

Contractor convicted and fined for carrying out illegal works in conservation area in Pok Wai, Yuen Long (with photos)

A contractor who carried out illegal site formation works in a conservation area in Pok Wai, Yuen Long, and caused mud and dust dispersion which adversely affected the environment, was convicted today (February 12). The contractor, the land occupier and the construction worker concerned were fined a total of \$25,000 by Fanling Magistrates' Courts today for contravening the Environmental Impact Assessment Ordinance (EIAO) and the Air Pollution Control (Construction Dust) Regulation.

An Environmental Protection Department (EPD) spokesman said that the department received a report last July from a member of the public that illegal site formation works were being conducted in a private lot in Pok Wai, Yuen Long. During the inspection, the EPD officers successfully intercepted a dump truck and an excavator, which were involved in soil dumping and bulldozing works at the lot concerned. The illegal works caused mud and dust dispersion which adversely affected the environment. After investigation and evidence gathering, the department subsequently initiated prosecution against the contractor, the land occupier and the construction worker concerned in accordance with the EIAO and the Regulation.

The spokesman said that the area concerned belongs to a conservation area under the Nam Sang Wai Outline Zoning Plan, which aims to preserve the ecological value and functions of existing fish ponds in the area. According to the EIAO, it is an offence to conduct earthworks at a conservation area without an environmental permit issued by the EPD. First-time offenders are liable to a maximum fine of \$2 million and six months' imprisonment. In addition, according to the Regulation, site formation is classified as notifiable work and contractors are required to notify the EPD in accordance with the statutory requirements and adopt dust emission control measures. Anyone who fails to notify the EPD about site formation works commits an offence and is liable to a fine of \$25,000. Anyone who conducts construction works without adopting the measures stipulated by the Regulation to prevent the dispersion of dust is liable to a fine of \$50,000.

