

Contractor of Tseung Kwan O – Lam Tin Tunnel project convicted for illegally carrying out construction works on Sunday

Fortress Development Limited, the contractor for reclamation works under the Tseung Kwan O – Lam Tin Tunnel (TKO-LTT) project, illegally carried out construction works during a holiday and caused noise nuisance to residents of Ocean Shores. The contractor was convicted and fined \$10,000 at Kwun Tong Magistrates' Courts today (June 27) for contravening the Noise Control Ordinance (NCO).

The Environmental Protection Department (EPD) received report from a member of the public that construction works were carried out at the sea area fronting O King Road on a Sunday. Investigations by the EPD staff confirmed that a non-permitted tug boat was utilised by the TKO-LTT contractor to carry out marine construction works on June 25, 2017, and caused noise nuisance, which violated the requirements of the NCO. The EPD subsequently prosecuted the contractor, Fortress Development Limited. The EPD also requested the Civil Engineering and Development Department to follow up on the case to ensure that construction works will be carried out in compliance with the statutory requirements.

The NCO aims to protect the public from disturbance of rest. The EPD spokesman stressed that members of the construction industry should schedule works properly and carry out the works during daytime and non-general holidays as far as possible. If the construction work has to be conducted during the restricted hours (between 7pm and 7am on the following day, or at any time on a general holiday), the contractor has to obtain a valid construction noise permit (CNP) from the EPD. The construction works shall commence only when the CNP has been granted upon completion of assessment to support that its noise level would comply with regulatory requirements. Only specified powered mechanical equipment could 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 fences and noise barriers at the sites, to reduce the impact of noise to 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.