



10 June 2021

Hon Vincent CHENG Wing-shun, MH, JP
Chairman of the Panel on Environmental Affairs
Legislative Council

Dear Chairman,

Regarding the Seawater Odour Problem of Rambler Channel

I refer to the letter from Hon CHAN Han-pan to you dated 14 May 2021, relaying the concern about the odour problem of Rambler Channel near the waterfront area of Tsuen Wan. After consulting the Buildings Department (“BD”) and the Drainage Services Department (“DSD”), our consolidated reply is as follows.

Measures to Tackle the Odour Problem at Tsuen Wan Waterfront

2. The Government has all along been concerned about the odour problem at Tsuen Wan waterfront, and has implemented various on-going measures to enhance the quality of near-shore waters of Tsuen Wan waterfront, which include tracing pollution sources; stepping up our enforcement actions; rectifying sewer misconnections; applying odour-control hydrogel to reduce odour in stormwater drains; installing plastic curtains at outlets of box culverts; clearing and desilting stormwater drains; rehabilitating ageing underground sewers progressively; and conducting publicity and education work on prevention of near-shore pollution. Furthermore, the Government is constructing another eight dry weather flow interceptors (“DWFIs”) in the rural areas of Tsuen Wan and Kwai Chung to intercept the sewage therein and prevent it from entering the stormwater collection system, thereby polluting Tsuen Wan Bay and Rambler Channel. The relevant works are underway and expected to be progressively completed by 2023.

3. In order to resolve the odour problem at Tsuen Wan Bay in the long term, the Government is planning to install newly designed large-scale DWFIs at downstream location of the box culverts of Tai Ho Road and Ma Tau Pa Road. These facilities aim to cover the largest rainwater catchment area and intercept the maximum amount of pollutants. The works project has been included in the Public Works Programme, and the investigation and design work is in full swing. Subject to support from the local community and funding approval by the Legislative Council, the project is expected to be completed in 2027/28 the earliest.

Follow-up on Sewer Misconnection or Expedient Connection Cases in Tsuen Wan District

4. As at 20 May 2021, there are a total of 21 misconnection cases being followed up in the Tsuen Wan district. BD has arranged default rectification works for three of these cases (BD will recover the costs from the owners concerned upon completion of the works); the owners/owners' corporations concerned have appointed contractors to carry out the rectification works for three other cases; and prosecution procedures have been initiated under the Buildings Ordinance for another five cases. For another eight cases, BD has issued statutory orders within this year, and has been following up closely on them, including proactively contacting the owners to explain the details of the sewer misconnections on site, and will arrange for the Social Services Teams to provide support to the owners and occupants concerned where necessary, so as to assist them in complying with the orders. As for the remaining two cases, they are still under investigation. BD will continue to follow-up on the above cases proactively, with a view to rectifying the misconnections as soon as possible.

Follow-up on the Recommendations Made by the Office of The Ombudsman

Follow-up by BD

5. As regards the Direct Investigation Report on "Government's Handling of Misconnection of Private Building Sewers to Stormwater Collection System" ("Investigation Report") published by the Office of The Ombudsman at the end of March 2021, BD has actively taken follow-up actions to implement the recommendations of the Investigation Report that are under BD's purview as far as practicable. In this connection, to enhance monitoring of cases involving misconnection of private building sewers to stormwater collection system (hereinafter referred to as "sewer misconnection"), which were referred by the Environmental Protection Department ("EPD"), BD upgraded the functions of its "Building Condition Information System" in February 2020, so that the case progress could be monitored in a more systematic manner. BD and EPD have also established a coordination mechanism to enhance monitoring of the progress in following up on the cases, including the progress of investigation and enforcement, and will work out the joint inspection arrangement where necessary, so as to increase the efficiency of investigation and enforcement.

6. To assist owners of "three-nil" buildings in tackling the sewer misconnection problem, apart from providing assistance and technical support to the owners (including on-site explanation of the sewer misconnection problem and the rectification requirement), BD will also mobilise its in-house Social Services Teams to provide support to the owners or occupants on a need basis, so as to assist them in fulfilling the requirements under the statutory orders. The support includes coordinating the efforts amongst owners to prepare for the investigation and rectification works, assisting them in applying for suitable financial support, etc. In response to the recommendations of the Investigation Report, BD has further enhanced the support to owners of "three-nil" buildings

since mid-April 2021. Instead of adopting the past practice, i.e. only referring cases involving the common areas of the buildings concerned to the respective district offices for assistance according to the owners' preference, BD would notify the respective district offices in parallel with the issuance of the statutory orders, so that the district offices could offer assistance to the owners at the earliest opportunity without having to wait for them to make the requests. In addition, the Government provides financial and technical support to building owners through various schemes, including the one-stop service under the "Integrated Building Rehabilitation Assistance Scheme", and the "Building Drainage System Repair Subsidy Scheme" (with the first round of applications opened on 1 May 2021) launched by the Urban Renewal Authority, so as to assist eligible building owners in repairing and improving the building drainage systems, including rectifying the sewer misconnections in buildings.

7. According to the Buildings Ordinance, owners (including owners' corporations) are liable to fulfill the requirements under the statutory orders by rectifying the sewer misconnection problem. If they fail to comply with the statutory orders without reasonable excuse, BD will consider instituting a prosecution against the concerned owners, so as to procure them to fulfill their legal obligations by rectifying the irregularities or defects. If, notwithstanding the assistance and support mentioned in paragraph 6 above, the owners still fail to comply with the statutory orders, but have reasonable excuse for not doing so, BD will consider carrying out default rectification works for the owners concerned, and recover the works cost, supervision charge and surcharge from them afterwards.

8. To expedite the handling of sewer misconnection cases, BD has recruited additional contract staff through the Anti-epidemic Fund 2.0 to handle such cases specifically. These new recruits have reported for duty successively and are proactively following up on the outstanding statutory orders in connection with sewer misconnections. Moreover, BD is recruiting additional staff with the government funding for supporting employment in the 2021-22 financial year, so as to expedite the handling of cases.

Follow-up by EPD

9. Besides maintaining close communication and collaboration with BD and DSD on the handling of sewer misconnection cases, EPD will also allocate additional resources to enhance the case handling and enforcement capabilities. Key measures include the application of smart portable device in streamlining inspection procedures and improving the case handling efficiency; and the introduction of the Geographic Information System (GIS) technology to record the case data systematically and accurately in order to expedite the case referral. In response to The Ombudsman's recommendations, EPD is now consulting the Department of Justice regarding the possibility of simplifying the evidence collection procedures and changing the burden and standard of proof through legislative amendments, with a view to strengthening the control on pollution to Hong Kong waters.

10. EPD will also enhance the practical collaboration with BD, including establishing a coordination mechanism and optimising the case referral procedures, so that the information on sewer misconnection cases can be shared in a more rapid, systematic and accurate manner; and joint inspections can be conducted as necessary to enhance the effectiveness of enforcement.

Setting Up of Interdepartmental Task Force

11. Moreover, to resolve the odour and stormwater drain pollution problems at the Tsuen Wan Bay waterfront as soon as possible, the Government has set up an interdepartmental task force (“ITF”) comprising members from EPD, DSD, BD, the Food and Environmental Hygiene Department, the Highways Department and the Tsuen Wan District Office, so as to enhance coordination of various departments’ efforts and improvement measures. To resolve the above problems as soon as possible, ITF has been actively coordinating the various improvement work; formulating and implementing the overall action plans accordingly, which include short, medium and long-term follow-up measures; rectifying and removing sewer misconnections; enhancing clean-up and enforcement actions against pollution black spots in the district; strengthening the desilting works at stormwater drains and repairing damaged or leaking pipes; and exploring the implementation of pollution control works.

12. Being committed to the continuous implementation of the above-mentioned improvement measures, the member departments of ITF have taken forwards some advance improvement works and measures at Tsuen Wan Bay, including the commissioning of four DWFIs in the district, the installation of large curtains at the outlets of major box culverts to reduce the impact from odour emission, and the application of odour-control hydrogel to suppress the generation of odourous gases in the drainage system; and they regularly report on the key follow-up issues and work progress to the relevant committees under the Tsuen Wan District Council.

13. Thank you for your concern on environmental matters. Should you have any enquiries, please contact the undersigned at 3155 6788 or our Senior Environmental Protection Officer Ms Carmen TSANG at 2417 6077.

Yours sincerely,



(Lawrence CHEUNG Shing-hsi)
for Director of Environmental Protection

cc:

Hon CHAN Han-pan

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