

**Commission of Inquiry into the Diaphragm Wall and Platform Slab
Construction Works at the Hung Hom Station Extension under the Shatin to
Central Link Project**

FIFTH WITNESS STATEMENT OF STEPHEN LUMB

I, STEPHEN LUMB, of 39/F Sun Hung Kai Centre, 30 Harbour Road, Hong Kong, say as follows:

1. I refer to my first witness statement dated 2 October 2018, my second witness statement dated 9 October 2018, my third witness statement dated 2 November 2018 and my fourth witness statement dated 15 November 2018. Unless otherwise stated or the context otherwise requires, the abbreviations shall bear the same meaning as in my First Witness Statement.
2. I make this fifth witness statement to supplement my previous witness statements and to explain matters relating to the closing out of NCR 157 (**B4127**), the documents titled “As-built for on site assembly of EWL Slab to D-wall/slab coupler” and page 10 of the report dated 17 February 2017 (**C20254**) at Exhibit SL-1 of my first witness statement (the “**Report dated 17 February 2017**”).
3. Unless otherwise stated, the facts stated herein are within my personal knowledge and are true. Where the facts and matters stated herein are not within my own knowledge, they are based on the stated sources and are true to the best of my knowledge, information and belief.

NCR 157

4. As noted in my paragraphs 18 of my first witness statement dated 2 October 2018, I led an internal review into the quality systems of the Project in order to ascertain if there was any substance of the allegations made by Jason Poon in an email to Anthony Zervaas of January 2017.

5. During the review process, it was identified that NCR 157 had not been formally closed out even though the necessary rectification work had been completed in December 2015. The process of “closing out” an NCR is formal procedure that is completed in order to document that the NCR has been addressed satisfactorily.
6. I understand that this finding during the review process prompted Kevin Harman (Leighton’s Quality Control Manager for the Project) to take the necessary steps to collate the relevant records and close out NCR 157. The Project team subsequently closed out NCR 157 on or around 16 January 2017. Neither I nor my Design Manager who was working with me on the review were involved in the process to close out NCR 157.

As-Built for On Site Assembly of EWL Slab to D-Wall/Slab Coupler

7. In June 2018, Leighton had various meetings with MTRCL to review the records for the Project. At that time, both parties were aware that the as-built drawings for the slabs were not yet completed. In this context, it was decided that it would be helpful to prepare an as-built summary sheet to show sketches of the as constructed reinforcement / couplers in the slabs and to reflect the fact that the reinforcement had been inspected and approved by Leighton’s engineers and MTRCL’s engineers/Inspectors of Works.
8. I was called to site and asked to assist in the preparation of these summary sheets. I directed juniors in my design engineering team to prepare a template for this as-built summary sheet and work with the site team to complete it based on the available site records, including diaphragm wall shop drawings, technical queries, site instructions, RISC forms and quality control checklists. I was away at the time that they handled this task. I reviewed a sample of the first draft of the completed as-built summary sheet upon my return. An example of these draft summary sheets is at **H7778** and **H7779**. My only comment was that the title of the draft document needed to expressly say that it was an “as-built” record and to verify the date of the relevant RISC form. I therefore directed the

team to revise the draft form. An example of the finalized as-built summary sheet are shown at **C8648** to **C8651**.


9. Otherwise, I did not have any issue with the format of the as-built summary sheets. I did not think anything of the fact that the sheets required the details to be completed by hand. I expect that this was done for convenience so that the summary sheets could to be completed in hardcopy while looking at the hardcopy site records of the inspections (i.e. MTRCL's RISC forms and Leighton's quality control checklists).
10. I understand recently that the first draft of the as-built summary sheets made their way into a collection of site records that were shown to BD by MTRCL in June 2018. I do not know how, why or when this happened, as I was not on site and was not responsible for any dealings with BD. However, I am certain that Leighton's intention was never to lead anyone into thinking that these forms were contemporaneous. That is why, when I reviewed the draft summary sheets for the first time, that I directed that the draft version of these summary sheets be revised to expressly state in the title that they were "as-built" records, as evidence that they had not been completed contemporaneously. In any event, I understand that Leighton expressly told BD in its letter dated 29 August 2018 that the as-built summary sheets were prepared in June 2018 and were not contemporaneous records.
11. I understand that the summary sheets were further revised in July 2018. I was not involved in this process. In any event, I understand that the sketches shown in the summary sheets have now been superseded by the latest drawings submitted by Leighton and MTRCL to the Commission on 16 November 2018, which show the as constructed works at the intersection of the EWL Slab and diaphragm wall.

Report dated 17 February 2017

12. I understand that the Commission is interested in the source of the information that is set out in the three bullet points on page 10 of the Report dated 17

February 2017. My understanding is that the information came from the interviews conducted by my Design Manager of various members of the site team during the internal review process. Neither I nor my Design Manger can recall with any certainty which member of the site team provided this information.

Dated the 28th day of November 2018.

Signed:  _____

Stephen Lumb