

**DISCOVERY BAY CITY OWNERS' COMMITTEE**  
**Minutes of Meeting No.3 2011-12 held on 28 March 2012**  
**7:30pm at MPH, Discovery Bay Office Centre**

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**Members Present:**

Mr. Simon Mawdsley	(SM)	Chairman COC & Midvale VOC
Ms. Amy Yung	(AY)	Chairlady, Beach VOC
Mr. Andrew Burns	(AB)	Chairman, Headland VOC
Mr. Eddy Shen	(ES)	Chairman, DB Plaza VOC
Mr. Francis Chiu	(FC)	Chairman, Siena Two B VOC
Mr. Kent Rossiter	(KR)	Chairman, La Costa, VOC
Mr. Kenneth Bradley	(KB)	Vice-Chairman, Parkvale VOC
Ms. Maggie Chan	(MC)	Chairlady, Neo Horizon VOC
Mr. Michael Law-Kun	(ML)	Vice-Chairman, La Vista VOC
Mr. Rene Buts	(RB)	Vice-Chairman, Greenvale VOC
Ms. Deborah Wan	(DW)	Chairlady, Peninsula VOC
Mr. Alan MacDonald	(AW)	Vice-Chairman, Peninsula VOC (Replacing DW who was absent in the early part of the meeting)
Mr. Tony Cheng	(TC)	Representative, Registered Owner
Mr. Peter Nixon	(PN)	Representative, Schools
Mr. Vincent Chua	(CKC)	Director, DBSML
Mr. F.K. Wong	(FKW)	Chief Manager, Estate, DBSML

**Apologies:**

Mr. Christian Chasset	(CC)	Chairman, Hillgrove VOC
Mr. David Kwok	(DK)	Chairman, Chianti VOC
Mr. Jan Hofstede	(JH)	Chairman, Parkridge VOC

**Secretary:**

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

Ms. Key Lam	(KL)	Assistant Manager, Community Relations & Admin, DBSML
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**By Invitation:**

Mr. W.S. Yau	(WSY)	Senior Manager, Contract Management and Works, DBSML
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**Staff of City Management:**

Mr. Wilson Chan	Manager, Estate, DBSML
Mr. G.H. Koo	Manager, Estate, DBSML
Mr. Daniel Ma	Manager, Estate, DBSML
Ms. Jennifer Lee	Manager, Estate, DBSML
Ms. Wendy Li	Manager, Estate, DBSML
Ms. Alice Chung	Assistant Manager, Estate, DBSML
Mr. Steve Kwok	Assistant Manager, Estate, DBSML
Mr. David Chan	Assistant Manager, Estate, DBSML

**Observers:**

Mr. Victor Riley	Owner, Midvale
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The Meeting was declared duly convened with the necessary quorum of members present.

**Action**

<b>1.</b>	<p><b>APOLOGIES</b></p> <p>CYY announced that apologies were received from CC, DK and JH.</p>	
<b>2.</b>	<p><b>CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING</b></p> <p>CYY advised that there had been a late amendment from CB, which is yet to be incorporated. PN also suggested taking out the names of the two residents in item 4.5 (Sports and Recreation Sub-Committee). SM agreed.</p> <p>There were no further comments on the revised meeting minutes. With KB proposing and RB seconding, SM declared the minutes of meeting No.2-11/12 held on 11 January 2012 approved.</p>	NOTED
<b>3.</b>	<p><b>MATTERS ARISING FROM PREVIOUS MINUTES</b></p> <ul style="list-style-type: none"> <li>● Slope Inspection Reports to the VOCs</li> </ul> <p>WSY informed that layman's inspection had been carried out in villages of Phase 1 to 8 and City Common &amp; Licensed areas (except those where geo-technical engineering inspection would be carried out). Consultants had been appointed for engineer inspection to slopes at Phase 9 to 13. KB confirmed that CM had presented the report to his village.</p> <ul style="list-style-type: none"> <li>● Follow Up with Kadoorie Farm re. Community Farm Project</li> </ul> <p>Since DW was busy with the Rehab bus project, this item would be postponed.</p> <ul style="list-style-type: none"> <li>● Audio Equipment for Simultaneous Translation Services (English to Chinese only)</li> </ul> <p>CYY advised that the equipment had already been bought for COC and VOC meetings. KB enquired if they would also be available for working group meetings. CYY confirmed that they were.</p> <ul style="list-style-type: none"> <li>● Educational Facilities Sub-Committee</li> </ul> <p>SM reported that he would further work on the formation of the Sub-Committee.</p> <p>TC clarified that HKR had originally undertaken to join the sub-committee with the understanding that the COC would support the lease renewal of DBIS kindergarten. However, despite the unanimous support at the COC meeting, a member subsequently raised objection in the District Council meeting and another member raised queries to the government. Therefore, HKR would not join the sub-committee meetings.</p> <p>AY clarified that she did not raise objection at the District Council</p>	NOTED

	<p>meeting and demanded apology from the person making such an accusation. She said that the minutes of the District Council meetings were open to the public.</p> <p>In response to RB's request to read the minutes, AY said that it was available on the District Council website. Further, HKR had previously translated the full Chinese minutes into English. SM suggested circulating copies of the minutes to all COC members. TC reminded members that the English translation on the website was a gist translation only, and clarified that this was not prepared by HKR but by the secretariat of the District Council. To have a full understanding of the matter, he suggested that members could listen to the recording and read the Chinese version of the meeting minutes.</p> <p><i>Post Meeting Note. A new waiver allowing the police station to be used as a kindergarten was approved by the District Lands Office, Islands, on 28<sup>th</sup> March, 2012, paving the way for a new lease to be signed. The new waiver differs from the former waiver in that any kindergarten may lease the site; use is not restricted to Discovery Bay International School by the terms of the waiver. Furthermore, the new waiver has no time limit. After an initial four-year term, the waiver is renewable quarterly thereafter. The previous waiver ran for a fixed term of eight years.</i></p> <ul style="list-style-type: none"> <li>● Equipment installation for additional SMATV channels</li> </ul> <p>WSY confirmed that the additional channels had already been in service.</p> <ul style="list-style-type: none"> <li>● Sports and Recreation Sub-Committee &amp; Police Liaison Group</li> </ul> <p>SM apologized for not bringing forward the proposed names to the meeting and would email them to members after the meeting.</p>	
<p><b>3.1</b></p>	<p><b>Grass Cutting Cost at Valley Road</b></p> <p>As agreed at the previous meeting, the Chairman organised a separate meeting to resolve the concerns raised in COC Paper 342/11, presented at the COC meeting on 26 October, 2011. members attending the working meeting agreed to propose to the COC that CM be censured for overstating the grassed area to be cut along Discovery Valley Road by a factor of 10 times.. The following resolution was put forward for members' consideration:</p> <p><i>This Committee expresses its disappointment that the grass-cutting area along Discovery Valley Road was overstated by a factor of ten in the two most recent tenders issued by City Management for grass cutting in City areas. This Committee accepts City Management's apology and goodwill offer to make a cash donation sufficient to cover the cost of one fibreglass dragon boat for use by the Discovery Bay community. This Committee now considers this matter closed, and looks forward to the application of more stringent checking and verification standards to all future tenders issued by City Management.</i></p> <p>RB enquired if the original proposal to utilize the refund on landscape</p>	<p>NOTED</p>

	<p>improvement work was still offered. AB clarified that the new proposal to sponsor a dragon boat was a gesture of goodwill by CM and should not be construed as compensation.</p> <p>RB proposed the censure and AY seconded it. Five members voted in favour (KR, AB, AY, RB &amp; DW), no members voted against and six member abstained (FKW, CKC, TC, KB, ML &amp; MC). The motion was carried.</p>	
<b>3.2</b>	<p><b>Renewal of STT CX 1376, 1377 &amp; 1333</b></p> <p>SM advised members that no further meeting had been arranged since CB was overseas. A report would be made at the next meeting.</p>	NOTED
<b>3.3</b>	<p><b>Tree Inspection</b></p> <p>CYY advised the findings from Development Bureau that they would only be responsible for trees in public areas. Therefore, CM had to carry out tree inspection in DB on their own. CM had obtained a brochure from Development Bureau and circulated it to members.</p> <p>To address the concerns on tree safety, SM told members that the tree inspection exercise would be re-tendered with a different scope of work. He and FKW would work on the tender, covering items suggested by members. The draft tender would be circulated to members for comment before it was sent out.</p>	CM/CYY
<b>3.4</b>	<p><b>Follow up on Declaration of Interest</b></p> <p>AY would like to follow up on the register and disclosure of the declaration of interest after it had been raised several months ago. To improve the system, she suggested that CM give the form to all newly-elected members for signing after a new VOC was formed, and to keep the record for future inspection.</p> <p>SM enquired as to who was looking after the record. CYY replied the secretary was responsible for the maintenance of the record. SM further asked about the procedure for keeping the register and how to gain access to it. CYY recalled that it would be up to individual members to sign the declaration but CM would keep the record accordingly after receiving such forms.</p> <p>With the aid of a PowerPoint presentation, CYY showed the names of COC and VOC members who had signed the form.</p> <p>RB asked if the vice-chairmen of the VOCs had to sign it. SM advised that every member including those from different tender working groups could sign the form on a voluntary basis. In fact, all members of the Cleaning Tender Working Group had also signed it.</p> <p>After viewing the names, AY pointed out that members who had not signed the form were not shown in the table. She preferred to create a table which showed all the names of the members along with the dates they signed the form, so that names without a date would mean that member had not made the declaration. SM agreed.</p>	CM/CYY

	<p>FC wondered if it was of public interest to show the information. SM viewed that it would not cause a problem if only names and dates were shown. KB suggested submitting the table to the Office of the Privacy Commissioner for advice. SM agreed and he would take the tables of Midvale and Parkvale for advice.</p>	<p>SM</p>
<p><b>4.</b></p>	<p><b>COC SUB-COMMITTEE/ WORKING GROUP UPDATES</b></p>	
<p><b>4.1</b></p>	<p><b>Finance Sub-Committee</b></p> <p>AY reported the discussions that had taken place at the FSC meetings with items including major expenditure of City 2012-13, consumables, user-pay for irrigation water and cleaning expenses.</p> <p>After AY's report, FKW responded on two items: Regarding any revision of the budget in the event that new developments were not completed according to the schedule proposed in the budget, he advised that, with reference to the BMO, the budget would be revised on condition that the manager wished to do so while the Principal Deed specified that the budget would be revised if there is a change in the amount of the Advance Payment (i.e. management fee). Secondly, on the subject of cleaning expenses, he clarified that the pier toilet was a City Common Facility, not City Retained Area.</p> <p>AB advised that, according to the Supplementary Master Plan for Area 9a, the pier toilet was classified as Commercial, which meant that it was HKR-owned property under the DMC. Therefore, it was not a City Common Facility. Regarding the requirement to revise the budget, he asked FKW to expand on his interpretation of the BMO.</p> <p>DW also wondered whether the cleaning of the pier toilet had been paid by City Funds, as it was erected on the land owned by HKR.</p> <p>SM suggested discussing this in the Retained Areas Licensed to City Management meeting.</p> <p>With regard to the in-sourcing of the security management team, AB suggested that a COC paper be prepared outlining the strategy and implementation details. CYY recalled that there was no objection to the in-sourcing proposal at the Security Wash-up meeting and he emphasized the synergy effect brought by this arrangement. He believed that preparing a COC paper would not be adequate, and proposed discussing the logistic arrangements with members of the former working group prior to issuing a paper. AB commented that he had made the initial proposal at the Security Wash-up meeting and was pleased to see the proposal going forward.</p> <p>To achieve a breakeven on the repair and maintenance account, AB suggested a reconciliation at the end of the year based on the actual total costs. WSY indicated that there had been a proper job order record showing the man-hour and the material costs.</p> <p>On the item of capital expenditure and utilization of City Reserve Fund, AY clarified that the City would not take up the expenses of the concerned area belonging to HKR. SM reminded members that they should read the tender carefully and discuss it thoroughly before</p>	

	<p>awarding the contract to avoid any conflict afterwards.</p> <p>Regarding the cleaning expenses by village, AY pointed out the irregularity in Greenvale. FC commented that the allocation appears to have been fairer in previous contracts, but that the last contract used a different calculation.</p>	
<b>4.2</b>	<p><b>Environmental Protection Sub-Committee</b></p> <p>FC reported the discussions that had taken place at the EPSC meetings with items including local plastics recycling and the visit to Yan Oi Tong EcoPark Plastic Resources Recycling Centre.</p> <p>SM asked if Winson would receive any advantage in the new tender if Yan Oi Tong could collect the domestic plastic wastes of DB. FC replied that no extra costs would be incurred for Winson to transport the plastic wastes to a different point; other cleaning companies would be the same. FKW reminded members that according to the tender, all the recyclable materials belonged to the contractor.</p> <p>DW noted the reminder but she suggested asking the cleaning contractor to give the materials to Yan Oi Tong, which was supported by the Environmental Protection Department, as a gesture of goodwill. She hoped that the COC could support this non-profit recycling scheme.</p> <p>FKW further elaborated the rationale for putting collected recyclable materials under the ownership of the cleaning company. He pointed out that the cleaning company would not charge extra for the collection and that the proceeds from the selling of recyclable materials would be given to the cleaners to provide an incentive to them to collect the materials. Since the new cleaning tender had already been finalised, he suggested discussing this with the contractor after the contract was awarded.</p> <p>FC agreed with FKW and he hoped that an environmentally-friendly cleaning company would be chosen.</p> <p>ML commented that the recycling of plastics was a complex issue as different kinds of plastics had different recycling rates and uses.</p>	
<b>4.3</b>	<p><b>Rehab Bus Working Group</b></p> <p>With the aid of a PowerPoint presentation, DW updated members on the responses and findings of the questionnaire circulated to all households in DB on the need for a rehab bus service, progress for the preparation of the fund-raising event and the bank account.</p> <p>KB enquired about the back-up plan, if the shortfall could not be raised before the time of delivery when full payment of the vehicle needs to be settled. DW pointed out that the back of the rehab bus was still available for advertisement with target sponsorship of \$300,000, and SM had already prepared a letter for invitation of that sponsorship. She was confident to get enough funds for the project. KB further asked if they could apply for the lottery fund. DW replied that it was not feasible, as the rehab bus was dedicated to DB</p>	

	<p>residents.</p> <p>SM supplemented that some revenue could be made as the rehab bus would provide service to non-DB residents when it was not booked by local residents.</p> <p>CYY highlighted some comments stated in the questionnaires. Besides, he also advised that, originally, it was proposed to use the Owners' Fund for the fund-raising event. However, a member of the working group had advised that it would not be appropriate and undertook to subsidize the fund raising event if the revenue from the event could not offset the expenses.</p> <p>AB asked for members' support for the project and urged them to mobilize their VOC members to volunteer on the fund-raising day. DW also asked the managers of individual villages to mobilize their VOCs and distribute information leaflets to them. She suggested inviting those who would benefit from the service to join the rehab bus trial run and share their feedback.</p> <p>ES viewed that the cost of the rehab bus should be borne by the Reserve Fund instead of by donation as it would benefit the whole DB community, unless it was prohibited by the DMC. FKW replied that he needed to check with the DMC on the relevant provision since the rehab bus would not be operated by CM and it was a matter of donation.</p> <p><i>Post Meeting Note. FKW replied to members on 10 April, 2012, that the Principal Deed authorised CM to utilise the Management Funds for the management of the City. Making a donation to an outside organisation to run a rehab bus, even if that bus served DB residents, could not be construed as a management expense.</i></p> <p>To show support to the fund-raising event, CKC assured that no overtime allowance would be incurred for CM staff assisting in the event.</p> <p>RB enquired if, for instance, his village could sell hotdogs on the event day and give the proceeds to the rehab bus. DW welcomed the suggestion.</p>	<p>NOTED</p> <p>CM</p> <p>CM/FKW</p> <p>NOTED</p>
<p><b>4.4</b></p>	<p><b>Cleaning Tender Working Group</b></p> <p>FKW reported that only four out of eight contractors had attended the site visit on 20 March. Three contractors who did not participate on the day had declined the invitation, with one among the biggest companies in the trade. He believed that the low response from the tenderers was because the tender requirement was too complicated and he expressed his worry on the returned tender price.</p> <p>FKW also declared interest as one of the representatives from a cleaning company who attended the site visit was an ex-CM staff.</p> <p>SM noted the situation and would wait for the tender opening on 30 March.</p>	<p>NOTED</p>

<p><b>4.5</b></p>	<p><b>Maintenance of and Access to City Owners' Committee Records</b></p> <p>AB reported that a joint meeting to discuss this issue and the licensed areas issue was held with CYY and some members, including SM, CB, FC, RB and the Vice Chair of Beach Village, on 23 February, 2012. He also sent an email to all COC members inviting them to comment on the proposed scope of COC records. SM had replied to suggest including tender documents. However, AB doubted that these could be considered COC records. Rather, they are likely to be CM records. However, CM's permission could be sought. AB further recommended including records of declaration of interest and the audio recordings of meetings.</p> <p>With reference to the DMC, CYY advised that all records have to be open for all owners. However, if it is a CM record, some documents with confidentiality like tender documents could be handled differently. Besides, in reply to AB's email, he indicated that "consultation" with members on tender exercise was different from "delegation" as stipulated in the function of the COC in the DMC.</p> <p>AB thanked CYY for his comments and suggested that the discussion be taken forward at a subsequent meeting of the small group.</p> <p>KB raised his concern on the priority of all the items discussed. He considered that this item could be dealt with later. SM agreed that it was necessary to prioritise the work load of members.</p>	
<p><b>4.6</b></p>	<p><b>Retained Areas Licensed to the Manager</b></p> <p>SM reported that at the second part of the meeting on 23 February, 2012, a draft plan indicating the City Retained Areas licensed to the Manager as City Common Areas was provided by CM and discussed. At the meeting, CYY had noted at least one error, and had advised that he would request a corrected version from HKR. AB said that the next step would be to review the plan with CM and determine whether the areas identified met the definitions of licensed areas under the Principal Deed.</p>	
<p><b>5.</b></p>	<p><b>CM REPORT</b></p> <p>With the aid of a PowerPoint presentation, CYY &amp; WS presented the CM Report, including BMS upgrade (Stage A), slope inspection, on-going projects, upcoming tenders and community events.</p> <p>Regarding the BMS upgrade, AB suggested holding a meeting of the working group to discuss the reports submitted, the technical issues and the way forward, as there had been no opportunity as yet to discuss the recommendations.</p> <p>For the replacement of vehicle DB125, SM asked CM to circulate the quotation of the vehicles for members' consideration.</p> <p>To reduce the amount of work, DW suggested CM to categorize the types of works to new works and routine works, and then study if it would be feasible to award the contract with a longer period in order to save management time and consultation frequencies with the</p>	<p>NOTED</p> <p>CM/CYY</p>



	<p>Committee. DW also suggested grouping similar works for tender and to consider term contracts.</p> <p>SM agreed to make the whole procedure simpler and would study it with CYY.</p> <p>A COC paper regarding the replacement of two retired dragon boats was issued to members before the meeting. During the CM report, CYY also briefed members on the budget of the Dragon Boat Races and advised that it would be sent to members after the meeting.</p>	CM/CYY
6.	<p><b>Resolutions for Endorsement of COC Papers Issued during the Period of 12<sup>th</sup> January 2012 to 28<sup>th</sup> March 2012</b></p> <p>The COC paper was issued to members before the meeting.</p> <p>Regarding the WR2 inspection in Sewage Pumping Station No.3, CYY reported that since there had been no objections from members, the contract had been signed.</p> <p>AB proposed the motion and FC seconded it.</p> <p>The resolution listed below (Paper No. COC T740/12) was passed unanimously.</p> <ul style="list-style-type: none"> <li>● WR2 inspection in Sewage Pumping Station No.3</li> </ul>	NOTED
7.	<b>ITEMS FOR DISCUSSION</b>	
7.1	<p><b>Major Expenditure of City 2012-13</b></p> <p>The email correspondence regarding the City budget was tabled for members' discussion.</p> <p>As this had also been discussed at the above item 4.1, FKW advised that the budget for all villages would be sent out after Easter.</p>	CM/FKW
7.2	<p><b>Protocol for Issue of Letter by Chairman to Represent COC and Conduct of CM during Public Consultation on HKR Application to Town Planning Board</b></p> <p>The COC paper prepared by AB was circulated to members before the meeting.</p> <p>At the outset, AB highlighted that his aim in raising this item was to seek a consensus among COC members on the protocol for the Chairman of the COC to issue a letter on behalf of the COC. He explained that a letter had been issued by the Chairman to put forward a COC view to the recent statutory public consultation on the rezoning of the Amenity Area near the tunnel in DB North. This letter had not been circulated to the COC, either before it was issued or after. The normal procedure in the past had been to circulate a draft letter for members' comment before a letter was issued. He sought the view of the meeting on the appropriate protocol.</p> <p>AB further sought members' views on CM's actions during the</p>	NOTED

consultation. CM had organised identical responses from a total of 88 tenants and contractors in DB and sent these responses to the Town Planning Board (TPB) from City Management and DB Transportation Services Ltd fax machines. Given the commercial relationship and the unique power that CM has in DB to approve various services for tenants and award contracts, AB felt that this raised issues of concern and sought members' views as to whether they considered this behaviour appropriate.

KB asked AB to explain the issues of concern. He asked if AB was implying anything.

RB interjected favours for favours.

AB denied that he was implying anything. He was simply seeking members' views on the appropriate protocol.

SM asked whether RB was implying that he had done anything wrong. RB responded that he was speaking about CM.

SM responded that he was extremely angry about this item, and that he was very happy to spend half an hour to go through to explain why he had written the letter. All members were aware of the views included in the letter.

AB again emphasized that he was not concerned with the content of the letter or the views expressed therein. He simply wished to seek members' views whether they should be consulted before a letter is released to represent the COC, and whether any letter that does go out should be distributed to members afterwards.

CYY read out a letter from DK, in his absence from the meeting. DK viewed that as the Chairman of the COC, SM, had the flexibility to exercise his right on behalf of COC especially when there were no members objecting to the rezoning application by HKR. He highlighted that he had seen the email exchange between the Chairman and CKC, and as long as the beautification works were carried out what harm would there be in carrying out the rezoning?

AB reiterated that he was not talking about the content of the letter but the procedure.

KB said that he had read the letter and there was nothing in it. What was the concern?

CYY reported that in the past six years, the ex-COC chairmen had also issued letters that had not undergone consultation with COC. They included some thank-you letters, including to the District Lands Office.

RB responded that he did not know what went on before CB became Chairman. However, under CB, a letter issued by the Chairman was always circulated and commented upon before issue, and then circulated to the full COC.

ES believed that the COC Chairman had the authority to represent

the COC as he was voted into office by the COC members. As long as there was no conflict of interest, the Chairman could issue a letter on the behalf of the COC.

ML, FC and KB agreed with ES.

SM emphasised that he had taken a COC view based on the email exchanges, and not a personal view. He would never take a personal view in such a letter.

AY highlighted that it was important to distinguish between important matters such as responding to Government consultations, and routine matters like thank you letters. A letter issued on COC letterhead over the Chairman's signature carried more weight with Government departments than letters sent by individuals. There needed to be a proper procedure in place governing the issue of such letters.

After listening to the views, AB concluded that members generally agreed that the Chairman could represent the COC to express a common view. He then addressed the second point raised in his paper, and asked whether the Chairman should ensure that such letter is circulated to members after issue. SM agreed that any letter issued by the Chairman should be circulated, and that he would ensure that any future letter he may issue under similar circumstances would be circulated.

The third concern of AB was the appropriateness of CM to approach the contractors and local commercial tenants to request their support for the rezoning application, in light of the relationship between CM and the tenants and contractors in DB.

CKC explained the stance of CM on the rezoning application. He advised members that traffic control was one of the major duties of CM. Thus, CM was very concerned that the existing location of PCO/PRO could be kept for such purpose as the site had proven to be very effective for external traffic control over the years. When approached, the contractors had expressed their satisfaction with the current location of the PCO/PRO. As a result, CM sought support by all means possible to make sure the application could be approved by TPB. If allowed to do it again, CM would not only mobilise the service contractors but he would mobilise all 150 CM staff to give their support.

CKC also advised that he had been working in DB for three and a half years. During this time, he had not received any complaints from local residents on the noise nuisance or air pollution created by PCO/PRO. Nor was there any discussion by the VOCs of the villages near the site. He had only received questions on whether HKR or CM would beautify the site.

AB asked that the discussion be directed at the question that he had posed: Whether members considered it appropriate for CM to use its position to gather views from the contractors and local commercial tenants and then relay those views to the TPB.

KB responded that whether it was appropriate or inappropriate, CM

can do whatever they want. It is just lobbying. KB considered it naïve to raise the subject.

ML considered that everyone had the right to lobby individuals and organisations to support their views.

AB expressed his strong support for ML's position. However, the issue at hand was whether it was appropriate for CM to lobby its contractors, given that CM had a business relationship with those contractors and even a controlling power over their business. He would have no qualms whatsoever if HKR had done the lobbying.

ES believed that the site was for the use of the whole community instead of merely the commercial contractors. HKR may not have properly planned for the PCO/PRO and it could be more attractive, but he could not see a better place than the existing site for traffic control. Otherwise the trucks would be lined up in the street.

TC said that it was sad to see that a few people who raised objections based on their personal agendas always dominated the public views in DB. These few people created obstruction in issues even if the issues would benefit the majority of residents. He found it strange to hear AB's repeated emphasis that the meeting should not discuss the contents of the letter issued by SM. Since some members were new to COC, he felt obliged to brief members on the background of the rezoning application.

TC pointed out that it was AB who challenged that the current use of the PCO/PRO site did not comply with the zoning of the site at the meeting of the Proposed Taxi and Coach Service Liaison Group (PTCSLG). When TC subsequently told PTCSLG that HKR would make a rezoning application in response to AB's challenge, AB expressed his appreciation of it. Hence, TC was most surprised to see AB's 10-page objection submitted to the TPB.

TC stressed that people objecting to the rezoning application had not considered the worst scenario which they might create. If CM could not have any site for controlling external vehicles entering DB, CM would be unable to collect the \$10 road usage fee and overstaying charge. As a result, there would be long queues of vehicles in DB and DB residents would suffer.

AB noted a need to respond, and advised that he had tried to engage on the issues that he had raised in his objection at the PTCSLG. However, he was prevented from doing so. When he expressed his appreciation for the decision to apply to the TPB, it was because an application to the TPB is a statutory process, and he would have the opportunity to raise his objections as part of that process. He apologised if his reason for expressing appreciation was misunderstood, but the Chairman of the PTCSLG is well aware that he, AB, had been prevented from raising his concerns in the Group.

SM recalled that the TPB application had been discussed at the COC meeting. AB clarified that the matter was only considered at the PTCSLG. At the PTCSLG, he had specifically requested that the COC be given the opportunity to discuss the matter but the PTCSLG

<p>Chairman had refused. At the COC, the PTCSLG Chairman had simply reported the decision to apply to the TPB and no discussion ensued. AB said that he again supported that decision at the COC.</p> <p>AY highlighted that areas that formerly served as a football pitch or a basketball court had been taken away by HKR without any consultation or re-provision. It is only recently that members have obtained access to many of the documents that govern the development of DB, and have seen what has gone on. There were supposed to be two transport interchanges in DB, one in Tai Pak and one in Yi Pak. But instead the amenity area is taken away.</p> <p>AY further shared her experience in the PTCSLG, noting that the majority of the members were appointed by HKR and that she considered the attitude of the Chairman of the PTCSLG to be horrible.</p> <p>CYY advised that he did not agree with AB's concern. CM was responsible for managing the PCO/PRO and had every right to lobby in support of the rezoning application. While AB highlighted that CM had a business relationship with the contractors, he saw it differently. They are the actual users, and they had every right to express their views.</p> <p>CYY agreed that AB had been shouted down at the PTCSLG, but said AB could always express his views in the COC meetings. He had studied AB's submission to the TPB, and was amazed that it was a very good presentation. AB had done a lot of work, and that information should have been discussed at a COC meeting. Instead, AB chose to make a personal objection to the TPB.</p> <p>AB again felt a need to respond. He advised that at the PTCSLG he had asked the Chairman whether a report would be made to the COC on the work of the PTCSLG, and whether the relevant matters would be discussed at the COC. The Chairman of the PTCSLG had point-blank said no.</p> <p>SM asked about the way forward on point 3. AB said that he wanted guidelines for good practice. He advised that the ICAC regularly offers advice to Owners Committees, and he suggested that the advice of the ICAC be sought so that members have an independent view on how this matter should be handled in future.</p> <p>TC did not consider it necessary to consult the ICAC since most members had agreed that the COC Chairman had the discretion to represent the COC. AB and RB highlighted that the recommendation concerned point 3 of this agenda item.</p> <p>DW felt it was a pity to see a split in the Committee. She volunteered to be the bridge to facilitate the resolution of the zoning issue.</p> <p>(DW left the meeting at 10.50pm.)</p> <p>To conclude, SM agreed to seek the advice of the ICAC and report back in the next meeting.</p>	<p>SM</p>
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8.	<p><b>AOB</b></p> <p>There were two issues. First, SM had received signatures from some residents who were looking for bus fare discount for senior residents. He raised the issue in the Passenger Liaison Group and the transport company would study it.</p> <p>Second, he had received email regarding the pitch replacement at DB North. There was an application on N5a area for a 5-year period but the application was denied. Subsequently he talked to the Lands Department and found that they had received an objection from the COC. He would further clarify with the Lands Department in separate meeting that the fact being the COC had never put an objection. He hoped he could join the meeting with HKR and the Department.</p> <p>AB asked if HKR would make a presentation on their proposal in the area. SM replied that the COC would discuss with the Sports and Recreation Sub-Committee and then put forward the idea to HKR. COC members would be allowed to give suggestions.</p>	NOTED
9.	<p><b>Items for Discussion at the Next Meeting</b></p> <p>The next COC meeting will be held on 13<sup>th</sup> June 2012.</p>	

The meeting was adjourned at 10.55 p.m.

Chairman