



Fw: Please review our comments on Gov't letter to you dated Nov 26th  
PID to: COMPLAINTS

10/12/2015 10:40

From: PID/LEGCO  
To: COMPLAINTS/LEGCO@LEGCO

1 attachment



DevB reply to Legco Dec 2 letter (with comments)vf.pdf

-----Forwarded by PID/LEGCO on 12/10/2015 10:35AM -----

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From:

Date: 12/10/2015 09:39AM

Cc: <pid@legco.gov.hk>

Subject: Please review our comments on Gov't letter to you dated Nov 26th  
(See attached file: DevB reply to Legco Dec 2 letter (with comments)vf.pdf)

Dear all Legislative Councillors:

We are residents and concern group members for saving the Cadogan Street Temporary Garden (the "Park"). Together with many supporters from all over Hong Kong, we sent you many emails last week to seek your support to help us conserve the Park at Kennedy Town West.

We noticed that the Government sent a reply letter to the Legco Public Complaints office dated Nov 26th re our complaint about the Government's action to demolish the Park. We believe that letter has also been circulated to all Legco members (see attached).

After reviewing the letter, we believe that the Government is again lying and not seriously considering the requests from residents at all. This is not a local matter any more, and we are deeply concerned that the Government is using this approach to cheat the Legco members going forward. We urge you to seriously question the Government and request the Government rescind the funding request agenda of FCR(2015-16)35 re decontamination works at ex-Kennedy Town Incineration Plant/Abattoir and adjoining area.

The attached file is the Government's letter annotated with our comments (please click "COMMENT" command on the top right tool bar to show all our comments). Our comments are also copied below for the ease of reference:

Public consultation done?

1) The Government is lying. We collected around 1,400 signatures in just one to two weeks from nearby residents and the general public concerning this matter, objecting to the demolition of the Cadogan Street Temporary Garden (the "Park") and the decontamination works. If they do a referendum, we are confident more than 97% people will object. Clearly, the Government and our local District Councillor have not done public consultation sufficiently or properly.

Relevant recreational space available?

2) Another lie from the Government here. Those alternate "parks" in the letter are either far away for people, especially elders to walk there conveniently, or cannot replace the function of the green park that Cadogan Street Temporary Garden is providing. Some of them are not even a park or green park as there are no green amenities, just a concrete playground. This is really just killing an apple and giving you a rock to eat. Totally irrelevant.

Sufficient recreational space for Kennedy Town?

3) The Government is lying again. Those places in Central district are either too far away for people to go there or cannot replace the function of the green park that Cadogan Street Temporary Garden is providing. Our recreational space per resident in Kennedy Town is only 0.78sqm/resident according to the Government paper published before. The Government cannot include unreasonably far away areas to say our open space fulfils the local Planning guideline of 1sqm/resident. If so, why do they not include the whole of Hong Kong or the whole Earth? It is a ridiculous reply. We calculated that if we include the whole decontamination area as recreational space, the recreational space per resident can barely meet the local Planning guideline as our recreational space will be increased from 0.78sqm per resident to 1.15sqm. In fact, the recreational space guideline should be 2sqm per resident (1sqm for local space plus 1sqm for regional space). If we count it properly, we still significantly fall short of the Planning guideline.

Therefore, we request all Legco members support us to turn the whole decontamination area into a green park with trees to provide the needed recreational space for residents. As you know, trees have decontamination capabilities (we will discuss this point later on). At least, you protect the Cadogan Street green park from demolition and make it permanent to give us a bit of urban greening which is critical for the community and especially the health of elders and children who are accustomed to using the Park.

Phytoremediation or not for decontamination?

4) This could be a lie and indicates that the Government has not done serious study on this. Please check out following links. The paper done by HKU indicated phytoremediation has been commercially used in developed countries such as US and Europe. How can it be experimenting? When we spoke to EPD and CEDD on Nov 25th, they indicated they have not studied this method before. How is it possible they can suddenly come up with an answer in one day? We do not think this is a professional answer at all. They are cheating the Legco members again.

-- <http://hub.hku.hk/bitstream/10722/194562/1/FullText.pdf>

-- <http://www.sciencedaily.com/releases/2014/12/141212084952.htm>

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<http://www.resilience.org/stories/2014-08-11/using-plants-to-clean-contaminated-soil>

(nb: these are just selected papers only and there are more reports available)

Decoupling decontamination from Landuse planning?

5) The Government is committing a maladministration and telling another lie here. In this letter's annex, the Cadogan Street park and nearby area will be used to build private housing. They cannot decouple the decontamination issue from the landuse planning issue. The park is to be demolished because of the private housing development. But the housing development and change in landuse of the Park need to be approved by the Town Planning Board. Let's go through the proper due process and procedures before taking any action. If the landuse of the park is maintained to be a recreational space after negotiating with the Town Planning Board, it will be a waste of public money to demolish the park and build another park again.

You should seriously challenge the Government as they plan to put up 3,300 residential units in that Kennedy Town West area along Victoria Road for private housing and Ka Wai Man Road for public housing. Along Ka Wai Man Road, it only has around 1,200 residential units. In such an enclosed area, we are talking about increasing the number of residential units

3-fold from 1,200 to 3,500 units. Can the Government provide you with sufficient proof that the traffic and road capacity can handle the surge in traffic demand as all the new residents come, who will need to use Victoria Road and Belcher's Street? We still have not counted the surge in residents from the redevelopment of the old buildings along Belcher's Street. If the traffic capacity cannot handle so many new residential units, both new and existing residents will suffer anyway in the future.

Hence, it is illogical to kill the Park and free up the land for building residential units that the traffic cannot handle, while depriving the residents of recreational space. The Development Bureau is absurd to decouple the decontamination issue from the landuse planning issue.

Killing the Park - an excuse or a need?

6) Cadogan Street Temporary Garden ("the Park") is the only green park in the district with a unique design and shading effect. The Park is located on the former wholesale vegetable market site and has been here for over 18 years, with around 200 mature trees and some protected rare species. EPD representatives have failed to clearly prove that the Park is contaminated. In fact, EPD has stated that if any contaminants exist, they are now contained deep underground (over 4m deep), so there is no imminent risk to the residents unless the site is excavated. EPD could not clearly specify any future risks, and NO report has been given to the public detailing exactly what and where the alleged contaminants are located. The Park site was formerly a vegetable wholesale market and existed before the nearby incinerator was demolished. A vegetable market would not contaminate the environment, so how is the Park contaminated to such an extent that it needs to be demolished? Clearly, the government is using the excuse that it needs to decontaminate the site to mislead Legco members to approve the funding. Please DO NOT fall into this trap.

We appreciate your help to understand our concerns and conserve the Cadogan Street Temporary Garden, making it permanent, by convincing the Development Bureau to reduce the number of residential units to be built. Please help request that the Government rescind the funding request agenda of FCR(2015-16)35 re decontamination works at ex-Kennedy Town Incineration Plant/Abattoir and adjoining area.

If the Government insists, please:

- force them to properly disclose what the leakage, air and noise pollution risk to the residents could be, especially considering the decontamination site is so close to the residential areas, and
- ask them for such a large decontamination project taking so many years (7 years), how can they guarantee there is no risk to residents, and what remediation would they be prepared to offer if there is any leakage causing health hazards to nearby residents? Can public health and safety, and people's lives be sacrificed for just more housing?

Could you please call us at [REDACTED] if you have any questions? Many thanks for your kind attention.

Best regards,

on behalf of the Concern Group for Protecting Kennedy Town

