

Works contractors of Link convicted for illegally using powered mechanical equipment to conduct renovation works on holiday at Kwong Yuen Shopping Centre and Kwong Yuen Market

Works contractors of Kwong Yuen Shopping Centre and Kwong Yuen Market under Link, Hop Cheong Ying Kee Limited and Ying Fung Company illegally used powered mechanical equipment to conduct renovation works on holidays. Hop Cheong Ying Kee Limited and a worker of Ying Fung Company were convicted by Fanling Magistrates' Courts on October 23 and today (November 6) for contravening the Noise Control Ordinance (NCO). They were fined a total of \$24,000.

An Environmental Protection Department (EPD) spokesman said that the department received complaints from members of the public in April this year about the noise nuisance generated by the renovation works at Kwong Yuen Shopping Centre and Kwong Yuen Market on holidays. Upon investigation, it was confirmed that the works contractors concerned carried out renovation works on holidays with the use of a concrete corer and a hand-held breaker. In addition, the contractors did not obtain any construction noise permit (CNP) prior to the commencement of works. After investigation and evidence gathering, the EPD initiated prosecution against Hop Cheong Ying Kee Limited and a worker of Ying Fung Company 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 noise disturbance to the nearby residents. If any works procedures 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 in advance. The construction works shall commence only when the CNP has been granted upon completion of assessment to support its compliance with regulatory requirements. The construction works granted with the permit must also strictly comply with the relevant requirements of the CNP, only specified powered mechanical equipment can be used for the construction works and noise mitigation measures should be implemented, including the erection of fences and noise barriers at the sites. Otherwise, it constitutes an offence. Under the NCO, 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.

Regarding the irregularities of the works contractors, the EPD also reminded Link Properties Limited, as the management company of Kwong Yuen Shopping Centre and the property owner of Kwong Yuen Market, that the company

should strengthen its supervision of works carried out by its works contractors during restricted hours. The works must be conducted in accordance with statutory requirements and must not cause disturbance to nearby residents.