



YOUR REF 來函檔號：  
OUR REF 本署檔號： G16 /09/EBDD  
FAX 圖文傳真： 3162 0799  
TEL 電話： 3842 3030  
www.bd.gov.hk

21 May 2021

Hon Vincent CHENG Wing-shun  
Chairman  
Panel on Environmental Affairs  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Mr CHENG,

### **Odour Problem at Rambler Channel**

With reference to LC Paper No. CB(1)916/20-21(01) under agenda item V of the meeting of the Panel on Environmental Affairs of the Legislative Council on 24 May 2021 (i.e. letter dated 14 May 2021 from Hon CHAN Han-pan on odour problem at Tsuen Wan waterfront) concerning the handling of misconnection of private building sewers to the stormwater collection system (hereinafter referred to as “sewer misconnection”) by the Buildings Department (BD) and the progress of sewer misconnection cases in Tsuen Wan, we would like to reply as follows.

2. In response to the Direct Investigation Report (DI Report) issued by the Office of the Ombudsman in late March 2021 on the Government’s handling of sewer misconnection, BD has actively taken follow-up actions to implement the recommendations within its purview. To better monitor the sewer misconnection cases referred from the Environmental Protection Department (EPD), BD has enhanced its Building Condition Information System since February 2020 to more systematically keep track of the progress of the cases. In addition, BD and EPD have jointly devised a coordination mechanism to strengthen the monitoring of the follow-up actions, including the progress of investigation and enforcement, and established a joint inspection mechanism to enhance the investigation and enforcement efficiency.

3. To assist owners of “three-nil” buildings to deal with sewer misconnection problems, apart from providing them with assistance and technical support, including explaining to them on site the problems and the requirements of rectification works, BD will arrange its in-house social services teams (SSTs) to provide support to the owners or occupants in need and help them to comply with the statutory orders. Such support includes coordinating owners to organise the investigation and rectification works, and assisting them to apply for suitable financial assistance schemes, etc. In response to the recommendation of the DI Report, BD has further strengthened the support to owners of “three-nil” buildings since mid-April 2021. Instead of referring cases involving common parts of these buildings to the respective District Office (DO) for assistance solely according to the wishes of the owners, BD has changed its practice to proactively notify DO simultaneously upon issuance of statutory orders so that DO can provide earlier assistance to the owners, without the need to wait for the owners to make the relevant request. In addition, the Government will provide financial and technical assistance to building owners through different schemes, including the Urban Renewal Authority’s one-stop Integrated Building Rehabilitation Assistance Scheme, and the Building

Drainage System Repair Subsidy Scheme (Subsidy Scheme) which was open for the first round of applications from 1 May 2021. The Subsidy Scheme aims to provide assistance to eligible owners in repairing and upgrading their building drainage systems, including the rectification of sewer misconnections.

4. Under the Buildings Ordinance (BO), owners (including owners' corporations (OCs)) are legally responsible for compliance with statutory orders to rectify sewer misconnections. If the owners fail to comply with the statutory orders without reasonable excuse, BD will consider instigating prosecution against them in order to urge them to discharge their legal responsibility to rectify the contraventions or irregularities. With the support and assistance mentioned in paragraph 3, if the owners, with reasonable excuse, still fail to comply with the orders, BD will consider carrying out the rectification works in default of the owners and recover the cost of works plus supervision charge and surcharge from the owners afterwards.

5. To expedite the handling of sewer misconnection cases, the additional contract staff recruited under the Anti-epidemic Fund 2.0 are gradually reporting duty and they are actively following up the outstanding statutory orders relating to sewer misconnections. Besides, BD is hiring additional manpower to expedite the handling of relevant cases through the job creation fund provided in 2021-22 financial year.

6. At the meeting of the Environment, Health and Climate Change Committee of Tsuen Wan District Council on 18 February 2021, BD briefed the meeting on the progress of sewer misconnection cases in Tsuen Wan, including 21 outstanding cases. As at 20 May 2021, the sewer misconnections in three cases had been rectified, BD had arranged rectification works for three cases in the owners' default (BD will recover the relevant costs from the owners concerned upon completion of the works), owners/OCs of three cases had arranged contractors to carry out rectification works, prosecution proceedings under the BO for five cases were in progress, and the remaining seven cases were issued with statutory orders this year. BD has been closely following up these cases including proactively contacting the owners and explaining to them the misconnection problems on site. BD will arrange SSTs to provide support to the owners and occupants as appropriate in order to assist them in complying with the orders. BD will continue to follow up the above cases closely with a view to rectifying the sewer misconnections as soon as possible.

7. If you have any questions, please contact our Ms CHAN Wai-ming, Stella, Chief Building Surveyor / D at 3842 3030.

Yours sincerely,



(CHHO)

Assistant Director / Existing Buildings 2  
for Director of Buildings

cc Director of Environmental Protection