

China Road and Bridge Corporation convicted for illegal use of powered mechanical equipment to carry out construction works at night

China Road and Bridge Corporation illegally used powered mechanical equipment to carry out night-time works at a sports centre construction site at Area 24D on Sha Tin Tau Road in Sha Tin, which violated the regulation on noise control. The company was fined \$18,000 by Fanling Magistrates' Courts today (April 29) for contravening the Noise Control Ordinance (NCO).

The Environmental Protection Department (EPD) received a complaint from members of the public in February last year about the noise nuisance generated by night-time works at a construction site on Sha Tin Tau Road. EPD staff conducted an investigation and found that the construction site concerned had obtained a construction noise permit (CNP) from the EPD, but construction works was illegally carried out using a concrete lorry mixer after 7pm, which violated the CNP requirements. The department subsequently initiated prosecution against the main contractor, China Road and Bridge Corporation, in accordance with the NCO.

The EPD spokesman explained that the NCO aims to protect the public from disturbance of rest. Members of the construction industry should carry out works during the daytime and non-general holidays as far as possible to minimise disturbance to nearby residents. If the works have to be conducted during the restricted hours (between 7pm and 7am the following day, or at any time on a general holiday), a permit must be obtained from the EPD. The construction works shall commence only when the CNP has been granted upon completion of an assessment to support its compliance with regulatory requirements. Only specified powered mechanical equipment as indicated in the CNP can be used for the construction works and contractors must also implement noise mitigation measures to minimise noise nuisance as stipulated by the CNP, including the erection of hoardings, noise enclosures and barriers at the sites, to reduce the impact of noise on nearby residents as far as possible. Otherwise, it constitutes an offence. First-time offenders are liable to a maximum fine of \$100,000. A maximum fine of \$200,000 may be imposed on second or subsequent convictions.

The EPD has followed up the case with works supervisory staff of the Architectural Services Department and the contractor concerned. The contractor has been requested to properly arrange its works and strictly comply with all CNP requirements.