

**DISCOVERY BAY HILLGROVE VILLAGE OWNERS' COMMITTEE**

**Minutes of Meeting No 8 2018-2019**

**held on 4 June 2020 at 7:30pm at Conference Room No 2, Discovery Bay Office Centre**

**Present:**

Mr Edwin Rainbow	(ER)	Chairperson
Ms Janice Fung	(JF)	Vice Chairperson
Ms Alice Li	(AL)	Member
Mr Chung Kwok Wah	(CKW)	Member
Mr Edmund Fan	(EF)	Member
Mr John Antweilier	(JA)	Member
Mr Michael McGuire	(MM)	Member
Ms Nikki Wepener	(NW)	Member
Mr G H Koo	(GH)	Manager – Estate, City Management (CM) (Secretary)
Mr Sam Lo	(SL)	Contracts Manger – Works, CM
Ms Ricky Kong	(RK)	Senior Officer – Estate, CM

**Absent with Apologies:**

Ms Lo Yuk Shan Connie	(CL)	Member
Mr Edwin Tam	(ET)	Member
Fine Faith Limited	(FFL)	Member
Ms Kimberly Keng	(KK)	Member
Mr Martyn Keen	(MK)	Member
Mr Nigel JH Reid	(NR)	Member
Mr Yiu Leslie Sheun Lai	(LY)	Member

**In Attendance**

Mr Philip Wong	(HPA)	Messrs Ho & Partners
Ms Chan	(HPA)	Messrs Ho & Partners
Mr Raymond Leung	(Fulam)	Fulam Construction Engineering Co Ltd
Mr T S Yeung	(Fulam)	Fulam Construction Engineering Co Ltd

**1. Confirmation of previous meeting minutes**

The drafts of meeting minutes of VOC Meeting No 7 of 7 November 2019 was tabled and circulated for review before the meeting. There was no further comment to the drafts from Members. The draft was proposed by JA and seconded by MM. The Chair signed off the meeting minutes. There were no objections upon the Chair's seeking consent for the audio recording.

## **2. Matters arising**

### **2.1 Report on actions on golf cart parking and other daily irregularities**

CM had received several complaints from Members and residents about the tidiness and management control over the open areas, driveway and the appearance of the building frontage at street. There was a list of items including debris left by decoration contractors left behind at driveway, debris being removed from the buildings long before the arrival of skip trucks, misuse of passenger (only) lifts, and clothes hanged at the balconies which created unpleasant appearance from outside. To tackle the issues, a checklist was suggested for guard operation to prevent these from happening and to alert respective contractors and residents to follow the rules. Since the site team could only work with limited security resources, CM proposed to draw up a checklist against the above issues and to deploy the guards to carry out monitoring at specific hours, so that the duty guards or officers were to follow up more effectively. CM to proceed with the proposed action plan and would review the result in next meeting.

## **3. Discussion and resolution of handling procedures of bicycle parking at common areas**

After repeatedly requests raised to the cyclists parking the bikes around improper location in front of Elegance Court, it was reported that the case was finally resolved as the building frontage was found clear.

## **4. Management Report by City Management**

### **4.1 WR2 fixed electrical installation inspection**

CM advised that all WR2 inspections and defect rectification to the three blocks were completed satisfactorily to date. The defect rectification of Glamour Court was delayed by about one month to May in view of more work from home occurred during the recent Covid outbreak. Such delay could reduce inconvenience to residents who stayed at home for business.

### **4.2 Water pump replacement at Brilliance Court**

The potable water booster pumps at Brilliance Court were found deteriorated and the quote was endorsed by VOC in the last meeting. CM advised that the two potable water booster pumps were replaced and the function was observed normal.

## **5. Progress of Renovation**

### **5.1 Renovation Working Group Meeting of February on Improvement Items**

According to the Renovation Working Group (RWG) Meeting in February, the wish list of improvement items was divided into two categories which were circulated to VOC before the meeting. In summary, the first category consisted of items that could be done under daily repairs and maintenance of which the costs would be borne by daily expenses. The second category was mainly improvement in nature of which the costs would be financed by renovation account / reserve as appropriate. The list was annexed for easy reference. CM to draft a proposed timeline for each item on the list.

### **5.2 Underground Conduit Work (for digital notice board and CCTV system)**

The subject item was covered under Item 5.1 above.

### **5.3 Discussion of Various Variation and Defects for Renovation Work**

#### General

Following the recent declining cases of Covid outbreak in the territory, Fulam had continued the defect rectification of renovation. Fulam reported that about 95 percent of the items had been rectified whereas the majority of them was cleaning items. In view of the work status, HPA recommended the date of practical completion being fixed on 3 December 2019, while an extension of time would be granted due to severe weather to offset the postponement of original contract completion date of 3 November 2019. The recommendation was agreed by the Committee. Therefore, the defect liability period would expire on 3 December 2020 before which there would be another final site inspection to confirm the work completion before releasing the retention money according to the contract.

There was a site walk covering the three blocks with Members in the afternoon before the meeting and inspection was conducted on waterproofing work at roof, repairs of floor lobbies, lift door replacement and ground floor lift waiting area. During the inspection, the group had observed the trial of a painted new floor tiles with colour matching with the existing ones. After the replacement of some six months ago, the surface paint of this new tile was found durable and less colour shading to the old tiles next to it. It was agreed that new paint of tailor-made colour would be ordered and be applied to the spare tiles for future replacement.

#### Renovation Cost

HPA reported that there was a saving of renovation cost as a result of minor changes of scope of work. The work of lift car full refurbishment was taken out allowing for the replacement of main sewage pipes at rear staircase. The final amount would be verified by quantity surveyors and reflected in the final account. There was no utilization on the whole of the contingency as well.

## Outdoor Areas – Driveway Ponds

Despite the renovation work being completed in general, there was a major defect of ponding at the driveway that needed to be rectified. According to the contract, the paving blocks at the driveway were required to be aligned at a level to drain off the excessive rain water and the broken paving blocks were needed to be replaced. After the replacement and re-leveling, ponds appeared after heavy raining over the last few weeks. It was concluded that the work was not being carried out up to the contract requirement. HPA would study the work done and schedule a meeting afterward to discuss about a possible solution to the subject.

## **6. Report on Financial Status**

### **6.1 Village Finances Update**

CM advised that the new budget for the Year 2020 – 2021 was drafted and posted at the Village for general consultation. The existing management fee level would remain unchanged in view of the economic outlook. To strike a balance, the monthly reserve fund contribution was reduced as to yield a surplus budget. CM received no adverse comment and the new budget was adopted.

CM would also circulate the latest aging report on management fees and renovation contribution to the Committee for reference.

### **6.2 Legal Actions for Recovery of Interest over Long Overdue Debt**

CM reported that the formal instruction to Messrs Chung and Kwan to commence the process of legal proceedings against the default owner(s) for the outstanding has been done. CM informed the Committee that case would go to the District Court as the case was beyond the jurisdiction of the Small Claims Tribunal.

CM had instructed Messrs. Chung and Kwan give a legal advice on the appropriate basis for such calculation. The Chairman challenged this remark and reminded the Committee that legal advice had already been independently provided by the Chairman himself and that it showed that there was a strong arguable case that any eventual claim should be based on compound interest, in line with the VOC's unanimous interpretation of the Principal Deed of Mutual Covenant. The VOC remained unanimous on this point, albeit aware that CM had for years failed to convince the Committee that the said Principal Deed implied simple interest.

The Chairman reminded those present that the objective was to have a judge make the decision on the interpretation of the said Principal Deed, and that the Committee had no freedom to concede to the opinion of CM.

The Committee confirmed to the CM Manager that the release of funds from the Hillgrove reserve was strictly conditioned on any claim for outstanding debts to be based on the legal advice from Carol Wong [barrister-at-law].

## **7. Matters of City Owners' Committee Meeting**

ER has provided the summary of last City Owners' Committee meeting held on 27 May 2020 which was recorded as follow:

- (1) During the meeting, a member queried that the short term tenancies facilitating the potable water supply from Government along Siu Ho Wan through Discovery Bay Tunnel area was unfair as the agreements with Government were concluded without consultation to the community. CM would provide the history and updated status to the committee.
- (2) On the Parkridge case about the right of the chairman of an owners' meeting to decide the procedure of a poll vote, Lands Tribunal held that the poll vote should be conducted in a manner as the chairman should direct before the meeting was officially announced closed.

## **8. Reports of Sub-Committees and Working Groups**

Representatives gave reports on various sub-committees and working groups as follows.

<b>Sub-Committees and Working Groups</b>	<b>Particulars</b>
Finance Sub-Committee by JA	<ul style="list-style-type: none"><li>• There was a discussion on the cost sharing of maintenance and operation of DB North Inclined Lifts. Members felt that the costs above should not be borne by DB as a whole, but by the new developments in the vicinity. HKR would offer justification of the future arrangement.</li></ul>
Environmental Protection Sub-Committee by NW	<ul style="list-style-type: none"><li>• New food decomposer was installed at Greenvale to increase DB's capacity in handling food waste.</li><li>• To alter awareness of proper separation of recycling material, mor sign to be applied at recycling bins for indication purpose.</li><li>• The wood chipper was located at upland and operation commenced.</li><li>• More proper recycling bin system were suggested around City areas.</li><li>• DB F&amp;B outlets were encouraged to use dissolvable package for take away.</li></ul>

## **9. Community events**

Due to the outbreak of Covid-19 early this year, community events and activities were suspended until further notice.

**10. Any Other Business**

A Member mentioned that some flats were suspected to be operated as bed-and-breakfast guesthouse (BnB). CM advised that there was a list of these flats which site staff kept monitoring the activities associated with these flats. CM would write to Home Affairs Department and conduct joint operation against the occupiers and keepers if appropriate. Illegal guesthouse was strictly prohibited as it imposed potential hazard to the buildings in terms of security and fire safety.

**11. Date of Next Meeting**

Next meeting to be confirmed and the upcoming Annual General Meeting to be held in September tentatively.

As there be no further business, the Meeting was closed at 10:15 pm.



Chairperson