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27 April 2009

Ms Joanne Mak (麥麗嫻女士) Central-Western District Council Meeting
Secretary, Subcommittee on Matters Relating to Railways
Panel on Transport
Legislative Council
Hong Kong Special Administrative Region
The People's Republic of China

Via Ms Winnie Cheng (鄭維賢女士)
by email (wcheng@legco.gov.hk) and fax (2121 0420)

**Objection to Location of Rubbish-transfer-adit/Pedestrian-subway
Mass Transit Railway Western Island Line (WIL) Hearing, 31 March 2009 Supplement**

New information, which is concerned with the tunnel, came to light in a meeting with The Belcher's residents conducted by MTR on 23 April 2009. The implications thereof, as I can see, will make the case worse (see my submission [CB(1) 1207/08-09(4)], a copy of which is attached for your convenience) because this new arrangement, if allowed to proceed, will adversely affect The Belcher's and worry me profoundly. There is therefore necessity to submit a supplement, especially after having consulted with Ms Cheng of your office.

(1) Choice of location of tunnel unjustifiable

MTR's representatives revealed (in the said meeting) that **two tunnels rather than one** would be constructed underneath The Belcher's as shown in **Exhibit A**: one of the tunnels serves the pedestrians (**Pedestrian Subway**) and the other is used "*for transferring the rubbish, debris and waste from the inland construction sites to the waterfront to be shipped away*" (**Delivery Adit**) (see my original submission).

That the sudden appearance at this very late stage of the Pedestrian Subway in conjunction with Delivery Adit is indeed a surprise as it impresses me as nothing but a devious act. This completely overturns the impression upon us that in all the presentations of WIL in the past only one tunnel would be constructed. This tunnel will be used initially for transferring rubbish and building wastes and subsequently to serve as a pedestrian subway (when transporting rubbish is no longer required).

Presenting the **Pedestrian Subway** and the **Delivery Adit** now is a devious act of *pulling wools over our eyes*. The real intention hidden is to distract our attention to, and dilute the unreasonableness of, the construction of the delivery duct for transferring rubbish through The Belcher's.

That the choice of location is unreasonable manifests in that
i) there is no technical constraint to justify that choice; and

- ii) locating the **Delivery Adit** as such will benefit only MTR for cost saving and technical convenience and, at the same time, harm the people at The Belcher's as there is absolutely no benefit whatsoever for them.

(2) Additional risks introduced and grave consequences

The meeting just mentioned also disclosed that the **Delivery Adit** would be refilled once it has served its purpose. Common sense tells us that refilling, as in this case, will introduce inherent risks due to the grafting effect that will be bound to come into existence at the interface between the "old" and the "new" concrete.

Naturally, gaps, cracks and hollows of any shape, size and extent will form as a result of changes in humidity and temperature. Consequently, moisture in the gaps and hollows will condense, which, together with rain water sipped through the cracks and accumulated in the gaps and hollow, will dampen and weaken the concrete and erode and enlarge the cracks and gaps. This phenomenon will lead to structural damages to the buildings.

I have no empirical evidence at present to predict when this threat will occur or what the extent of damage will be, if this threat eventuates. Yet I believe no engineer would falsify my theory. As this vulnerability is long lasting, it distresses me that the residents at The Belcher's will be haunted endlessly.

(3) Objection

The description of the two devils above constitutes my objection. I object to building a duct for transferring rubbish underneath The Belcher's. The only justification is financial benefit and technical convenience for MTR's. However, this justification will not stand because the life and property of the people at The Belcher's are not for trade; and MTR should morally avoid enjoying their profit and convenience at our expense.

I further object to locating the tunnels as proposed. The good reason is that there is no technical constraint to do so, and that it is not infeasible to be located away from the Belcher's. Therefore, consideration of alternative locations is justified and should be pursued.

(4) An alternative location

There are good reasons to consider an alternative location (reported in my aforesaid submission and further illustrated in **Exhibit B**: to construct the tunnel along Pokulfam Road (see **Photo A** and **Photo B**) and down the slight slope next the Hong Kong Electric Power Station, which is adjacent to Ricci Hall, leading to Sai Cheung Street 西祥街) (see **Photo C**) :

- i) The engineers advised during the site inspection that the alternative location would be technically feasible (as reported in my aforesaid submission).
- ii) A senior engineer of MTR [葉偉富先生(香港鐵路公司高級統籌工程師)] responded to the question about my proposed alternative in the above-mentioned meeting on 23 April 2009 that the proposed alternative would be feasible except for more infrastructural support. This reconfirms 4.i) above.
- iii) Locating the tunnel away from the Belcher's site has the benefit of not only getting rid of safety issues which haunt both the Belcher people and the MTR representatives, but also lessening the severity of the problems brought about by drill and blast associated with the construction of the tunnel.
- iv) As the Hacking Wong Entrance/Exit should serve well the population around The Belcher's, relocating the Belcher Street Entrance/Exit westward along Belcher Street to a more optimal

site will provide availability and convenience for users west of The Belcher's, which would be larger in number (see **Exhibit C**).

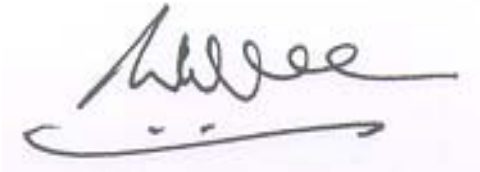
I must declare that what I have sketched is meant to be schematic and indicative. Technical details are left to the design engineers and surveyors concerned.

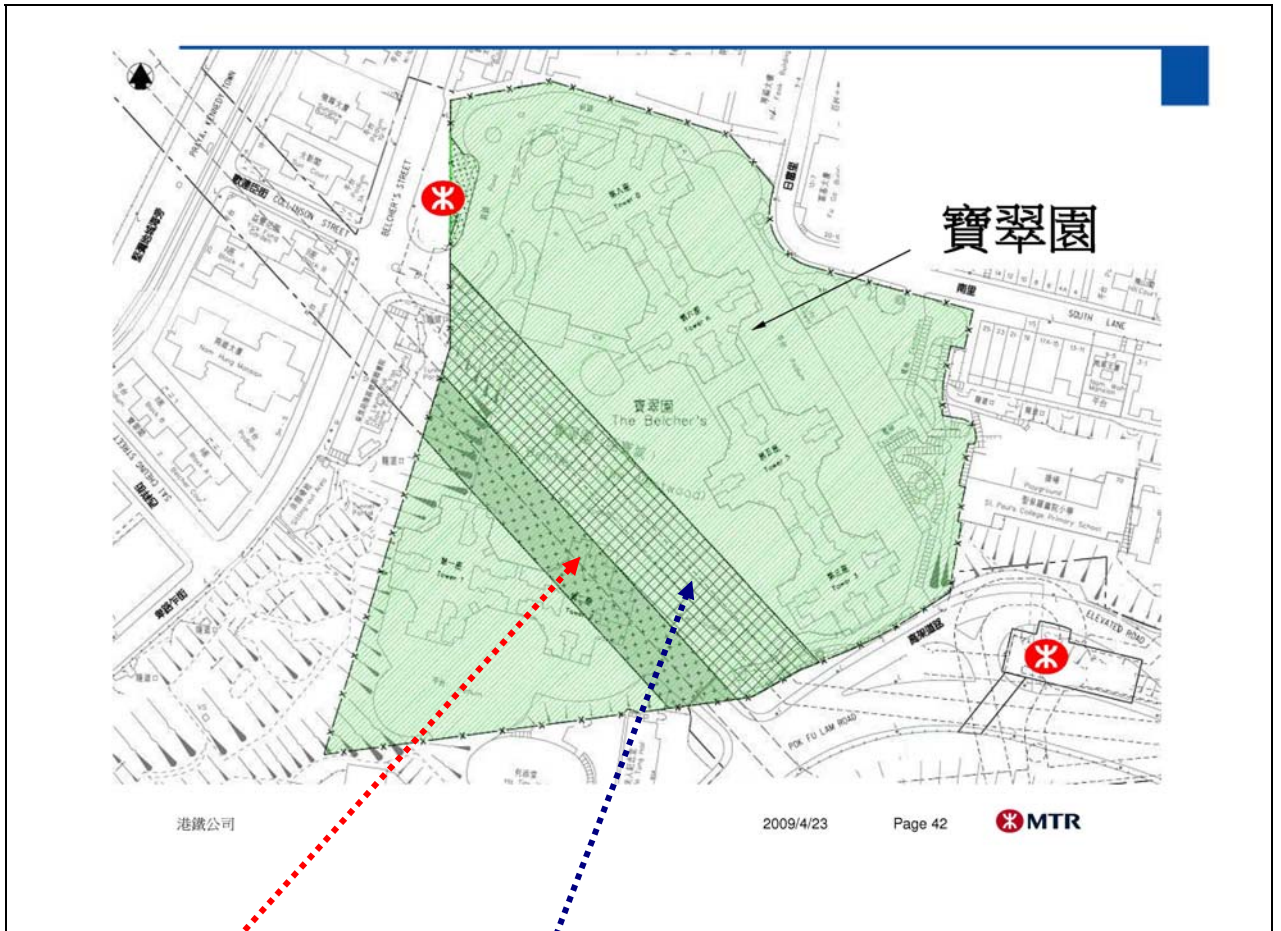
(5) Conclusion

In sum, MTR is unethical in unreasonably and virtually brutally acquiring profit at the expense of The Belcher's residents. There are good reasons for my objection, and the proposed alternative location for the tunnel is feasible and mutually beneficial. On this basis, I wish to ask the Subcommittee to consider the possible hardship the Belcher's people will suffer at the hands of MTR, and help to

- (i) Stop constructing any, particularly the one for transferring rubbish and waste from construction sites underneath The Belcher's. It is unreasonable and technically unnecessary.
- (ii) Move to an alternative site for the tunnel as suggested. It is technical feasible (see 4.i and 4.ii), and creates minimum disturbance, if any.
- (iii) Move to some other alternative site if my proposed alternative (5. ii above) is not acceptable to MTR.
- (iv) Enquire if MTR has thought alternatives (re 5.iii above), and if not, why not.

I acknowledge with gratitude the Subcommittee members' time and patience for our case. I am prepared to attend any subsequent hearings of this issue, if necessary, and respond to queries, if any, in whatever form necessary or convenient. Finally, I look forward to having the Subcommittee's view and verdict with respect to my submission cum supplement.

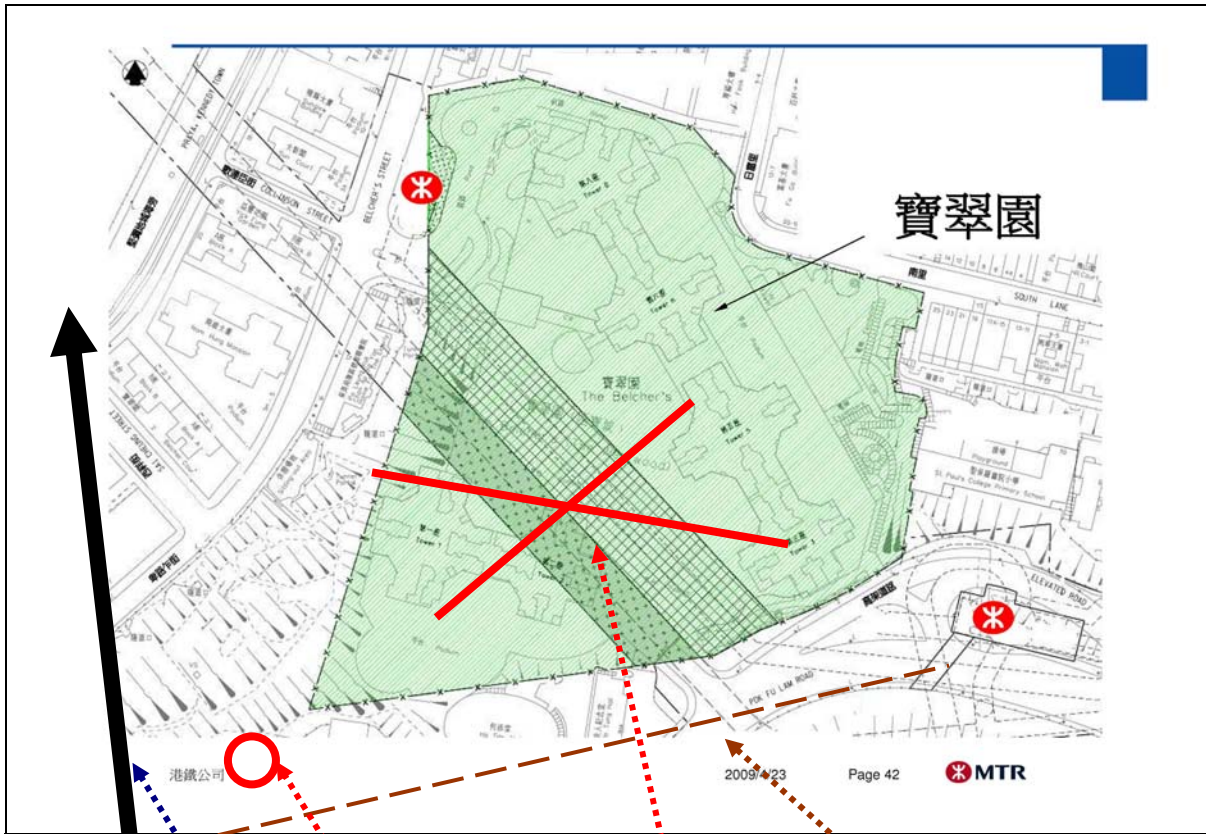
A handwritten signature in black ink, appearing to read 'A. H. Lee', with a long horizontal flourish underneath.



Proposed delivery route
(for transferring rubbish, wastes from construction sites

Proposed pedestrian subway

Exhibit A

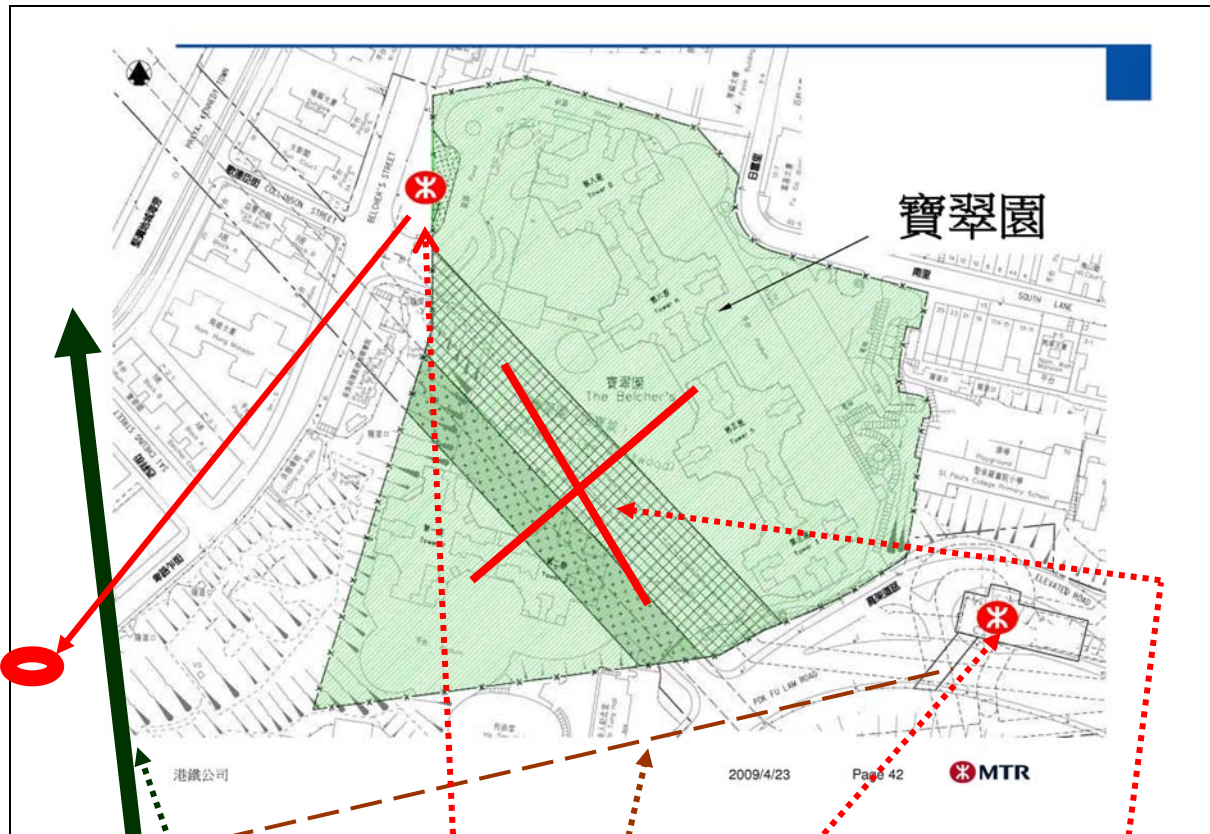


Along Pokulam Road

Delete this

Next to Hong Kong Electric Power Station (95 Pokfulam Road)
[adjacent to Ricci Hall (93 Pokfulam Road)]
right down to Sai Cheung Street (西祥街)

Exhibit B



Hacking Wong Entrance/Exit

Pokulam Road

Delete this

Relocate this westward along Belcher Street to some optimal spot

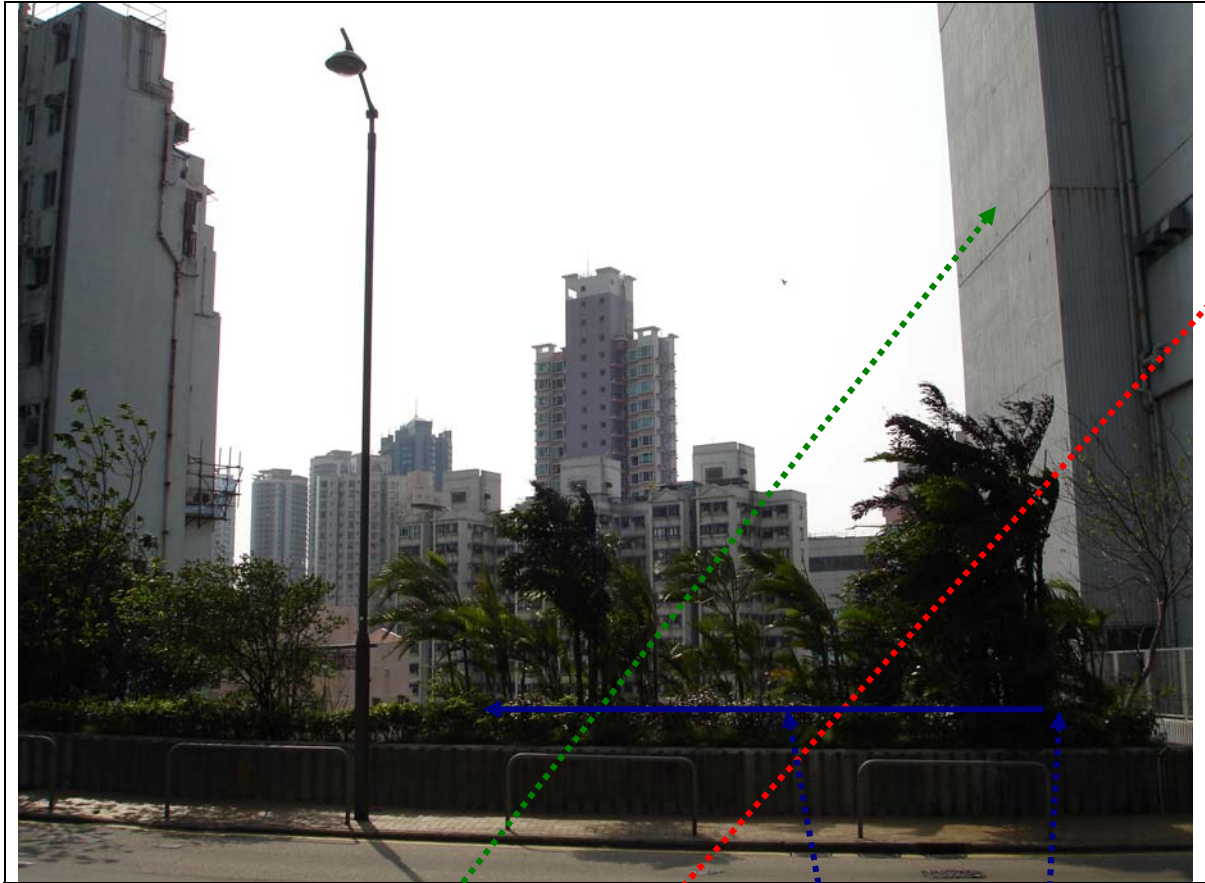
Right down to Sai Cheung Street (西祥街)

Exhibit C



Hong Kong Electric Power Station

Photo B



Hong Kong Electric Power Station (95 Pokfulam Road)
adjacent to Ricci Hall (93 Pokfulam Road)

Top of the slope here

Right down to Sai Cheung Street

Photo C

Attachment

CB(1)1207/08-09(04)

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31 March 2009

Ms Joanne Mak (麥麗嫻女士) Central-Western District Council Meeting
Secretary, Subcommittee on Matters Relating to Railways
Panel on Transport
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The People's Republic of China

Via Ms Winnie Cheng (鄭維賢女士)
by email (wcheng@legco.gov.hk) and fax (2121 0420)

Mass Transit Railway Western Island Line (WIL) Hearing,
31 March 2009 (Tuesday)

Right at the outset, the general feeling we sense of fellow residents at The Belcher's (**Belcher**) on the construction of the WIL is positive. Our concern arises from two key issues.

First, possible relocation of the duct [for transferring the rubbish, debris and waste from the inland construction sites to the waterfront to be shipped away]: We suggested an alternative location (a site at the slight slope between Ricci Hall and a power station close-by along Pokfulam Road right down Sai Cheung Street (西祥街)) in one of the meetings with the representatives from the MTR and the government agencies concerned for the so-called consultation presentations held on 5 March 2008. At the end of this meeting, the engineering representatives went with us for a site inspection of this alternative location. We were advised on site that the alternative location would be technically feasible as it would amount to only slight amendments, and that our suggestion would be taken into consideration for subsequent amendments to the construction plan. However, this advice turns to be lip service, as it was washed down to nothing in subsequent consultation sessions.

Second, safety to the **Belcher** buildings: There are good reasons for us to worry about the potential impact on the foundations on which the buildings were constructed and surface structures of the buildings as a result of (i) the conveying duct referred to above being located right underneath or adjacent to where the **Belcher** foundation lies, and (ii) the methods of digging/evacuation and the explosives to be used in the construction of the underground tunnel works which will no doubt perturb the natural environment but also induce destructive disturbance to the structure of the buildings with hidden damage. Point

(ii) was challenged and queried in the hearing held on 9 October 2008: MTR has covered up the risk – the risk because of carrying out “炸葯爆破工程” underneath the **Belcher** foundation; the cover-up because of the information presented by MTR in its road show at all the meetings, which vaguely indicated that “炸葯爆破工程” would be carried out only in some sections of the WIL, withholding the exact, specific locations where “炸葯爆破” would be applied until the end of 2007 were we told about that the **Belcher** mentioned in Point (i). Further, that MTR should be concerned with public not just with cost and profit.

The way these issues were treated by the representatives of MTR and those of the government agencies concerned induces our fear and fuels our anger. Our fear attributes to the dishonest attitude taken by our counterpart, and our anger is fuelled by the lies we suffered and the negligence committed by our counterpart.

Premise 1: We had been kept in the dark about the alternative location of the duct despite our attempt to ascertain in subsequent meetings over the years since it was raised. We were always given an evasive answer until years later during the hearing conducted by the Central-Western District Council on 9 October 2008 when financial consideration was given as the determining factor that overrides the alternative location. This confirms the lip services we were given, and it amounts to concretely proved to be an act of dishonesty.

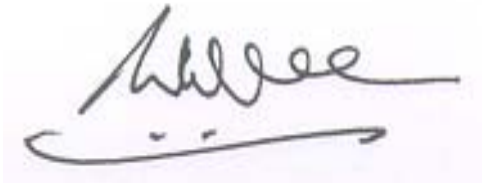
Premise 2: We were again kept in the dark about the use of explosives in conjunction with evacuation; it was unclear about the methods of digging/evacuation and the use of explosives during all the consultation sessions until the meeting held on 5 March 2008. Particularly if the duct is to locate right underneath our foundation, there is bound to be the risk of vibration emitted from the evacuation work and the explosions that will be so strong as to shake the structure of the **Belcher** buildings and cause internal as well as external damage. We asked right at this meeting whether a Risk Assessment was carried out, and if so, whether the list of risk factors included **Belcher** and if not why not. We made it quite clear what we wanted to see was the possible impact on the stability of the foundation and the structure of the buildings at **Belcher**. A senior project manager (a Mr Tang) of the MTR team responded that MTR had conducted a risk assessment of the impact by the method of using explosives in digging the tunnel. We asked to see a copy of the risk assessment report; and arrangement for a copy was promised by Mr Tang from whom we never received anything. We raised this concern at the Central-Western District Council hearing on 9 October 2008 – nothing forthcoming. In the hearing of objections to the WIL on 29 December 2008 when we met Mr Tang again after nine months, we asked for that copy of risk assessment. Having failed to produce one despite the urge from the Chair of the hearing and other panel members, Mr Tang handed to us, off session, a website and advised us to visit it for further information. To our disappointment and anger, the information provided at the website is an Environmental Impact Assessment report about the possible effect on air quality, landscape, but NOT physical safety of the surrounding, particularly residential buildings in the surrounding areas along the WIL. This demonstrates clearly an intent of deceit at the operational level and negligence of MTR as a whole.

Conclusion: On this basis, we ask the Subcommittee to consider and ensure that

(i) the duct be relocated as we suggested to the slight slope next to Ricci Hall straight down to Sai Cheung Street (西祥街) where the impact on safety and property should be at a minimum;

- (ii) a proper Risk Analysis in terms of structural security of the **Belcher** buildings be conducted by independent assessors;
- (iii) the potential impact on the structure works of the buildings of Belcher due to the tunnel work including the digging work and the explosives used be included in the list of parametric values to compute the exposure in the risk analysis; and
- (iv) only those methods of evacuation and explosives which are tolerable under a mutually acceptable exposure derived from the analysis will be applied.

On behalf of my fellow **Belcher** owners and residents, particularly 李邵海琪女士, I wish to thank the Subcommittee in anticipation for hearing our case and for any follow-up action for our concern.

A handwritten signature in black ink, appearing to read 'Wanbil Lee', with a long horizontal flourish underneath.

Wanbil Lee

Action Group for the Pursuit of MTR in the Western District (Advisor)