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23 May 2009

Hon Miriam Lau Kin-ye, GBS, JP  
Chairman, Subcommittee on Matters Relating to Railways  
Panel on Transport  
Legislative Council  
Hong Kong Special Administrative Region  
The People's Republic of China

*To be forwarded by Ms Joanne Mak (麥麗嫻女士)*  
Clerk, Subcommittee on Matters Relating to Railways

via Ms Winnie Cheng (鄭維賢女士) by email [wcheng@legco.gov.hk](mailto:wcheng@legco.gov.hk)

Dear Madam:

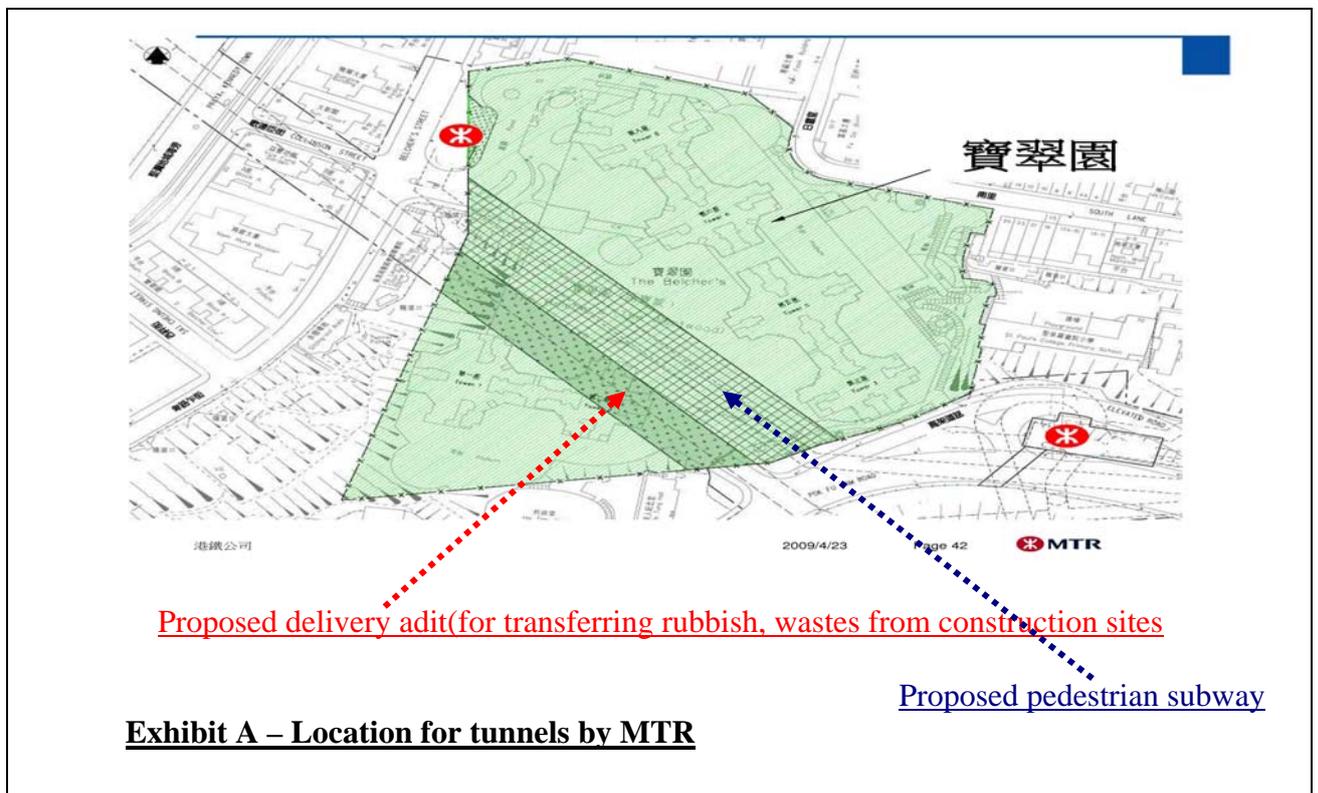
**Mass Transit Railway (MTR) Western Island Line (WIL)**  
**Grave Impact on The Belcher's**

Let me I reiterate first of al, for your convenience, the main points which I raised in my Submission (dated 31 March 2009) and subsequently my Supplement (dated 27 April 2009). My main concern attributes to MTR's proposed construction of underground tunnels which are to be located right underneath The Belcher's (寶翠園), as a result of which, the residents will be threatened. We were, and still are, **kept in the dark** about many key issues which are of particular concern to us, specially the location of the underground tunnel, the method of drill and blast involved in the associated construction work, and empirical evidence with respect to assessment of the risks inherent in the construction work, namely, risk analysis. We now have a case of injustice in hand, and we deserve a fair hearing. A situation audit subsumes in two worrisome issues. Let me elaborate.

- (1) Safety – location of underground tunnel and explosives used in blast (the first issue)
  - 1.1 Provision for consultation and the number of forums boasted by MTR staff and government representatives are but camouflage of their **sly tactics** and **evasive responses**.
  - 1.2 There have no doubt been many so-called consultation meetings since the first one held on 24 May 2004 (when the intended construction of the West Island Line was announced), three in 2005 and one in 2006. However, in all these meetings, we were led to focus discussion and debate on the name of station and the location of

entrance/exit, and issues related to safety or construction of underground tunnel underneath The Belcher's were never mentioned.

- 1.3 Not until the 12 December 2007 consultation meeting were we informed of MTR's intended acquisition of The Belcher's property to facilitate building an underground tunnel, a ventilation shaft/outlet near Tower 3, and a passenger entrance/exit at the Belcher's Shopping Centre. On that same occasion, we were also informed of our right to raise objection to the intended acquisition. Statements of objection from The Belcher's residents received exceed 150.
- 1.4 In a later meeting on 5 March 2008 aiming to explain the construction of the tunnel and the use of explosives for blast underneath The Belcher's, I asked for information relating a risk analysis with respect to the impact on the structure of our buildings by the vibration caused by the blast work. MTR staff and government engineers were evasive in response. At the end of this meeting, the MTR and government engineers were given a guided tour of a possible site (as shown in **Exhibit C**). The engineers considered the site technically feasible, and promised to follow up.
- 1.5 We heard nothing further about our suggested site mentioned above, and the proposed arrangement of building two tunnels was presented to us by MTR in the meeting on 23 April 2009: one as a Pedestrian Subway and the other as a Spoil Removal Adit (as shown in **Exhibit A** which was presented by MTR in the meeting). As can be seen, not only the tunnels are to be built right underneath The Belcher's but also the area to be occupied by the proposed tunnels is as large as nearly a quarter of the total area.



1.6 This arrangement is unreasonable: locating the tunnel right underneath our foundation endangers the structure of the buildings; use of the tunnel for removing rubbish is not justifiable; the unpredictable extent of the associated damages will subject the residents at The Belcher's to potential perpetual nightmare; thus request by MTR for acquisition by purchase or by rental is not acceptable. This is the first object of my Supplement.

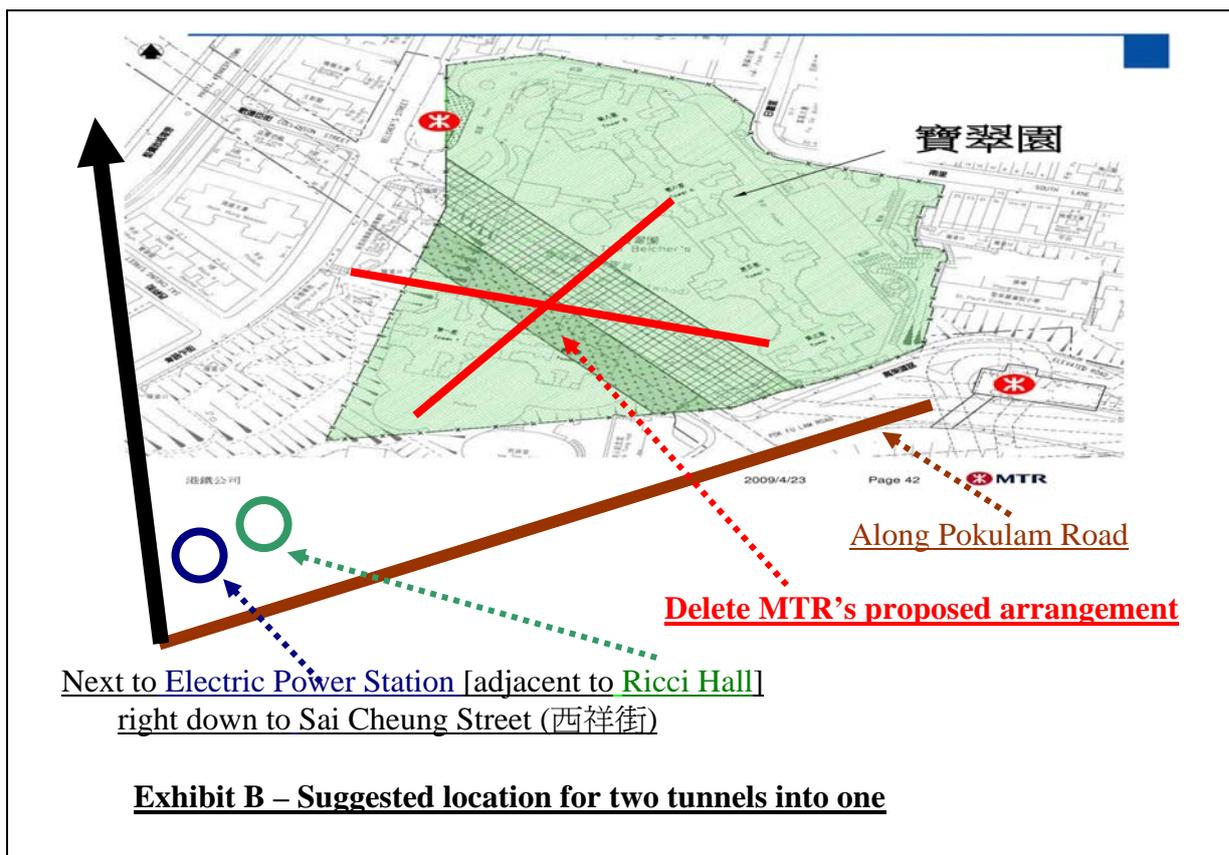
(2) Risk Analysis (the second issue)

2.1 My request for information re Risk Analysis focussing specifically on disturbance to the structural safety of the buildings of The Belcher's was raised in the meeting held on 5 March 2008. However, not until the Central-Western District Council hearing on 29 December 2008 that I was handed information by a MTR engineer off-session about a website for the *MTR EIA report*, an elapse, in the first instance, of almost ten months from one of the consultation meetings on 5 March 2008 when a senior MTR engineer indicated such an exercise was conducted and promised me a copy of the report in response to my question: whether a risk assessment was carried out, and if so, whether the list of risk factors included The Belcher's and if not why not. I raised this same issue again with the same MTR engineer in the second instance in another Central-Western District Council hearing on 5 October 2008 because I received nothing since March. Again, I heard nothing. Finally, I was able to access that so-called risk assessment report but to my disappointment, my findings reveal no Risk Assessment of vibration impact on the structural aspects of the buildings due to drill and blast, but only air quality and noise pollution.

2.2 In the reply from Highways Department to my Submission (dated 8 May 2009), I was directed to the website from which I was able to access the information on EIA and Quantitative Risk Assessment. Again, this study manifests itself as more an environmental impact investigation than a risk analysis. The risk criteria, defined as Individual Risk (frequency of fatality per year) and Societal Risk (rate of death or potential loss of life applied to group of people due to hazardous operation), tends to measure *risks due to storage, transport, and use, of explosives*. The results obtained in these terms are not directly relevant to our problem, and this analysis exercise doesn't help answering our question! This is the second object of my Supplement.

(3) Counter proposal re location of tunnel

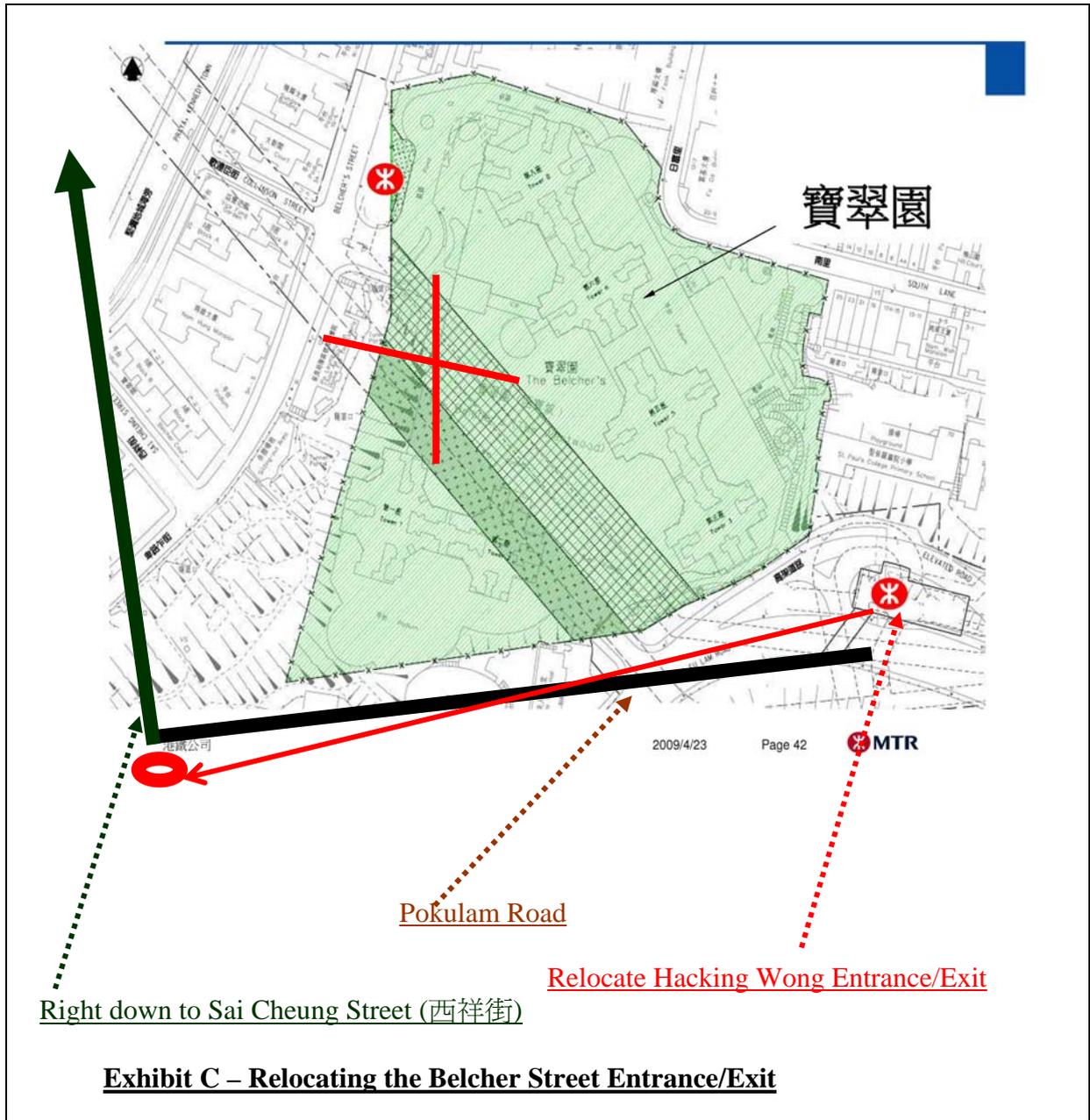
3.1 In view of 1.4 and 2.2 (and as indeed raised in my Supplement), my suggestion of an alternative site for the adit (away from The Belcher's), as shown in **Exhibit B** (next page), has not been properly addressed by MTR or the representative government agencies. This is evident in the reply to my Submission (dated 18 May 2009) by the Railway Development Office, Highways Department, which, as I can see, shows that no adequate consideration was given to my suggestion.



3.2 My suggested alternative is technical feasible, which was confirmed by the engineering representatives during a site inspection (5 March 2008) and in a recent meeting (23 April 2009). A comparison between the two alternatives reveals that my suggested solution is win-win and overall will be more beneficial for MTR (tabulated below): i) the probability of risks occurred, thus the associated damage, is lower in the case of my suggested location and ii) my suggestion is qualitatively practicable in that less people will be adversely affected, less number of buildings affected, with negligible or no risk due to blast.

Object of comparison	My suggested location – away from The Belcher's	MTR's proposed location – underneath The Belcher's
i) Damage had risks occurred	Risk and damage confined to the slope, property value virtually negligible	High vulnerability due to height of building, property value and fatality significantly high
ii) Qualitative consideration	Less people affected  Relatively negligible – no buildings on the slope	More people (tens of thousands) affected  High vulnerability – height of building & high fatality
Responsibility to be born by MTR had risks occur	<b>Relatively Low</b>	<b>Very high</b>

- 3.3 Associated with the suggested site, it is also suggested to move the Belcher Street Entrance/Exit westward along Belcher Street to a more optimal site for possible availability and convenience for users west of The Belcher's. (See **Exhibit C**.)



- (4) Minutes of the hearing conducted on 31 March 2009 (LC Paper CB(1)1544/08-09)

I find no explicit mention of my case among the views from 12 deputations or individuals received by your Subcommittee (IV(5) (a) through (g)). I do, therefore, have reason to suspect that my case was not heard or discussed in that meeting. Of course I hope I am wrong.

(5) Conclusion

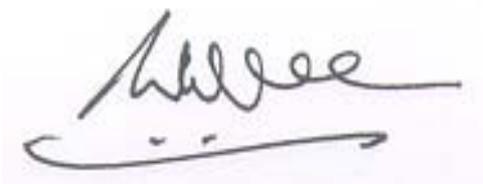
5.1 Summary of my analysis

- i) Acquisition of The Belcher's our property for transferring construction spoils is not reasonable, and locating the tunnel right underneath its foundation endangers the residents. Therefore, MTR's proposed arrangement shown in Exhibit A is not acceptable.
- ii) The so-called Risk Assessment tends to be an environmental impact assessment, thus concentrating mainly on environmental issues such as air quality and noise pollution, and the little bit on the so-called quantitative risk analysis focuses on risks associated with storing, transporting and using explosives only. The scope and object fails with respect to the problem of impact on the structural aspects of our buildings due to vibration induced by blast and drilling.

5.2 In light of my analysis of evidence presented by MTR, I think it proper and fair in seeking rectification with respect to 5.1 (i) and (ii) above:

- i) Due and fair analysis of my suggested solution be given by the authorities concerned. Only upon an acceptable proposition to all parties concerned can MTR's request for acquisition of facility from The Belcher's be proceeded with.
- ii) A proper risk analysis be conducted by an independent specialist, to include The Belcher's among the risk factors in examining possible impact on the building structure and physical security of its surroundings.

I shall be grateful, Madam, if you and your Subcommittee would look into my case and take appropriate measures (including perhaps a follow-up hearing) to resolve the two issues: 5.2 (i) and (ii). I look forward to hearing from you.

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)