

Sun Fook Kong Construction Limited convicted for illegal use of powered mechanical equipment to carry out refurbishment works on holiday

Sun Fook Kong Construction Limited illegally used powered mechanical equipment to carry out refurbishment works at Tin Shui Sports Centre in Tin Shui Wai on a Sunday, which violated the regulation on noise control. The company was fined \$25,000 by Fanling Magistrates' Courts today (July 24) for contravening the Noise Control Ordinance (NCO).

The Environmental Protection Department (EPD) received a complaint from members of the public in December last year about the noise generated by construction works at Tin Shui Sports Centre on a Sunday. EPD staff conducted investigation and confirmed that the contractor, without obtaining a construction noise permit (CNP) before the works commenced, carried out works using controlled powered mechanical equipment, including an electric elevator, at the sports centre on a Sunday illegally. The EPD initiated prosecution against the contractor in accordance with the NCO after the investigation and evidence collection.

The NCO aims to protect the public from disturbance of rest. The EPD spokesman stressed that members of the construction industry should carry out works during daytime and non-general holidays as far as possible to minimise noise disturbance to the nearby residents. If the works have to be conducted during the restricted hours (between 7pm and 7am on 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 assessment to support its compliance with regulatory requirements. Only specified powered mechanical equipment 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 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.