterfront Enhancement project**

The Tourism Commission wants to reclaim 800 square meters in the Harbour and use HK\$210m for a new pier to attract new visitors to Lei Yue Mun. **Designing Hong Kong Limited** objects to this madness – the first priority should be to fix the toilets!

### 10 years, over HK\$200million, and no plan to fix the toilets!

Restaurant operators in Lei Yue Mun have long noticed that they are losing their attraction as a seafood dining destination.

In response, the Tourism Commission is promoting a HK\$210m new public landing, breakwater, promenade, look-out points and landscaping to facilitate access by sea. The new landing is expected to attract 11,000 tourists per month for a seafood meal, and up to 14,000 during the peak season. This compares to the existing monthly visitation of about 1,500 tourists.

Lei Yue Mun residents also want to place a Tin Hau Goddess Statue on Oyster Shell Beach to attract the attention of cruise ship passengers.

The Lei Yue Mun villagers should have been told to clean up their act in stead.

### Lei Yue Mun is an unhygienic and disgusting dump.

Access is not Lei Yue Mun's problem: The Yau Tong MTR opened in 2002, only a short walk away. New residential developments have been going up in Lei Yue Mun and neighbouring Yau Tong. But this did not stop the decline.

With competition from Sai Kung, Aberdeen, Lamma, harbour dining cruises, Soho East (Ling Kei Wan) and the future West Kowloon Cultural District – revitalizing Lei Yue Mun as a competitive attraction requires more than a new pier or a helping hand from the Tin Hau Goddess.

The place is a dump. Ramshackle huts, garbage heaps, rusting fences, and most atrocious of all - there is no sewerage! All sewage and waste is discharged through storm drains directly into the surrounding waters.

### Lei Yue Mun has no sewerage system

A decade into 'enhancing Lei Yue Mun', the Tourism Commission has built a Chinese style monument at the entrance to the village, repaved a footpath and added road signs, and now plans to add a new pier to bring more tourists. However, the Tourism Commission has made no attempt to resolve the essential sewage and hygiene problems.

### **Essential concerns**

- 1. The seawater and typhoon shelter are highly polluted. The e. coli content exceeds the statutory limit and operators use it for keeping their live seafood which is served to restaurant patrons.
- 2. Attracting more visitors an estimated 1,000% increase in tourists and related increase in employment without first fixing the sewerage will aggravate the pollution and hygiene problems.
- 3. Exposing tourists to human excrement and restaurant waste flowing through open drains while on their way to a seafood meal is in conflict with the 'quality' image Hong Kong is pursuing under its tourism strategies.

### There are other problems with the proposed 'enhancement' plans

- 4. The Tin Hau Godess statue will cover Oyster Shell Beach, the last remaining beach in eastern Victoria Harbour, and hide the Lei Yue Mun lighthouse and rocky outcrop from view.
- 5. Within one kilometer of the new landing are the underutilized the Sam Ka Tsuen Pier, the existing village jetty (which needs repairs) and several berthings in the typhoon shelter. The 800 square meters of reclamation and HK\$210m of funds are a waste of public resources.
- 6. The foundation of the footpath to the Tin Hau Temple is unsafe. It consists of rubble and sections have collapsed over time. This lack of a solid seawall also means the village is without flood protection.



### The Tourism Commission must be taken off the job

The tasks required to make Lei Yue Mun a preferred seafood dining experience for residents and tourists have been identified in the 'Study on Village Improvement of Lei Yue Mun Area' commissioned by Planning Department in 1999 and completed in 2002.

Essential engineering includes foul sewerage and a seawall as the top priority. The Tourism Commission does not have the expertise to resolve the technical, land status and space constraints. Lei Yue Mun will remain a basket case (with a new pier) unless an organization such as the Urban Renewal Authority or the Harbour Unit under the Development Bureau takes over.

### Support the Designing Hong Kong Plans for Lei Yue Mun

We call on you to object to this madness and to support our proposal for a comprehensive review of the plans for Lei Yue Mun.

### Recommended program for fixing Lei Yue Mun

Lei Yue Mun consists of an inner harbour (Sam Ka Tsuen Typhoon Shelter) with a ferry pier on the south, Leisure and Cultural Services facilities on the south, west and north, and Lei Yue Mun village on the east. The village runs south and then east (Ma San Tsuen) and ends at Lei Yue Mun's Tin Hau Temple and consists of narrow paths aligned with one or two story shops, restaurants and residential properties.

With its proximity to core urban areas and the increase in population in neighbouring districts there is an opportunity to re-instate Lei Yue Mun to its former glory as a seafood-dining experience for residents and tourists.

A sustainable plan must be drawn up for the village and the typhoon shelter as a whole – as one quality visitor experience.

### Key concerns over Lei Yue Mun

Drawing tourists to an unhygienic and dilapidated environment is counterproductive as bad experiences are difficult to erase from internet and blog sites:

- Raw sewage including human faeces flow through (open) rain water drains into the typhoon shelter and along the shoreline;
- The typhoon shelter is dysfunctional as an inner harbour: the water is polluted by local sources, garbage from local sources is floating around and the land water interfaces are inadequate;
- Oyster Shell Beach is littered with debris and remains of illegal structures;
- The Lei Yue Mun lighthouse and rock base are defaced and dilapidated;
- Refuse collection points throughout the village are dilapidated;
- The village layout is irrational and unappealing (beyond 'traditional') including rusting fences, dilapidated structures and trash mounts;
- The Lei Yue Mun Tin Hau Temple is surrounded by broken temporary structures;
- The Sam Ka Tsuen Ferry Pier has been run down;
- Without a seawall there is no flood protection and the footpath built on rubble mounds along the shore is prone to collapsing.

### 1. Fix the sewerage system

There is no foul sewerage within Lei Yue Mun Village except on a short section of the Lei Yue Mun Praya Road. The great majority of the village is unsewered. Sewage and waste water from the village residential premises and restaurants are discharged to the sea and typhoon shelter direct and through (open) rain water drains. The result is unhygienic, unsightly and unbecoming of a seafood dining destination. Irrespective of the technical and space constraints, the sewerage must be fixed as a matter of priority.

## 2. Fix the Sam Ka Tsuen Typhoon Shelter

The typhoon shelter is used by licensed and unlicensed stationary vessels and small fishing craft. The stationary craft are licensed for seafood storage, fish dealing, fish dry hulk, ice boat, landing pontoon, repair pontoon and storage. The following issues need to be addressed:

- The typhoon shelter needs to be dredged and the water must be cleaned regularly;
- Direct the storm drains away from of the typhoon shelter and into the harbour directly;
- Oblige all craft using the typhoon shelter to dispose of sewage and garbage on-shore and adequate facilities must be available for users to do so;
- Redesign adjoining areas (Lei Yue Mun Typhoon Shelter Breakwater Sittingout Area, Lei Yue Mun Waterfront Sitting-out Area) to create a continuous landing for all vessels (i.e. removal of fences, adding steps);
- Provide facilities for fresh water and other services required by marine users;
- Rationalize moorings to create room for visiting junks, kaidos and yachts with visitors;
- Allow new uses of the typhoon shelter including a floating fish market (compare Sai Kung);
- Allow new residents to obtain moorings for leisure craft;
- Reorganize responsibilities to better manage the typhoon shelter;
- Appoint a local 'harbour master' paid from mooring fees, to ensure the typhoon shelter is managed flexibly and appropriately.

## 3. Fix the Sam Ka Tsuen Ferry Pier

The Ferry Pier is a simple but interesting structure which can be enhanced with minor renovations. The pier can be utilized for scheduled and unscheduled public and private marine services, and is only a short walk away from Lei Yue Mun village. The new residential developments and new destinations along the waterfront of Victoria Harbour will further improve patronage.

### 4. Fix the Existing Village Jetty

The village jetty is in disrepair. The existing reclaimed areas under the jetty can be used to erect a new jetty for people to fish from, as a general amenity and to accommodate yachts and junks who wish to drop off passengers in the village. Whatever happens, don't lose the reclaimed area and include this in the OZP.

# 5. Fix Lei Yue Mun Typhoon Shelter Breakwater Sitting-out Area

LCSD is upgrading this facility. The fences must be removed to allow for marine supporting uses. Located at the mouth of the Typhoon Shelter and immediate opposite Lei Yue Mun's restaurants, the site is ideal for the Tin Hau Godess Statue. Shaded seating can be added facing the harbour and the typhoon shelter.

### 6. Review the Lei Yue Mun Waterfront Sitting-out Area

This LCSD facility is immediately adjoining the seawalls of the typhoon shelter. The land use and seawall on all sides of the typhoon shelter must be redesigned to facilitate marine supporting services in addition to recreation by the public.

### 7. Rationalize the Village Plan

The properties in Lei Yue Mun are mostly one and two story temporary structures and generally in poor condition. The land status of Lei Yue Mun Village includes surveyed squatter structures, Survey District private lots and short term tenancies (STT). The private lots are not subject to any user restrictions. The STT uses are specified in the tenancy agreements. Surveyed structures are allowed for uses recorded in the 1982 Freezing Survey. The village layout is poor and unappealing (beyond 'traditional') and includes rusting fences, dilapidated structures, trash heaps, and other concerns. These involve both public land and private rights. Although fire safety is addressed with operational contingency plans devised specifically for the characteristics of Lei Yue Mun village, it is unclear whether these can cope with more visitors and employees. A comprehensive review is required by all relevant departments including Lands and Building Departments and the local district office, to ensure the village safety and appearance are addressed when the sewerage is fixed.

### 8. Fix Oyster Shell Beach

Oyster Shell Beach is the last remaining beach in eastern Victoria Harbour and should be preserved (and NOT be covered with a platform for the Tin Hau Godess statue). A full clean up is required including removal of foundations of previous illegal structures. Oyster Shell Beach must be recognized as a (closed) Bathing Beach on the Outline Zoning Plan and included in the daily beat of FEHD contractors. More stringent control over contractors by FEHD staff may be required.

### 9. Fix Lei Yue Mun Lighthouse

The Lei Yue Mun lighthouse has a long history and is a popular destination for sightseeing. Kids can be seen climbing the rocks regularly. The lighthouse and the rocks are an interesting visual feature for visitors. The lighthouse can be fixed or replaced, graffiti can be removed from the rock base and broken structures and remains of illegal works can be removed. Both the lighthouse and the rocky outcrop must be included in the OZP.

### 10. Fix Lei Yue Mun Tin Hau Temple

The Lei Yue Mun Tin Hau Temple can be enhanced and operated with opening hours suitable for tourists. An all-weather cover in front of the temple can be designed to accommodate staff, residents and visitors. The walk to the temple is one of the attractions of Lei Yue Mun.

### **11. Fix the Refuse Collection Points**

Most international tourists will have little experience with public refuse collection points in the middle of village areas. Special attention must be given to the design and location of the RCPs in Lei Yue Mun, beyond standard solutions.

### 12. A better location for the Tin Hau Goddess Statue

The proposed Tin Hau Goddess Statue adds an appropriate additional visual impression for visitors and promotes greater prosperity for locals. It is a suitable feature of the revitalization plan for Lei Yue Mun. However, sacrificing Oyster Shell Beach, the last remaining beach and limiting the view of the existing lighthouse on its rocky outcrop is unacceptable.

Options for the size and location of the statue must be considered and finalized. The proposed look-out points in the village, the rest garden immediately adjacent to Oyster Shell Beach or – recommended - the Lei Yue Mun Typhoon Shelter Breakwater Sitting-Out Area are appropriate options.

Irrespective of the final location of the Statue, the responsibility for the maintenance must be clarified. Reference is made to Repulse Bay where statues erected by a non government organization in Repulse Bay are now in disrepair, unsightly and possibly dangerous.

# **13. Review the Tourism Commission's Lei Yue Mun Waterfront Enhancement project**

The improvement works for footpaths and look-out points in Lei Yue Mun are welcome investments. The proposal for a protruding carp-shaped viewing platform have been criticized by members of the Harbourfront Enhancement Committee as they saw no merit in introducing such artificial elements to the area. Revised detailed designs have yet to be seen.

The proposed landing and breakwater require 842 square meters reclamation and will affect 6,020 square meters of Lei Yue Mun channel. Lei Yue Mun Channel is the wrong location for the public landing: It is located at the back of the village and requires a costly breakwater to mitigate fast currents.

Repairing the village jetty requires no new reclamation. Berthing within the typhoon shelter, at the village jetty and along Sam Ka Tsuen Ferry Pier are superior arrival points: These facilities can be made available at little cost. Tourists will then arrive at the front of the village and enjoy a pleasant walk to the restaurant area with an interesting view across the typhoon shelter.

### **Objections and recommendations to the Town Planning Board**

Designing Hong Kong Limited has submitted the following objections and recommendations regarding the draft Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan no. S/K15/18.

# A. Object to include the landing platform (zoned 'Open Space') and the breakwater (zoned 'Other Uses') in the OZP.

By using the existing pier, the jetty and the typhoon shelter for berthing of vessels, we reduce the cost and the need for reclamation and dredging. The proposed location for the new landing is unsuitable as the currents are strong (this is the narrowest part of the harbour) and it is located at the back rather than the front of the village.

# B. Extend the OZP to include Oyster Shell Beach as 'Bathing Beach' under Column 1 and zoned 'Open Space'

This last remaining beach in the eastern part of Victoria Harbour must be safeguarded irrespective of how long it may take before anyone can swim. In line with the closed beaches in the western part of Victoria Harbour, the beach must be zoned Open Space, with Bathing Beach in column 1.

# C. Extend the OZP to include the rocky outcrop and lighthouse and zone these 'Other Uses (Lighthouse)' (or 'Open Space' and add lighthouse under column 1.)

The rocks and the lighthouse are an important part of Lei Yue Mun and Lei Yue Mun channel. By including these in the OZP zoned O with 'Lighthouse' added to Column 1, or O/U 'Lighthouse', the responsibility for care can be more easily assigned.

# D. Extend the OZP to include the existing village jetty and adjacent open space zoned 'Other Uses (Pier)' and 'Open Space' respectively.

This area is identified as a look out point to be enhanced under the tourism project. The village jetty and adjacent open space should be included in the OZP and zoned O and/or O/U 'Pier'.

### E. Deferral of amendments to the Lei Yue Mun OZP

Amending the OZP S/K15/17 must be deferred until a comprehensive plan has been agreed which utilizes public resources effectively in enhancing Lei Yue Mun as a tourist destination and addresses the fundamental issues including providing a foul sewerage and seawall.

The present plan by the Tourism Commission is short-sighted, piece-meal and narrowly focused. It falls short of meeting the objective of enhancing the area as a tourist destination. If the plan is allowed to proceed, public money will be spent on cosmetic improvements without addressing the fundamental issues which are essential for the sustained development of the area. Furthermore, amendments proposed in the draft OZP numbered S/K15/18 may increase the cost of fixing the sewerage system and other essential improvements identified in The Study on Village Improvement of Lei Yue Mun Area commissioned by Planning Department in 1999 and completed in 2002.

### Objections to the Lands Department under the Seabed and Foreshore Ordinance

As a community concern organization and in the interest of the public and visitors of Lei Yue Mun for the reasons set out above, Designing Hong Kong Limited has objected to the reclamation and the proposed Public Works Programme no. 3409RO set out in the gazette notice 6606 dated 23 October 2009.

### Representation to Legislative Council on funding the Lei Yue Mun Waterfront Enhancement Project

The Administration is planning to seek support from the Legislative Council for funding the Lei Yue Mun Waterfront Enhancement Project. As a community concern organization Designing Hong Kong Limited urges the Legislative Council to object for the reasons set out above.

### History of planning for Lei Yue Mun

### 1998

The Central and East Kowloon Development Statement (CEKDS) proposed that Lei Yue Mun be retained for village development.

### 1999 – 2002

The Study on Village Improvement of Lei Yue Mun Area commissioned by Planning Department in 1999 and completed in 2002 assessed opportunities to enhance Lei Yue Mun for improved living conditions and tourism development, whilst retaining and capitalising upon the area's unique charm as a traditional village. Proposals include a waterfront promenade on stilts, gateway features, rest gardens and generally improved open spaces, footpaths and streetscape. The study identified the need to address environmental issues and to provide essential services.

http://www.pland.gov.hk/pland\_en/p\_study/prog\_s/landscape/landscape\_final/ap\_p8.htm

### 2000 - 2003

Tourism Commission (TC) has implemented Tourist District Enhancement Programmes in key tourist spots. TC completed a number of minor improvement works in 2003 to enhance the streetscape and tourist facilities of Lei Yue Mun as a destination for visitors and local residents.

### 4 August 2002

Yau Tong MTR station opened a short walk away from Lei Yue Mun.

### 19 May 2005

The Tourism Commission explained to the Kwun Tong District Council that the Hong Kong Tourism Board (HKTB) supports the provision of a landing facility near the seafood restaurants in LYM to facilitate visitors' access by sea thereby enriching their experience. According to HKTB's initial assessment, the new landing facility can attract about 11,000 visitors to travel to LYM by sea for lunch or dinner per month, and up to 14,000 per month during the peak season. This compared to the monthly visitation of about 1,500 visitors only at the time. http://www.tourism.gov.hk/resources/english/paperreport\_doc/council/2005-05-19/LYM-KTDC\_Paper\_Eng\_-final.pdf

### 6 July 2005

Secretary for Economic Development and Labour, Mr Stephen Ip, responded to concerns over locating the new landing facility in the narrowest part of the harbour. He explained to the Legislative Council that "The new landing facility needs to be able to accommodate sight-seeing vessels, convenient to visitors and near to the seafood restaurants and tourism attractions. As the existing landing facility at Sam Ka Tsuen in Kwun Tong is located some distance away (*5*)

*minutes walk only!*) from the seafood restaurants, it has seldom been used by visitors or sight-seeing vessels (*it is not operated for that purpose*)."

"As regards the proposed landing facility's impact on the fairway of Lei Yue Mun Channel, Civil Engineering and Development Department in conjunction with Marine Department have considered all factors carefully, the most important one being marine safety. The proposed site near the lighthouse is located outside the fairway of Lei Yue Mun Channel. It will not obstruct or affect the fairway, or reduce the fairway's navigational width (*but it does narrow the channel*). On the contrary, to facilitate navigation and berthing of sight-seeing vessels, the construction works concerned will involve dredging in the foreshore and seabed area in the vicinity of the proposed landing facility, so that the navigational width in its vicinity will be extended by about 30 metres (*ta fairway is an administrative measure designating an area of water for movement by vessels and irrelevant to the question. Neither did he point out the Marine Department required a breakwater to be added to mitigate the fast currents.)."* 

http://www.thb.gov.hk/eng/legislative/transport/replies/maritime/2005/20050706.p df

### 6 May 2008

For safety reasons (*currents!*), the new breakwater will not be opened for leisure use by the public despite requests by the Kwun Tong District Council. <u>http://www.devb-plb.gov.hk/eng/business/pdf/2009/20090611\_annex\_a\_4.pdf</u>

### 20 January 2009

The Food and Environmental Hygiene Department reported to LegCo Panel on Food Safety and Environmental Hygiene on Amendments to the Food Business Regulation to prohibit extraction of seawater from specified areas for keeping live seafood. FEHD engaged a laboratory accredited under the Hong Kong Laboratory Accreditation Scheme (HOKLAS) to ascertain the water quality in accordance with the general protocol for marine water testing adopted by EPD. Laboratory findings were that the average E. coli content of most of the locations tested exceeded the statutory limit for fish tank water. The E. coli counts at the remaining locations were found close to the statutory limit. Seafood traders in Lei Yue Mun expressed different views and claimed that the water quality outside the Sam Ka Tsuen Typhoon Shelter was satisfactory and should be excluded from the proposed prohibited areas.

http://www.legco.gov.hk/yr08-09/english/panels/fseh/papers/fe0120cb2-671-4e.pdf

LC Paper No. CB(2)671/08-09(04) (20 January 2009)

# 17 March 2009

The scope of works under the Lei Yue Mun Waterfront Enhancement Project includes the construction of a public landing facility, a breakwater and a waterfront promenade, building of five lookout points along the Lei Yue Mun waterfront and improvement of the existing viewing platform, landscaping of footpaths linking the various lookout points and construction of a new viewing platform. The cost of works is about \$210 million according to the Permanent Secretary for Commerce and Economic Development (Commerce, Industry and Tourism)

Question Serial No. 0845

http://www.legco.gov.hk/yr08-09/english/fc/fc/w\_g/cedb-cit-e.pdf

### 12 August 2009

The Harbourfront Enhancement Committee, Kwun Tong District Council, Lei Yue Mun residents and Government officials visited Lei Yue Mun. During the tour, the visitors had to step over open storm drains filled with human excrement. They also witnessed the discharge of waste water from restaurants into the typhoon shelter. During the meeting the residents attempted (but failed) to convince the Harbourfront Enhancement Committee to support use of the beach for a Tin Hau Goddess Statue.

### August 2009

In an email to the Harbourfront Enhancement Committee it was confirmed by the Environmental Protection Department that there is no foul sewerage within the Lei Yue Mun Village except on a short section of Lei Yue Mun Praya Road. The great majority of the village is unsewered. Sewage or wastewater generated from the village premises are discharged direct to sea through rain water drain pipes. The public toilet within the village is using a septic tank and soak-away pit which is periodically cleaned and solid content is removed from the septic tank by the FEHD.

### October 2009

The Chief Executive included Lei Yue Mun in his Policy Agenda 'Breaking New Ground Together' paragraph 52: "Co-ordinating efforts of Government and the tourism industry to facilitate the operation and development of major tourism infrastructure facilities, including – (a) planning and co-ordinating new projects including the enhancement of the Lei Yue Mun waterfront."

#### October 2009

The Secretary for Economic Development explained to LegCo: "We are pursuing improvement projects on tourism facilities...meet the expectations of residents, satisfy the needs of visitors and enrich their visiting experience. For the Lei Yue Mun Waterfront Enhancement Project, the works departments are preparing the detailed design and arranging for gazettal of the project works according to statutory procedures. Subject to completion of the relevant procedures, we intend to seek funding approval from the Legislative Council in the third quarter of 2010, with a view to commencing the works in early 2011 for phased completion from end 2012 onwards."

http://www.legco.gov.hk/yr09-10/english/panels/edev/papers/edev1016cb1-18-1e.pdf

### November 2009

In a paper to Harbourfront Enhancement Committee, the Planning Department presented changes to the Outline Zoning Plan for Lei Yue Mun to accommodate the Tourism Commission's enhancement project for Lei Yue Mun. <u>http://www.harbourfront.org.hk/hec/eng/subcom/doc/meeting30\_paper19.pdf</u>

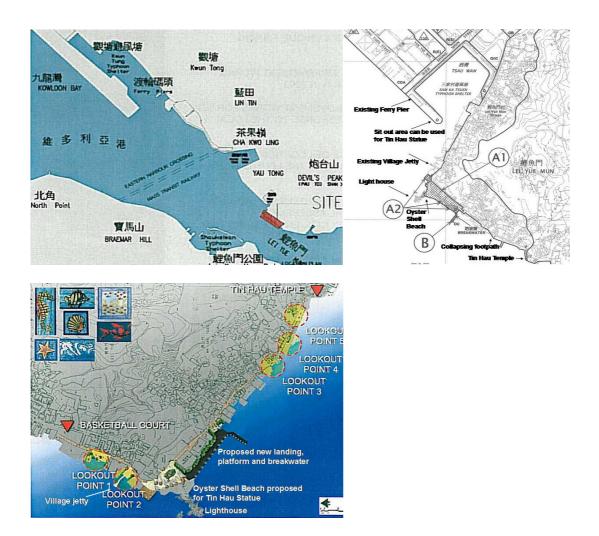
### Other information

Tourism Commission website's page on Lei Yue Mun http://www.tourism.gov.hk/english/current/current\_lym.html

Slide presentation on Lei Yue Mun Waterfront Enhancement Project <u>http://www.tourism.gov.hk/pps/Lei Yue Mun Waterfront Enhancement Project.</u> <u>pdf</u>







Submission by Designing Hong Kong Limited December 8, 2009