

DISCOVERY BAY CITY OWNERS' COMMITTEE
Minutes of Meeting No.4 2017-18 Held on 29 August 2018
7:30pm at MPH, Discovery Bay Office Centre

Members Present:

Mr. Simon Mawdsley	(SM)	Chairman, COC & Midvale VOC
Mr. Victor Riley	(VR)	Chairman, Headland VOC
Ms. Amy Yung	(AY)	Chairlady, Beach VOC
Mr. Simon Minshall	(SMS)	Vice-Chairman, Parkvale VOC
Mrs. Baby Hefti	(BH)	Chairlady, Peninsula VOC
Dr. Francis Chiu	(FC)	Chairman, Siena Two B VOC
Mr. Edwin Rainbow	(ER)	Chairman, Hillgrove VOC (Joined at 7:45pm)
Ms. Vivien Lau	(VL)	Chairlady, Greenvale VOC
Mr. Kent Rossiter	(KR)	Chairman, La Costa VOC
Mr. Darren Barton	(DRB)	Chairman, Parkridge VOC
Mrs. Kathy Lui-Landheer	(KYL)	Chairlady, Chianti VOC
Mrs. Pauline Pong	(PP)	Vice-Chairlady, Siena One
Mr. Li Hong Leung	(LHL)	Representative, Clubs
Ms. Elena Cheung	(EC)	Representative, Hotels
Mr. Vincent Chua	(CKC)	Representative, Registered Owner
Ms. Beatrice Lee	(BL)	Representative, Registered Owner
Mr. F.K. Wong	(FKW)	Chief Manager, Estate, DBSML
Mr. W.S. Yau	(WSY)	Senior Manager, Contract Mgt. and Works, DBSML

Apologies:

Mr. Christopher Chung	(CC)	Chairman, Siena One VOC
Mr. Kenneth Bradley	(KB)	Chairman, Parkvale VOC
Dr. Jennie Lee	(JL)	Chairlady, DB Plaza VOC
Mr. David Kwok	(DK)	Chairman, Amalfi VOC

Mr. Michael Law-Kun	(MLK)	Chairman, La Vista VOC
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Secretary:

Mr. Kenneth Chan	(CYY)	Senior Manager, Estate, DBSML
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Assistant to Secretary:

Ms. Key Lam	(KL)	Manager, CR & Admin, DBSML
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Staff of City Management:

Mr. Wilson Chan	Manager, Estate, DBSML
Mr. Samuel Ip	Manager, Estate, DBSML
Mr. Daniel Ma	Manager, Estate, DBSML
Mr. Kenneth Kan	Manager, Estate, DBSML
Mr. Brian Lau	Assistant Manager, Estate, DBSML
Mr. W. K. Li	Assistant Manager, Security, DBSML

Observers:

Mr. Antony Snow	Owner, Positano
Ms. Eden Wu	Owner, Beach
Mr. Frank Wu	Owner, Greenvale

The meeting was declared duly convened with the necessary quorum of members present.

1.0	Apologies Apologies received from CC, KB, JL, DK, MLK. CYY welcomed Pauline Pong, Vice-Chairlady Siena One and Simon Minshall, Vice-Chairman Parkvale. CYY pointed out that Patrick Ho had left CM and WSY had taken on the role of City Management Representative.	19:30
2.0	Confirmation of Minutes of Previous Meeting (No. 3 – 2017/2018) Draft meeting minutes circulated on 29 June 2018. Comments received by ER, minutes amended and issued 9 August 2018. Additional comments received from AY, edited and issued on 21 August 2018. Minutes proposed by BH and seconded by VR, and were passed.	
3.0	Matters Arising / Items Carried Forward from Previous Meeting	19:34
3.1	Discussion on the Typhoon Floating of the Boat SM received an email in April 2018 which requested COC members to consider inviting Mr. Arthur Bowring from HKSOA, to give a presentation to DB residents. Mr. Bowring was involved in the salvaging of the boat and the purpose of the talk would be to help residents understand what happened, the rescue process, and the environmental impact. It would be held on a Saturday morning and open to the public. There were no objections and SM agreed to send out the presentation to members prior to the event.	
3.2	Problems with HK Airport DB Overflight in 2017 SM received an email in April 2018 referring to the incident involving a low flying cargo plane in September 2017. SM recapped that the HK Civil Aviation Department released a preliminary report which stated that a plane took a wrong turn immediately after take-off and passed directly over Tiger's Head at 2050ft. Tiger's Head is 1500ft. A DB resident witnessed the incident and reported the plane flew very low over La Vista. The email asked 1) Did CM know about the incident and did they respond? 2) Would CM take this to CAD to find out what caution would or had been taken to make sure it didn't happen again? CYY replied that CM had not been aware of the incident at the time but received a report the following day. CYY agreed to follow up with CAD at the request of COC members. VR remarked that 80% of airline incidents were caused by pilot error and therefore there was not a lot that could be done about it. VR referred to the recent crash in the Philippines that caused chaos throughout Asia. VR also shared that the flight path over DB whilst very congested had been well thought through. VR reminded members there had been very few incidents. DRB asked if there were contingency plans for any disaster management. CYY replied in case of a large scale disaster relevant government units would respond. DRB said it should be followed up. VL agreed it should be brought to the attention of the relevant authorities. BH remarked the incident was over a year ago and thought it strange to bring it up now. SM reminded members it was a request made in April 2018. There were no objections from members for CM to follow up with CAD.	7:38

3.3	<p>Invitation Extended to CLP to Introduce the Solar Renewable Energy System at a FIT Rate and how the System can Benefit our Environment, particularly DB.</p> <p>AY requested that this discussion be joined with agenda item 3.4 proposed by ER. There was no objection. AY advised that the scheme was introduced by the Environmental Protection Department in cooperation with two electricity companies, CLP and HK Electric. The scheme installs solar panels on roof-tops of houses and apartments, and energy is then sold back to the electricity companies. AY considered DB to be an ideal place and referred to the last COC meeting whereby members supported the idea. AY would like members to invite the Environmental Protection Department and CLP to present at the next COC meeting.</p> <p>VR commented that it was a good idea but highlighted that globally governments had a bad record of not following up on these schemes. The public was encouraged to install panels and were given generous subsidies at the start, however subsidies were then withdrawn leaving households responsible for costs without receiving any money. VR suggested HK government should give a sensible timeline to commit to subsidize the installations. AY responded that the scheme was not a subsidy rather it was a scheme that allowed generated power to be sold back to the electricity company. VR added that it would be more reliable for energy production if an incinerator was installed in DB.</p> <p>BH said the scheme was implemented in Switzerland whereby the government subsidized the installation and the unused electricity was sold back to the grid. BH remarked that with DB's high electricity bills, because of A/C's, there would be no harm in listening to the presentation.</p> <p>SM noted there was no objections to AY's request to a presentation. CYY agreed CM would invite CLP and the relevant government department to present.</p>	19:47
3.5	<p>Request CM to Share the Case of Lands Tribunal Hearing on 18 May Regarding the Interim Injunction against CM Conducting a Village Owners' Meeting in Parkridge on 24 May, and the Constraints on the Village Owners Meetings in other Villages until the Case is decided.</p> <p>ER summarized the case and requested CM to respond. FKW stated that the hearing would take place on 17 September 2018 and therefore CM would make no comment.</p> <p>DRB commented that whilst the full hearing was to be held in September, the court sided with DRB and granted an interim injunction in May.</p>	19:53
3.6	<p>Organization Chart: Could CM Produce the Organization Chart with Annual Remunerations (nine months actual until 31 December 2017 and forecast for the 1st quarter of 2018) on Departmental Basis?</p> <p>AY thanked FKW for providing the information. AY enquired if the remuneration of \$44.5M included the Customer Service Ambassador for Chianti and Amalfi. FKW confirmed the amount was the total staff cost of CM. DRB enquired if the \$44.5M was charged to City Accounts and FKW confirmed again it was the total cost for all of Discovery Bay, including City and Villages.</p> <p>AY referred to the organization chart and noted the accounts team only</p>	19:57

	<p>had eight members which AY considered to be low. AY also raised the point that the role of Accounting Manager was very important and asked if the Manager be invited to participate in COC meetings to answer technical questions. FKW countered that the Accounting Manager already joined the Finance Sub-Committee Meetings and stressed accounting matters should be addressed in that meeting and not the COC. AY maintained the Accounting Manager held a very important function as there were often a lot of questions that were not resolved in the COC meeting. AY cited examples including the request for the organization chart which was requested three times. AY assured members there was no blame on FKW because FKW was not an accountant and so did not have the technical knowledge. AY recommended again the Chief Accountant or Accounting Manager be invited to attend the COC meeting.</p> <p>ER agreed that FKW's point would have merit if more COC members were represented at the FSC. ER noted how few villages and other entities were present at the meeting. ER considered the most important function of COC members was dealing with the finances and stressed every village should have someone representing them on that committee. ER added it was also important for others to represent COC members when a member was unable to attend.</p> <p>FC agreed with ER and questioned why AY did not attend the FSC but expected the Accounting Manager to attend COC meetings. FC referred to the expertise of AY and invited AY to attend FSC. AY responded that it gave others the opportunity and said a Beach VOC number who is also a professional accountant did attend that meeting and were highly capable and reported back to Beach VOC. AY cited her long-standing unanswered question regarding accrual interest on long outstanding debts as a valid reason for the Accounting Manager to join the meetings. AY assured members it would not be to engage in dialogue rather to raise valid points or in instances where FKW or FSC could not answer.</p> <p>FKW clarified that CM had already answered AY's question that interest would be on accrual basis during previous COC meeting.</p> <p>BH asked why AY did not have her representative discuss the issue in the FSC rather than raise the issue at COC meetings. AY referred to the FSC minutes which recorded the disappointment of the CPA, and BH suggested better communication between AY and her representative. AY referred to the minutes in FSC Meeting No. 3, item 3.1.1.</p> <p>SM reminded members to stay on the agenda item. AY noted the chart was received two days ago and further analysis was required. AY will report back on anything of significance.</p> <p>VL asked about the customer service cost figure. FKW clarified the charge would be charged to Chianti and Amalfi according to deployment but not City account.</p> <p>DRB requested a second version which highlighted what was charged to the City to help understand Village costs. FKW further explained how the chart presented the costs.</p>	
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3.7	<p>Follow up on Last Discussion of Item 7.1 Finance Sub-Committee (COC Paper 575/18)</p> <p>AY raised again the issue of non-payers and the calculation of interest. AY stressed the basic principal of accounting be used which is the accrual of interest on a monthly basis. AY stated that the issue of whether CM would negotiate settlement was a separate matter. AY advised that without the proper calculation of interest there should be no negotiation. AY added there was no credit policy put in place and suggested the policy be put in place to follow up with outstanding debts.</p> <p>AY asked about the existing system with ten modules and the new system also with ten modules. AY wanted to know the difference and was not satisfied with FKW's answer about the uniqueness of DB, which cited golf carts. AY claimed that was an excuse and asked FKW to explain the difference. AY also asked how long would it take to use the new system.</p> <p>FKW referred to previous minutes which explained the uniqueness of the property management system not just the accountancy system. FKW explained that four modules that had been handled manually by staff would now be automated by the new system. FKW said the service-provider was currently following up on issues that had been raised and informed members the migration of data was in the final stages. Once it was complete FKW would report back to the COC with the commencement date to go live.</p> <p>AY was interested only in the accountancy system and remarked that FKW's comments about the property system were an excuse.</p> <p>FC reminded members that agenda items could be recommended through VOC representatives on the FSC.</p> <p>VL was unable to attend the FSC as it clashed with a VOC meeting and requested earlier notification of the FSC meetings.</p>	20:12
3.8	<p>Hillgrove Village Small Claim Case ruling for Future Reference (COC Paper no. 578/18)</p> <p>ER reviewed the previous minutes and felt there was scope for misunderstanding and wrote a paper which highlighted this. ER requested that the two Court decisions be included with the previous minutes, referenced as appendices, and his paper [578/18] be added to these minutes. ER said it would be easy to lose track of what had been a very important case and further stressed the difficulty of working together when there was disagreement on the interpretation of the DMC.</p> <p>SM clarified that the Courts Decisions and the Paper would be attached to these minutes but nothing could not be attached to previous agreed minutes.</p> <p>CYY asked for verification that the paper was 578/18. ER confirmed.</p>	20:21
4.0	CM Report	20:24
4.1	<p>Upcoming Tenders</p> <p>WSY reported on papers endorsed 1) provision for casual labour to landscape department 2) insurance renewal 2018/19 and 3) concrete repairs and associated works.</p>	

4.2	<p>COC Papers Endorsed (COC 579/18)</p> <p>WSY noted tenders to be sent out 1) replacement of 5.5 tonnes truck mounted with lifting crane 2) repair of deteriorated water pump no. 2 at Water Treatment Plant 3) replacement of deactivated carbon media and filters for deodorizers in Sewage Pumping Stations No. 2 & 3.</p>	
4.3	<p>Community Events</p> <p>CYY reported on the dog grooming seminar held on 27 August 2018 which will be a continuous event aimed at encouraging dog owners to be more responsible in looking after their dogs.</p> <p>The DB Basketball Tournament will be held on 28 October 2018 at Discovery College, and there were eight teams registered.</p> <p>The 14th DB 10K Run will be held on 1 December 2018, 8am-12pm with an expectation of 450 participants. The route will be Central Park, Headland, Tai Pak Beach, Siena Two and back to Central Park. If there were any objections to the route residents were encouraged to bring it up to their respective VOCs.</p>	
4.4	<p>Update on Other Events</p> <p>WSY updated members on the underground sewer burst on DB road near Siena 2B. On the 14 August a sinkhole was reported and one traffic lane was closed immediately and the next day both lanes were closed. After an investigation of the hole it revealed the pipe had collapsed, the concrete wall was seriously eroded and the steel bar and gasket had also deteriorated. WSY referred to the photos shown in the presentation to further explain the extent of the damage. The pipe was replaced on 16 August 2018. Backfilling commenced and second lane was reopened on the 17 August. Total cost spent to-date was \$300K.</p> <p>A survey was carried out 435m along the pipe to determine its condition. WSY reported that there was additional deterioration of pipes and gave a detailed outline in the presentation.</p> <p>WSY explained the follow up work required which included engaging the services of a consultant as soon as possible to advise on reason(s) of serious deterioration, necessary government submissions and repair. A consultant had proposed rehabilitation instead of replacement and claimed to have similar job with Swire Property before. The total cost of works including consultant engagement, replacing the pipes in critical condition and reinforcing deteriorated pipes was estimated at \$8.5M.</p> <p>ER enquired if the water causing the sinkhole was rain water or water from the broken pipe. WSY explained it was the sewage water from the pipe. Soil was washed to downstream of the sewer. VL asked how old the sewage pipe was and if it wasn't the oldest had older pipes been replaced or checked. WSY replied it was installed around 1994, 23-24 years old. WSY said it was not the oldest pipe but this pipe connected water from one pump room to another pump room so the water flow pattern was different to other older pipes.</p> <p>DRB asked how often the pipes were inspected and WSY responded that they had never been inspected. DRB suggested inspections would have prevented such a catastrophic failure. SM reminded members that COC proposed infrastructure review about 2 years ago including to do a CCTV</p>	

	<p>inspection of all the pipes but the motion was denied. VL suggested it would be sensible to do an investigation of the aging pipes but SMS commented it would be better to do until advising report from the consultant has been received.</p> <p>WSY informed members that CM had difficulty finding a consultant. Previously CM had looked at engaging a consultant to review the water supply mains however many declined. It appeared they were busy, over committed and were in the process of bidding for a number of government contracts. WSY did not think it was the right time to carry out an extensive infrastructure investigation.</p> <p>ER commented that a CCTV investigation was not a major job. WSY said that a CCTV investigation would only look at the drainage and not the main water supply. DRB agreed it should be looked at but enquired about cost. SM clarified the request was to investigate the recent incident. DRB requested to review the repair cost by COC before awarding work contract. WSY replied and would follow but asked, with risk concern, whether the works at critical section could be carried out immediately. Members had no objection to such immediate action.</p> <p>ER asked how close the portable water pipe to the sewage pipe was. WSY explained 1.5M apart and any leakage was noted by the drop in pressure. VR noted there were other areas along the main road that had suspicious wearing. WSY said once the consultant was engaged to carry out the initial investigation they could be asked to comment on suggestions for a more extensive survey.</p> <p>AY said that after the report had been received from the consultant members should consider reactivating the infrastructure sub-committee. BH reminded members this request had already been turned down several times. SM suggested further discussion after the report was received.</p> <p>AY also reported that on 24 or 25 August the incline lift broke down trapping residents and tourists. The fire service department was informed and assisted the public in their exiting down which was dangerous. AY requested CM look at how to improve the function of the incline lift or have it replaced. AY referred to another incident that occurred involving a parked empty bus which ended up going across the road. According to AY this was for the bus department to handle however because of the volume of traffic many residents had suggested the installation of a zebra crossing and traffic lights to direct people safely across the road.</p> <p>CYY reported on the increase in snake sightings. A notice was issued advising residents on what to do should they see a snake. CYY also updated members that a snake catcher was consulted on 23 July and advice was given on how to minimize and control snakes. CM carried out grass cutting to reduce hiding places. CYY shared that the increase was likely because of the hot temperatures and heavy rains.</p> <p>CYY mentioned Dengue Fever and the action taken by CM. This included issuing an immediate notice alerting all residents, extra cleaners, doubled pest control frequency, use of sticky mosquito paper and also the purchase of extra mosquito plants. In addition, extra manpower had been deployed to deal with any stagnant water and contractors were instructed to remove water pools as well.</p>	
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	<p>VL asked if pest control killed cockroaches and referred to the quantity of cockroaches at the beach. CYY will check and report back to members.</p> <p>BH suggested that the most efficient measure for reducing snake sightings was to cut grass. BH added that DB had a lot of big rats and there should be an ecological balance of predators and prey.</p> <p>DRB raised the problem of dripping A/Cs which created pools of stagnant water outside windows and requested CM reissue notices reminding residents to have dripping A/Cs repaired. CYY agreed to action.</p> <p>KYL inquired about the solar panels installed in Siena that are being used to repel snakes. FC believed they were effective and KYL requested details for Chianti.</p> <p>BH asked for confirmation that the heavy fogging was WHO approved and it was confirmed that the product passed the WHO standards.</p>	
5.0	Items for Discussion	20:59
5.1	<p>To approve the installation of Wireless Full High Definition Closed Circuit Television Surveillance System at Reservoir Area (COC Paper T1522/18)</p> <p>CYY referred to the paper issued to members and asked for consensus on the proposed work. CYY reiterated the main reason for installation of the cameras was for safety reasons, and explained that the control centre would be able to monitor the remote areas live with three CCTV cameras, so that security could respond immediately.</p> <p>CYY acknowledged the comment by SMS who had asked why Protect (Technologies Ltd) was not invited to tender. CYY explained that their standard procedure was to have a random draw, apart from the current contractor and although other contractors were invited to bid only two tendered.</p> <p>SMS disagreed with the current procedure and found it difficult to comprehend why companies, that had expressed an interest to work in DB and that were familiar with the work, were not invited to tender. CYY acknowledged SMS' point.</p> <p>FC questioned how quickly staff could respond given that the area was so remote. CYY replied that a patrol car would be called to respond immediately. CYY also advised members that an additional CCTV monitor had been installed to effectively monitor that area.</p> <p>BH asked if a child was in trouble was there a contingent plan to rescue them. CYY advised they would act within their resources and rely on the government services for emergency assistance.</p> <p>AY asked what was the follow up on preventative measures. CYY noted most residents were sensible and for those that were not the police would be involved.</p> <p>DRB remarked that there were CCTV cameras with motion sensors to alert when there was movement and enquired if these were being considered. CYY responded that SM had also requested alternative</p>	

	<p>products. There was currently 830 CCTV cameras across DB and they were recordings to help detect suspicious behavior and identify burglars. CYY advised that in this case the CCTVs would be different and suppliers would be providing demonstrations for members review.</p> <p>DRB enquired about existing safety equipment in the reservoir area and if AEDs were available. CYY replied there was wire to prevent access and AEDs were held in security patrol cars with trained staff.</p> <p>SM read out the proposal whereby <i>City Management recommends awarding the Work to the bidder HIS at a lump sum of HK\$120,250.00. The aforesaid cost shall be absorbed by the City – Water Works Reserve Fund. City Management will issue a contract to HIS and arrange the contractor's all risk insurance as per the recommendation mentioned in Paragraph 12.</i></p> <p>Proposed by CM and seconded by ER In favour: FC, BH, KR, ER, VL, DRB, PP, KYL, AY, VR, CKC, BL, LHL, EC, FKW, WSY Against: SMS Abstain: SM</p>	
6.0	COC Sub-Committees / Working Groups	9:15
6.1	<p>Finance Sub-Committee (COC Paper 577/18) FC advised that two members of the FSC were tasked with reviewing the Big Picnic accounts and both were not satisfied so further communication would take place. In the meantime, FSC requested that CM withhold making payment until FSC were satisfied.</p> <p>FC referred to manager cost allocation and advised that Nigel was still working on a proposed system for FSC to consider. FC also informed members that Ms Sally Conti was working on a review of heavy vehicles road usage charges.</p> <p>AY stated it was difficult to work on the heavy vehicles road usage review when there was no source information. AY asked CM to provide the number of vehicles now running in DB including buses and commercial vehicles issued with HKR/ DB licenses, and tunnel maintenance vehicles. AY suggested a one week sample be taken to ascertain the average number and tonnage.</p> <p>CYY replied that there was a record of vehicles entering from the permit collection office. FC said that Sally would ask for the information that she believed she needed. AY said Sally was on vacation and had asked AY to follow up. AY was particularly interested as there appeared to be an increase in heavy vehicles. AY requested a list of all vehicles to assist Sally. CYY clarified AY had requested the number of external vehicles entering and also the number of vehicles with road usage license. FC stated indirect communication was pointless and should be dealt directly with Sally. CYY confirmed the reply would be made to Sally.</p> <p>ER informed members that tire pressure affected wear on the road but sinkholes are about the axel. ER suggested it was the buses causing the biggest impact on roads.</p>	

6.2	Environmental Protection Sub-Committee No report.	
6.3	<p>Sports and Leisure Sub-Committee BH referred to the outdoor equipment which had been identified and final decisions would be made on type of equipment and location.</p> <p>BH highlighted that Discovery College had requested a temporary storage locker to store external sports facilitators' equipment.</p> <p>BH also raised the possibility of having a basketball court in DB and requested that HKR provide space for a court to be built which would benefit the older children and youth of DB. CYY would follow up with BH suggestion and report back to COC. AY said that the basketball space held by the Club Siena was open space and appealed for the club to release the space back to the public otherwise AY would take action with the planning department for enforcing it.</p> <p>BH also shared about a planned ping pong tournament and was open to other suggestions.</p> <p>DRB asked if the request for the locker had been granted. BH advised that the request had just been received. SM remarked that at DB North Pitch the users were allowed to store equipment.</p> <p>AY informed members of another possibility for a half-size basketball court in the area by the primary school in Nim Shu Wan. AY attended a site visit with LCSD and the District Council member of Peng Chau had expressed an interest. Permission would be required from the Lands Department to lease the land. Whilst it would not be located inside DB it would be open to DB, Nim Shu Wan and Peng Chau residents.</p>	
6.4	<p>Security Liaison Group BH shared there was a low-crime rate over the summer and praised the security team. A joint exercise drill was held with security and police on how to respond to suspicious people.</p> <p>CYY added that a burglary was committed last week in Peninsula. Police were investigating and CCTV will be reviewed. BH encouraged members to remind residents to be vigilant.</p>	
6.5	Senior Citizens Working Group (COC Paper 582/18) JL sent apologies and submitted the paper update.	
7.0	AOB	
7.1	<p>Golf Course House Development at Area 1A/1B SM referred to information received from Mr. Andrew Burns that was circulated by CM to COC members. It was proposed that the issue be discussed at the next COC meeting however some members raised the urgency of the issue.</p> <p>AY reminded members that the occupation permit had been issued. AY suggested that COC writes to the Legal Advisory Conveyancing Office of the Lands Department insisting that before the approval of the Sub-DMC the correct calculation of management units should be obtained in line with the Principal Deed of Covenant. SM recommended that technical</p>	

	<p>help should be obtained.</p> <p>ER referred to the Apple Daily and SCMP which referred to Area 1A/1B saying it was “set to test the limits on low, small nano-flats of how small nano-flats can go”.</p> <p>SM asked if members wanted CM to take any action.</p> <p>AY suggested that CM engage an independent Authorized Person to perform the proper calculation according to the DMC and then advise the COC. Members agreed with AY. FKW replied that it was the right of HKR to enter into a sub-DMC in respect of any village and the sub-DMC was then approved by LACO prior to its execution and therefore FKW considered it inappropriate and improper for CM to engage an independent Authorized Person.</p> <p>SM enquired who then was able to provide advice. DRB stated it was CM's job to ensure that all owners were paying a fair management fee based on the sub-DMC. However, it appeared CM were unprepared to carry out that particular duty because it conflicted with their parent company.</p> <p>SM asked for an independent body to take up this issue on behalf of COC members. BH enquired about the cost involved. CYY reminded SM that a resolution paper was to be submitted. ER reiterated that the issue should be followed up by the COC. AY agreed and reaffirmed the duty of CM to ensure the calculation was correct and if they failed in their duty they would have the liability to bear particular as it is a related party being the wholly owned subsidiary of HKR.</p> <p>SM asked CM to look at this and provide some independent advice before the next meeting and if this was not given a resolution would be drawn up for members to vote on.</p> <p>SMS expressed concern around the timescale. DRB and SM agreed. DRB proposed writing to the relevant authorities to express the COC concern that there was a potential error. AY affirmed and said the proper authority was LACO of the Lands Department. SM stressed it was the duty of CM to write, however DRB pointed out that they were conflicted out. SM said CM must respond first and in the meantime members would put together a motion for the next meeting. AY again stressed the importance of time and asked for the motion to be put in writing for COC members to sign within seven days. DRB enquired if papers were approved by vote could the motion be circulated. SM was unsure and would check.</p> <p>SM confirmed that COC members were in agreement that action should be taken by CM.</p>	
7.2	<p>Flying Drones Regulations in HK/DB</p> <p>BH raised the issue on behalf of Peninsula VOC. Complaints had been received about drones flying very close to apartment windows and invading privacy. BH shared on the conflicting views held within the VOC about what can and cannot be done. BH requested clarification of the rules for flying drones in DB and or Hong Kong.</p> <p>CYY confirmed that in DB there were no City rules concerning flying</p>	21:44

	<p>drones and neither had the government detailed any regulation to-date. CYY said if the activity was creating a nuisance to residents then CM would act accordingly. CYY advised members that flying drones were used for the dragon races which proved very successful and efficient. CYY assured members that staff operating the drones were trained in proper use. CYY also said that members had suggested drones be used in areas that were not easily accessible for more efficiency. CYY assured members that if the activity was proving a public nuisance and invading privacy then CM would act accordingly.</p> <p>BH asked if a resident experienced a drone filming them in their property should they call the police. It was suggested this invasion of privacy could be considered trespassing.</p> <p>DRB remarked that the civil aviation provided drone regulations related to drone activity close to the airport however did not cover recreational drones. ER added it would be very difficult to monitor recreational drones.</p>	
7.3	<p>Possibility of having a Basketball Court in DB This item was covered in 6.3.</p>	
7.4	<p>Proposed Temporary Waiver No. CX2734 for a Temporary Carpark adjacent to Area 17 near the Tennis Court (COC Paper 580/18) AY referred to the previous discussion in the COC meeting supporting the waiver on the condition that twenty golf-cart parking spaces were allocated. However, since the waiver was issued on 20 July no golf-carts had been allowed entry. AY asked CM if anything had been done to facilitate the golf-cart parking.</p> <p>CYY responded and clarified that CM vehicles were not allowed to park in this location as it was for commercial vehicles only, and if CM vehicles were parked CYY encouraged members to inform CM. CYY explained that HKR had applied for the waiver and were advised by the transport department that a separate vehicle entrance for golf-carts was required. HKR had submitted drawings which had just now been approved and HKR had since applied to the buildings department for the installation work for the entrance to start. Once permission had been received work would commence. CYY confirmed that 20 golf-cart spaces had been fenced off but golf-carts could not access until the additional entrance had been completed.</p> <p>AY claimed the boundary had only been made since photos were sent to this Committee for discussion. AY requested that CM ask HKR to speed up the work highlighting the danger of having large commercial vehicles accessing a road which had numerous golf-carts parked alongside as there was no other place for them.</p> <p>CYY replied CM cannot comment on the work that HKR had done but highlighted that the temporary waiver took one year to be approved with CM urging HKR to push the government department. In the meantime, HKR had provided extra security guards to man the traffic at a cost of \$5-6M. CYY added that there had been no single fatality owing to the construction work which began two years ago and reiterated HKR were committed to employing extra guards to man different areas. CYY also reminded members that the building department had its own procedure and approvals were dependent on the government.</p>	21:51

	<p>ER noted that Hillgrove also had an acute problem with lack of golf-cart parking spaces because other vehicles are parking in their spaces. FC remarked that villages had the right to restrict vehicles from parking in resident's parking spaces.</p> <p>AY said that CM vehicles were parking in a lot of these spaces and referenced photo evidence. AY stressed the serious problem of lack of car parking spaces throughout DB. AY once again referred to the area that was allowing commercial vehicles to park but was prohibiting golf-carts. CYY clarified CM did not manage this area and it was a government requirement not a CM requirement.</p> <p>AY said that a letter would be written to the relevant government department to request the process be expedited.</p>	
7.5	<p>Report on The Progress of Plaza Development (COC Paper 581/18)</p> <p>AY referred to the expansion of the plaza development and asked for assurance that the public recreational facilities at the plaza remain a provision to the public, as legally required. AY also asked that HKR inform owners and residents regarding the type of shops that would be provided. AY further suggested that HKR conduct a survey to seek residents' preferences which would benefit all parties. AY specifically asked HKR representatives attending the meeting to convey the request for a survey back to HKR.</p> <p>DRB requested the temporary installation of additional tables and chairs. BH responded that this had been done.</p> <p>AY asked HKR representatives to advise when the commercial and bus terminus project would be finished. CKC responded that current progress is in-line with the target timeline. SM said the bus terminus was scheduled for completion first quarter 2019. SMS remarked that HKR had promised to keep owners informed of the progress however the limited response given today was unbelievable and insulting. AY expressed her disappointment with HKR's response.</p> <p>CKC expressed disappointment at AY and emphasized the effort that had been taken to minimize the inconvenience caused to DB residents and owners. CKC also made reference to the extra manpower cost that was deployed for traffic safety.</p> <p>SMS countered that the promise to keep residents informed of the progress had not been kept and there was no answer to when the project would be completed. SMS acknowledged the initial effort but highlighted the failure in keeping residents updated and suggested an update would be appreciated. CKC replied that residents were updated. SMS claimed no thorough update had been received for months. DRB agreed that HKR's response was meaningless. CKC assured members there was no intention to hide anything. AY agreed that HKR had spent a lot of money to make DB safe during the construction period and pointed out that HKR would also make a lot of money from rental revenue from a new commercial complex. AY highlighted the suffering of residents because of the construction site especially during the rainy season, and referred to numerous complaints received which was why the question about project completion was asked. CKC commented that all member comments were duly noted and agreed to advise their public communication team to provide the necessary updates. CKC reminded members that ten years</p>	22:00

	<p>ago when D-Deck was under construction residents were annoyed, however after it was completed everyone was very happy.</p> <p>BH requested that members of the PLG make a request for DB Transport to provide a presentation to the COC that explored the idea of replacing the overnight ferry with a bus. The bus would be more ecological and economical, as well as cheaper for residents and would pick up at different stops along the way. This request received members' approval.</p> <p>SM closed the meeting.</p>	
8.0	Date of Next Meeting – 24th October 2018	