

**DISCOVERY BAY CITY OWNERS' COMMITTEE**  
**Minutes of Meeting No.1 2012-13 held on 7th November 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. Colin Bosher	(CB)	Chairman, La Vista VOC
Mr. David Kwok	(DK)	Chairman, Chianti VOC
Ms. Deborah Wan	(DW)	Chairlady, Peninsula VOC
Mr. Eddy Shen	(ES)	Chairman, Headland VOC
Mr. Francis Chiu	(FC)	Chairman, Siena Two B VOC
Dr. Jennie Lee	(JL)	Chairlady, DB Plaza VOC
Mr. Lam Park Keung	(LPK)	Chairman, Hillgrove VOC
Ms. Lee Huen Yee	(LHY)	Chairlady, Parkvale VOC
Ms. Maggie Chan	(MC)	Chairlady, Neo Horizon VOC
Mr. Rene Buts	(RB)	Vice-Chairman, Greenvale VOC
Mr. Sam Cole	(SC)	Vice-Chairman, Parkridge VOC
Ms. Ada Leung	(AL)	Representative, Registered Owner
Mr. Tony Cheng	(TC)	Representative, Registered Owner
Mr. Edwin Lu	(EL)	Representative, Clubs
Mr. Grant Ramsay	(GR)	Representative, School
Mr. Vincent Chua	(CKC)	Director, DBSML
Mr. F.K. Wong	(FKW)	Chief Manager, Estate, DBSML

**Apologies:**

Mr. Jan Hofstede	(JH)	Chairman, Parkridge VOC
Mr. Kent Rossiter	(KR)	Chairman, La Costa, VOC

**Absent:**

Ms. Alison Dack	(AD)	Chairlady, Siena One VOC
Champion Associates Ltd.	(CAL)	Chairman, Bijou Hamlet VOC
Mr. Paul Dwyer	(PD)	Chairman, Greenvale 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
Ms. Jennifer Lee	Manager, Estate, DBSML
Ms. Wendy Li	Manager, Estate, DBSML
Mr. Steve Kwok	Assistant Manager, Estate, DBSML
Mr. David Chan	Assistant Manager, Estate, DBSML
Mr. Samuel Ip	Assistant Manager, Estate, DBSML
Mr. Frankie Tsang	Assistant Manager, Security, DBSML

**Observers:**

Mr. John Young	Owner, Beach
Mr. Frank Wu	Owner, DB Plaza
Mrs. Susan Wu	Owner, DB Plaza
Mr. Edmund Fan	Owner, Hillgrove
Mrs. Sally Conti	Owner, Midvale
Mr. Victor Riley	Owner, Midvale
Mr. David Cashel	Owner, Parkland
Mrs. I. Durrant	Owner, Parkland
Mr. K. Durrant	Owner, Parkland
Mr. Kim Gemassmer	Owner, Parkland
Mr. Sam Shiu	Owner, Parkland
Mrs. Ana Maria Da Rocha	Owner, Parkridge
Mr. Martin Shock	Owner, Parkridge
Mr. Patrick Desloge	Owner, Parkvale
Ms. Baby Hefti	Owner, Peninsula
Mrs. Judy Mathews	Owner, Greenvale
Mr. Andrew Burns	Owner, Headland
Mr. David Ball	Owner, Headland
Mr. K. Burke	Owner, Headland
Ms. Maryanne Mihos	Owner, Headland

The Meeting was declared duly convened with the necessary quorum of Members present.

**Action**

1.	<p><b>APOLOGIES</b></p> <p>CYY announced that apologies were received from KR of La Costa and JH of Parkridge. He also welcomed the newly elected Members including Mr. Lam Park Keung of Hillgrove and Dr. Jennie Lee of DB Plaza.</p>	7:40 pm
2.	<p><b>ELECTION OF COC CHAIRMAN</b></p> <p>2.1 SM first reported on the community events held during the last term, including the Rehabus fundraising events, Pets &amp; Family Fun Day, Crime Prevention Day, Food Waste Recycling Carnival and Dragon Boat Races. He also thanked DW, CB, AY, RB, Mr. Andrew Burns and CM for their efforts in the introduction of the DB Rehabus and the fundraising initiatives.</p> <p>2.2 SM expressed appreciation to several sub-committees and working groups of the COC: the FSC and its convenor AY, the EPSC and its convenor FC, the SLSC, the SLG, and the Unresolved Issues Working Group. Moreover, he highlighted the contributions from the COC and VOC Members of the Proposed Taxi and Coach Service Liaison Group, Passenger Liaison Group, Cleaning Tender Working Group and Tender Evaluation Group. The survival of the Dragon Boat Festival was also mentioned. He also thanked AY for initiating the BMS tender in the FSC. He was grateful that the activated carbon tender had been resolved successfully.</p> <p>2.3 During the last term, SM was pleased to note the increased involvement of the community and to publicize the COC in local magazines. He reported that, for example, after the recent Lamma boat accident, some parents had met with the ferry company to share their concerns on boat safety. He was also pleased that some community issues were settled</p>	7:41 pm

	<p>with the aid of the COC and that the Seniors Community Group had been set up. In the coming term, he hoped the issue of the golf course hiking trail could also be resolved.</p> <p>2.4 CKC, on behalf of CM, thanked SM for his support to CM, as well as the passion and innovation shown to serve different sectors of the community in various working groups.</p> <p>2.5 CYY then proceeded to the nomination of the COC chairperson for the term 2012-2013. ES nominated SM and LHY seconded it. SM indicated his acceptance of the nomination. With there being no other nominations, CYY then declared SM the chairman for the new term.</p> <p>2.6 Before Item 3 and in response to SC's suggestion on rules for meetings at the last meeting, SM stated that he had reviewed some of the Robert's Rules of Order and he would prepare a relevant paper for the next meeting.</p> <p>2.7 Furthermore, he highlighted a rule under which the chairman could limit the time of debate in order to be able to cover the whole agenda. He would like to seek at least two-thirds of the Members' approval to implement this during the current meeting. There was no objection from Members.</p>	<p>SM</p> <p>NOTED</p>
<p><b>3.</b></p>	<p><b>CONFIRMATION OF THE MINUTES OF PREVIOUS MEETING</b></p> <p>3.1 SC enquired if the representation of both chairmanship and vice-chairmanship of some Members should be recorded in the meeting minutes. CYY advised that those Members only represented one village in the last meeting. Besides, this had not been practice in the past so it would not be necessary.</p> <p>3.2 Regarding Item No.8.1 of the minutes of the last meeting, SC pointed out that TC had only used one of the three slides to brief Members on the taxi proposal. CYY confirmed that there were 3 power point slides in the presentation.</p> <p>3.3 Furthermore, SC recalled that in the last meeting, some Members had asked the secretary to minute specific discussions in item 9.1. However, only when he commented on the draft minutes first circulated to Members were they made available. SM asked if those discussions had now been recorded in the revised draft minutes on the table and SC confirmed this. CYY further clarified that the purpose of circulating the draft minutes is to allow Members to comment on them, and he apologized for overlooking the points in the original draft. However, it has now been amended accordingly.</p> <p>3.4 AY also stated that there were three typographical errors in the meeting minutes.</p> <ul style="list-style-type: none"> <li>- In Item 5.1, "Clause 39 Sub-clause B Section 4 of the DMC" should be "Clause 39 Sub-clause B Section IV of the DMC".</li> <li>- In Item 9, the name "Victor" was irrelevant so it should be deleted.</li> <li>- In Item 9.1, "any alleged add by CM" should be corrected to "any alleged act by CM".</li> </ul> <p>3.5 Subject to the above amendments, with LHY proposing and DK seconding, SM declared the minutes of meeting No.5-11/12 held on 29</p>	<p>7:55 pm</p> <p>NOTED</p>

	August 2012 approved.	
<b>4.</b>	<p><b>MATTERS ARISING FROM PREVIOUS MINUTES</b></p> <ul style="list-style-type: none"> <li>● Follow up of Declaration of Interest</li> </ul> <p>SM received a reply from Mr. Ricky Lai of ICAC who confirmed that he did not see any contravention of the DB Register of Declaration within the Privacy Ordinance. SM would send the written reply to CYY for circulation after the meeting.</p> <ul style="list-style-type: none"> <li>● Consultation with ICAC regarding the Collecting of Views for the Town Planning Board by CM</li> </ul> <p>SM also received a reply from Mr. Ricky Lai. He would send the written reply to CYY for circulation after the meeting.</p>	8:10 pm  SM/CYY  SM/CYY
<b>4.1</b>	<p><b>Renewal of STT CX 1376, 1377 &amp; 1333</b></p> <p>CB advised that there was no progress but he would continue to follow it up. He suggested taking this item off the agenda until there was a response from the government.</p>	8:12 pm  NOTED
<b>4.2</b>	<p><b>Progress of Taxi &amp; Coach Proposals</b></p> <p>4.2.1 Two COC papers prepared by TC (<i>COC Paper 349/12 &amp; COC Paper 350/12</i>) had been issued to Members 7 days before the meeting.</p> <p>4.2.2 For the taxi proposal and with the aid of a video, TC highlighted the four pick-up / drop-off locations in DB North: outside Block 7, in front of the hotel, opposite to the hotel (where taxis would be allowed to queue) and outside the community hall.</p> <p>4.2.3 TC explained that the Proposed Taxi &amp; Coach Service Liaison Group had endorsed two revised control measures for taxis at the meeting on 30<sup>th</sup> October 2012. The first one was to extend the free staying duration from 30 minutes to 45 minutes as it would take about 7 minutes to travel from the tunnel toll booth to DB North. The second one was not to apply the penalty points deduction system applicable to external vehicles entering DB to taxis as an offending taxi would be reported to the police for enforcement action. He then sought Members' views on the revised control measures for taxis set out in COC paper 349/12.</p> <p>4.2.4 RB asked if HKR would control the entry of taxis instead of CM. TC confirmed that it would be handled by HKR.</p> <p>4.2.5 DW enquired about the charges for taxis when entering DB. TC replied that all incoming taxis had to pay the tunnel toll of \$20 and the taxi drivers would add this amount to the taxi fare. Similar to practices for other tunnels, the passenger of an outgoing taxi would be required to pay \$20 to the taxi driver even though the taxi driver would not be required to pay tunnel toll for leaving DB. DW asked if taxis would go to any area managed by CM. By showing the video again, TC said that taxis would not go to any area managed by CM because the Authorised Areas for taxis would be maintained by HKR.</p>	8:13 pm  NOTED

- 4.2.6 SC commented that the revised control measures for taxis left several questions unanswered, so he had prepared an amendment paper (*COC Paper 349a/12*) to TC's paper and distributed it in the meeting. TC suggested that SC should propose specific amendments instead of issuing a separate paper. SC clarified that the amendments in his paper were based on TC's paper.
- 4.2.7 TC suggested voting on both papers. Since SC's paper was an amendment to TC's paper, SC's paper should be put to vote first based on established practice. SM and SC agreed.
- 4.2.8 In response to SC's amendment paper, ES commented that some Members had not taken part in the previous taxi discussion. In order to move the taxi proposal forward, he suggested the COC could simply vote on TC's paper.
- 4.2.9 LPK commented that the need for convenient transport was essential for a community. He agreed with ES that the taxi proposal should be put forward without any further delay. During the election of his VOC, he had met with Hillgrove residents and they were positive about the taxi proposal. Additionally, he pointed out that the introduction of taxis would not affect the uniqueness of the DB community as they were confined to the DB North commercial area only.
- 4.2.10 As the original proposer of the motion, TC did not object to putting both papers to vote. SM allowed the vote to continue. FKW seconded TC's motion to vote on both papers.
- 4.2.11 With reference to paragraphs 10 and 11 of Section VII of the DMC, SC requested to vote on the motions by poll. This was supported by RB. SM asked FKW if it was practically feasible to vote by poll in the meeting. FKW replied that although CM did not have the actual figures on hand, the shares represented by each Member could be calculated after Members had voted on the motions by show of hands. SC insisted that the number of votes represented by each Member must be clear when a poll was demanded. SM reiterated that a vote by poll would be recorded by means of a show of hands first and the number of shares represented would then be calculated.
- 4.2.12 FKW advised that according to paragraph 10 of Section VII of the DMC and under those circumstances, the Manager shall direct the poll by a show of hands in which the hand represented the number of shares carried by that Member in accordance with the DMC and Sub-DMC. TC pointed out that the Manager had directed the manner of poll voting in accordance with the DMC. SM agreed.
- 4.2.13 As requested by some Members, SM allowed a break of five minutes for Members to go over SC's amendment paper.
- 4.2.14 Before voting, SC commented that according to paragraph 11 of Section VII of the DMC, "the representatives of the Manager and the Registered Owner shall collectively have one vote for every Undivided Share held by the Manager and/ or the Registered Owner." SM asked TC and CKC whose shares they would use to vote. TC replied that he would use the share of the Registered Owner and CKC indicated that he would vote for undivided shares held by the

Manager.

- 4.2.15 LHY asked SC to explain paragraph 8 of his amendment paper. In respect of paragraph 8a, SC pointed out that by signing an undertaking, HKR would pledge not to restrict the types of vehicles, for instance franchise bus services, entering DB. Paragraph 8b stated that the costs associated with allowing taxi access would be borne by HKR. SC said that this commitment was not included in the original paper, and thus a clear undertaking from HKR was required.
- 4.2.16 DW was concerned that as Peninsula held a lot of undivided shares which might be decisive in the voting results, it was unfair for her to be expected to fulfil her duty and vote on behalf of her village with only five minutes to read SC's proposed amendments. She wondered at the purpose of voting when TC could simply reconsider the proposed amendments by SC. ES agreed with DW.
- 4.2.17 LHY questioned if SC's proposed amendments were really that controversial. TC pointed out that there were significant implications in SC's amendment paper. The suggestion of a new traffic impact assessment alone would delay the taxi proposal for several months.
- 4.2.18 SC's amendment paper (*COC Paper 349a/12*) was seconded by FK before being put to vote. By a show of hands, four Members voted in favour of SC's proposed amendment (SC, AY, CB, and RB), ten Members voted against (ES, FC, LPK, DK, JL, MC, CKC, TC, EL, GR) and three Members abstained (SM, DW, LHY). The result would be announced after calculating the representing shares.  
(*COC Paper 349a/12 is enclosed with this meeting minute.*)
- 4.2.19 By a show of hands in regards to TC's paper on taxis (*COC Paper 349/12*), ten Members voted in favour (ES, FC, LPK, DK, JL, MC, CKC, TC, EL, GR), three Members voted against (SC, AY, RB), and four Members abstained (SM, DW, CB, LHY). The result would be announced after calculating the representing shares.
- 4.2.20 TC proceeded to explain the coach proposal. With the aid of a video, he highlighted the three pick-up / drop-off locations: in front of the hotel, near the hotel and outside the community hall. He also advised Members on an amendment to his previous proposal, i.e. to do away with the requirement to register the coach driver because public coaches entering DB would have to apply in advance by supplying the drivers' information. He then sought Members' views on the revised control measures for public coaches set out in *COC paper 350/12*.
- 4.2.21 RB was confused as to whether CM or HKR would endorse the entry of public coaches. TC replied that the details were set out in paragraph 3 of the paper. RB was concerned if no limit of staying time was applied to coaches. TC explained that public coaches were very unlikely to stay idle in DB for a long time as it would not be cost effective.
- 4.2.22 DW would like to clarify the management responsibility in respect of the big roundabout in front of the tunnel. TC explained that in response to Members' earlier request that HKR should be responsible for the maintenance of the whole Authorised Areas, HKR

had agreed to take up the maintenance of the big roundabout. ES added that HKR would have beautified CM's PCO/PRO site if the re-zoning application was supported.

4.2.23 LHY relayed the comments from her VOC on the taxi and coach proposals as follows.

*We are concerned that the control measures which have been discussed over the past two years are now being reduced. We are not entirely confident that the control measures are sufficient to keep taxis off Discovery Bay Road in DB. However, we are willing to accept further revision of these papers as discussed in the last Liaison Group meeting, in order that the proposal for taxis and coaches having access to DB North only, may move forward. We trust HKR will regularly review and increase the control measures where necessary in order to keep DB main road and DB South free of taxis and coaches. This will maintain road safety and keep our village environmentally tranquil. We also wish to see the development of DB North as a safe, tranquil and pedestrian-friendly district.*

4.2.24 Noting the above comments, TC reiterated that neither taxis nor public coaches would be allowed to enter DB's City areas. SC said that TC's comments were not reflected in his paper. Hence, SC tabled an amendment paper (COC Paper 350a/12) to TC's paper. SM allowed a break of five minutes for Members to go over SC's amendment paper.

4.2.25 SC's paper was seconded by CB. SC requested another vote by poll which was seconded by AY. By a show of hands, four Members voted in favour (SC, AY, CB, and RB), ten Members voted against (ES, FC, LPK, DK, JL, MC, CKC, TC, EL, GR) and three Members abstained (SM, DW, LHY). The result would be announced after calculating the representing shares.  
(COC Paper 350a/12 is enclosed with this meeting's minutes.)

4.2.26 SM proceeded to vote on TC's paper regarding the revised control measures for public coaches (COC Paper 350/12). TC proposed and FC seconded the paper. By a show of hands, ten Members voted in favour (ES, FC, LPK, DK, JL, MC, CKC, TC, EL, GR), three Members voted against (SC, AY, RB), and four Members abstained (SM, DW, CB, LHY). The result would be announced after calculating the representing shares.

4.2.27 CYY apologized for a procedural error before voting on TC's taxi paper (COC Paper 349/12). There was no request for a Member to second the motion before it was put to vote. Hence he requested for voting on this item again. SM approved it. TC then proposed and ES seconded the paper. By a show of hands, ten Members voted in favour (ES, FC, LPK, DK, JL, MC, CKC, TC, EL, GR), three Members voted against (SC, AY, RB), and four Members abstained (SM, DW, CB, LHY). The result would be announced after calculating the representing shares.

4.2.28 After calculation of shares represented by each Member, CYY announced the result for SC's taxi paper (COC Paper 349a/12). The shares in favour were 49,374, against were 141,962 and 48,800 abstained. SC's amendment paper on taxis was defeated.

	<p>4.2.29 For TC's paper on taxis, the shares in favour were 141,962, against were 40,000 and 58,170 abstained. TC's paper (COC Paper 349/12) was carried.</p> <p>4.2.30 After the announcement of the voting result, SC requested for a copy of it with verification by the CM chop.</p> <p>4.2.31 TC stressed that the SC had set a precedent for voting on motions by poll based on shares at the COC meeting.</p> <p>4.2.32 After vote counting, CYY announced the result for SC's amendment paper on public coaches (COC Paper 350a/12). The shares in favour were 49,374, against were 141,962 and 48,800 abstained. SC's paper was defeated.</p> <p>4.2.33 For TC's paper on public coaches, the shares in favour were 141,962, against were 40,000 and 58,170 abstained. TC's paper (COC Paper 350/12) was carried.</p> <p><i>(Post-meeting note: Subsequent to the meeting, an observer at the meeting raised questions on how the shares represented by each Member should be counted. CM has obtained legal advice on this matter and the breakdown of shares represented by each Member is set out in the Annex.)</i></p> <p>4.2.34 JL was excused at 9:15pm.</p>	
<b>4.3</b>	<p><b>To Raise a Motion on Obtaining Independent Legal Advice on What the COC Should Do When an AGM Election Result is in Dispute</b></p> <p>4.3.1 COC paper 382/12 was issued to Members before the meeting.</p> <p>4.3.2 SC suggested deferring the discussion to the next meeting as the paper had not been circulated by CM 7 days in advance.</p> <p>4.3.3 CKC stated that CM had reminded PD to submit his paper in advance but his email was not received until 5th November. CYY added that the several emails sent out by PD before the COC meeting was confusing and PD had said that he would not submit any paper.</p> <p>4.3.4 SC insisted that in principle, the discussion should be deferred.</p> <p>4.3.5 With reference to the DMC, FKW stated that the Manager would circulate the agenda at least 7 days in advance, specifying the subjects to be discussed. He pointed out that the motion had already been clearly mentioned in Item 4.3 of the meeting agenda which had been circulated 7 days before the meeting. The paper only served to support the motion and did not require a circulation period of 7 days.</p> <p>4.3.6 Regarding the motion, ES pointed out that PD was not an owner of Headland and thus, had no right to deal with individual village issues.</p> <p>4.3.7 TC said that this subject was put on the agenda in accordance with the DMC, so he did not object to discussing it in the meeting.</p> <p>4.3.8 SC clarified that Item 4.3 was only a description of the subject and not</p>	<p>9:16 pm</p> <p>NOTED</p>



	<p>a resolution. SM disagreed as he observed that the resolution was on the agenda.</p> <p>4.3.9 LPK agreed with ES that this was a matter of an individual village only which should be settled by the owners of that village. The resolution was not relevant to the duty of the COC.</p> <p>4.3.10 TC pointed out that PD had requested a vote on the resolution in this meeting and the proper procedure had been followed. Hence, PD's resolution should be put to vote.</p> <p>4.3.11 SM confirmed that PD's resolution was set out in his email as shown below.</p> <p><i>Noting that the Principle Deed of Mutual Covenant states that the COC shall ensure that records are kept in respect to the appointment and resignation of all its Members. This committee resolves that the COC be authorized to seek independent legal advice on who the COC should recognize as the legitimate representative of a village, should the COC be notified of any dispute regarding the outcome of a Village election. Such advice will also include, but shall not be limited to, the appropriate legal documents, guidelines, or law which an AGM should comply with, and the potential impact of the running of the COC and the resolution made should the legitimacy of the chairman and vice-chairman of a VOC be challenged, and any other pertinent advice the solicitor feels appropriate to provide to the COC in connection with this matter, in order to protect the interests and legitimacy of the COC in relation to these matters. The request to solicitors for this advice will state that the solicitor's fiduciary duty is to the COC only.</i></p> <p>4.3.12 TC proposed and CB seconded the resolution. TC requested for voting by poll and ES seconded it. Six Members voted in favour (DW, RB, LHY, AY, CB, SC), nine Members voted against (MC, DK, LPK, FC, ES, GR, EL, TC, CKC), and one Member abstained (SM). CYY announced that the shares in favour were 89,870, against were 139,262 and 8,300 abstained. The motion was defeated.</p> <p><i>(Post-meeting note: Subsequent to the meeting, an observer at the meeting raised questions on how the shares represented by each Member should be counted. CM has obtained legal advice on this matter and the breakdown of shares represented by each Member is set out in the Annex.)</i></p>	
<p><b>4.4</b></p>	<p><b>Follow Up Progress on DB North Pipe Burst Incident</b></p> <p>4.4.1 A meeting was held on 20th October between SM, AD, WSY and HKR representatives.</p> <p>4.4.2 WSY advised that he had relayed Members' concerns raised in the last meeting to HKR. HKR later sent a reply letter to CM, which was shown using by means of a PowerPoint presentation, stating that the burst pipes are both potable and flushing mains and part of the supply network in DB. They are therefore City Common Facilities. HKR is solely responsible for the facilities serving the Authorized Area exclusively however the burst pipes are not serving the Authorized Area only. Also, HKR has learned that the improvement work will</p>	<p>9:45 pm</p> <p>NOTED</p>

	greatly reduce areas affected by water suspension.	
4.4.3	In the meeting, HKR was asked again to review the possibility of taking up the liability of the repair and improvement works. At last, HKR agreed to absorb the repair and improvement costs paid by CM, subject to three conditions. Firstly, it is done on a one-off basis only and HKR has no further responsibility for said City Common Facilities in future. Secondly, HKR will describe the extent of the work and be committed specifically to that only. Thirdly, HKR will not warrant the work and confirms that CM is responsible for such City Common Facilities under the DMC.	
4.4.4	DW welcomed HKR's final decision. She enquired as to the length of the warranty period for the work. WSY confirmed that it would be 12 months.	
4.4.5	AY emphasized that, according to the approval letter from Islands District Lands Office to HKR dated 28th February 2000 and the latest Master Plan, which was circulated to Members during the meeting, Area N2 where the pipes are located was the sole responsibility of HKR. The repair and maintenance costs of the properties in Area N2 could not be transferred to CM without the approval of the Director of Lands Department. Therefore, the conditions stated by WSY were not applicable.	
4.4.6	In response to AY's understanding, FKW opined that Area N2 as stated in the approval letter refers to the area owned by the developer but not the underground facilities. According to the DMC, City Common Facilities refers to any facilities and devices installed or provided in the city for the use and benefit of the city and not for the use and benefit of a particular village or building. As the pipes are in ring circuits providing water to Area N1 and N2, as well as the community hall, Siena 1 and Neo Horizon, it is regarded as City Common Facilities.	
4.4.7	AY responded that the approval letter applied to all of Area N2, including the facilities. Furthermore she doubted that any villages were affected by the pipe burst incident as she had not received any complaints from the villages.	
4.4.8	WSY explained that in a ring supply, water can come from both ends. AY asked if Siena 1 has its own water supply. WSY clarified that there are two water supplies in Siena 1. One from DB North and another down from Siena Avenue.	
4.4.9	AY insisted that the maintenance responsibility should not be borne by City. She requested that CM send her the slides after the meeting. SC advised that the government instrument should not be modified.	
4.4.10	SM noted the approval letter and said he would take it forward in future when it causes problems again.	
<b>5.</b>	<b>COC SUB-COMMITTEE/ WORKING GROUP UPDATES</b>	
<b>5.1</b>	<b>Appointment and Composition of Sub-Committee and Working Groups</b>	9:58 pm
5.1.1	COC paper 376/12 was issued to Members before the meeting. FKW	NOTED

thanked CB for his suggested revision to the paper and then briefed Members on the four recommendations set out in the paper.

- 5.1.2 CB clarified that the sensitive information only referred to that which was in the tendering process. He also felt that there was no need to restrict the Membership in the working groups. This would ensure that residents with relevant expertise could be co-opted. He highlighted the excellent work that Mr. Andrew Burns had done for the Building Management System (BMS) upgrade work, and was very concerned if his expertise was not available going forward. FKW responded that as addressed in the paper, when a new sub-committee or working group is formed, the COC will determine its' Membership criteria.
- 5.1.3 RB indicated that under the BMO, all financial information is available to every owner. SM disagreed, as during tendering, certain information had to be kept confidential. RB thought that the rule should only refer to tender working groups.
- 5.1.4 AY enquired if there was a limitation placed on the number of sub-committees or working groups a person could join. FKW replied that this was not the current practice. AY then suggested setting a limit so that the work load could be shared.
- 5.1.5 DW was not happy about imposing any restrictions as joining a sub-committee or working group was done on a voluntary basis. She hoped it could be more flexible.
- 5.1.6 CYY emphasized that the rationale behind it is to create trust in the group.
- 5.1.7 SC raised two considerations. The first one was to limit the number of sub-committees or working groups a person could join. The second was the potential problems caused by the sensitive financial information available.
- 5.1.8 In response, SM advised that there were not many volunteers from the COC and the VOCs, so he had become involved in some of the sub-committees and working groups without any financial gain. SM also advised that Members have to sign a trust form in respect to any documents having financial implications.
- 5.1.9 With reference to Sub-section 5 Section 2 Schedule 7 of BMO, AY pointed out that the manager shall permit owners to inspect all financial documents. Therefore there should not be any "confidential" documents as stated in the paper. It would be difficult for her to consult her VOC if documents are marked confidential.
- 5.1.10 FKW responded that CM would comply with BMO and the quoted provision was for expenditure. He reiterated that the recommendations strive to maintain mutual trust. Taking BMS as an example, some FSC Members did not sign the confidential declaration, regardless of the fact that the consultant's report provided cost estimates for upgrading.
- 5.1.11 SC was interested to know what prompted CM to set restrictions on accessing information as well as the classification of sensitive information. FKW responded that a FSC Member had incorrectly

contacted a potential service provider in a past tender exercise. Therefore a mechanism was devised under which Members must get prior consent from CM and the relevant sub-committee or working group before he/ she contacts the service provider.

5.1.12 Regarding the past incident mentioned by FKW, ES commented that that Member had betrayed the COC so his Membership in the COC and working group should be permanently terminated.

5.1.13 After the discussion, SM proceeded to request a vote on the paper. However, SC pointed out that, as the paper was only sent out 6 days before the meeting, no vote could be called. TC advised that under the DMC it was only necessary for the agenda to be sent out 7 days in advance of the meeting. He requested for a vote. SC pointed out that Schedule 8 of the BMO required that all resolutions to be put to a meeting of the owners must be circulated to members at least 7 days in advance of the meeting. However, there was no suggestion on the agenda that a motion would be moved. AY agreed.

5.1.14 TC suggested that Members could verbalise their views in respect to their support or otherwise. SC reiterated that there would be no binding effect.

5.1.15 SM asked FKW to prepare a paper for the next meeting. He then sought Members' views on the recommendations set out in the paper:

- GR: No comment
- SC: No comment
- AY insisted on limiting the number of sub-committees or working groups a person could join. Additionally, she did not support the restrictions on accessing the financial information. She suggested that Members consult their VOCs as well.
- LHY felt that confidentiality should be better defined. She agreed to limiting the number of sub-committees or working groups a person could join.
- DW suggested limiting the number of sub-committees and working groups and their Members. She urged the appointment of Members as soon as possible in order to continue the routine discussions.
- FC: supported the paper
- MC: supported the paper
- DK: supported the paper
- LPK: supported the paper
- CKC supported the paper based on concerns in respect to the leakage of sensitive information and the breach of the non-disclosure agreement.
- TC: supported the paper
- ES: supported the paper
- CB disagreed on the restriction of Membership and insisted on having the flexibility to co-opt Members.
- RB agreed with CB. He also queried the definition of confidentiality.
- SM supported the paper in general. He also agreed with the possibility of inviting other owners onto the sub-committees and working groups. He suggested signing a declaration of interest regarding the sensitive information.

5.2	<p><b>Finance Sub-Committee</b></p> <p>5.2.1 COC paper 383/12 was issued to Members before the meeting. AY reported back on the following discussions that had taken place at the last two FSC meetings: BMS upgrade, City Retained Area licensed to the Manager as City Common Area, audited financial statements for the year ending 31st March 2012 and related party transactions, organizational chart and staff costs, and meeting with the external auditor. AY advised that the Finance Subcommittee had not completed its work on the BMS, and should be allowed to finish its work before a separate working group was formed. She highlighted that, at the last meeting on the BMS, concerns were raised about the high cost of the works in Beach and Peninsula villages, and this would need to be resolved before the Finance Subcommittee could recommend the project to the COC.</p> <p>5.2.2 FKW stated that when AY prepared the FSC report, he had already advised that he would not comment on it as some of the content was neither discussed in the FSC meeting nor reflected the full picture. Taking BMS as an example, CM had already explained that as per the email exchange between Mr. Andrew Burns and Mr. Kenneth Kwong (Works Manager of CM) the new fibre optic could be considered for installation to minimize suspension time of the system. This was budgeted for. CM had the responsibility of advising Members of the most expensive scenario. He added that the fibre optic is an optional item in the coming tender.</p> <p>5.2.3 AY responded that FKW did not attend the Finance Subcommittee meeting at which the BMS was discussed and could not comment. Both WSY and Mr Kenneth Kwong were present.</p> <p>5.2.4 AY tabled copies of draft Master Plan 6.0E7h(a) and commented on the Undertaking signed by HKR on 18<sup>th</sup> September, 2012, in respect of the Public Recreational Facilities (PRF) in DB and circulated to members on 24<sup>th</sup> October, 2012. She highlighted that the Undertaking required HKR to terminate the licences under which the PRF were maintained using City funds, and that henceforth all these facilities, including the beach, the plaza, Central Park and the hiking trails, must be managed and maintained by HKR. She highlighted that all owners and residents owed a great debt of gratitude to Mr Andrew Burns, who had first brought the issues involved to the attention of the Finance Subcommittee and who had pursued the matter at the COC and with government departments for over two years. AY estimated that at least HK\$3-5 million would be saved every year as a result of Mr Burns' work.</p> <p>5.2.5 DW referred to the paper that had been circulated to members on the termination of the licence for a number of areas in DB. She queried why the management fee should be used to pay for the Central Park in the past, given the content of the Undertaking. She stated that the reduction in City expenses by \$300,000 per month, as claimed in the paper, was on the low side. Regarding the pier and beach toilets, she insisted that their maintenance costs should not be charged to City expenses as they were for public usage.</p> <p>5.2.6 Regarding the reduction of \$300,000, CB enquired if the calculation was based on existing contracts. CKC confirmed it was. It was CB's</p>	<p>10:18 pm</p> <p>NOTED</p>
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	<p>view that there should not be any dispute in respect to the amount of saving and CM should provide a clear explanation.</p> <p>5.2.7 AY advised Members that, following the termination of the licences, there would be a reduction in security, cleaning and landscape staff costs charged to the City budget, as these would now be charged to HKR instead. She was of the view that the overheads of the management and the Managers' Remuneration should be reduced accordingly. AY was pleased to learn from City Management that HKR had already increased the third party liability on the said areas and is willing to absorb the premiums for Property All Risk insurance.</p> <p>5.2.8 Regarding revenue from events held on the City Retained Area licensed to the Manager as City Common Area, CM had not provided a list of the commercial activities carried out by HKR. Only outdated income information from the Egg Hunt at the beach was provided. She questioned the accuracy of the income and asked whether the expenses should be charged to City Fund as there was no licenced agreement in place and no licence fee had been charged by HKR to City Fund. If there was no consideration there should be no contract.</p>	
<b>5.3</b>	<b>Environmental Protection Sub-Committee</b>	10:45pm
	<p>5.3.1 COC paper 378/12 was issued to Members before the meeting. FC reported back on the discussions that had taken place at the last EPSC meeting. This included Yan Oi Tong Plastics Recycling and the proposed air-pollutant measurement project at DB by HKUST.</p> <p>5.3.2 RB enquired as to the purpose of the air-pollutant measurement project. FC replied that pollutants would be measured at one location, and from the level of pollutants the experts would be able to identify the source. RB further enquired about subsequent actions. FC said that it depended on the source.</p> <p>5.3.3 SC asked whether FC had contacted the EPD to find out about the measurements recorded by the station installed at Peninsula to monitor the Disneyland fire works. FC understood that this measurement had now ceased.</p> <p>5.3.4 CB thought it was good to have this project but he was concerned with the cost of \$90,000. DW shared the same concern. She suggested approaching other groups such as university students who work on similar projects voluntarily. However, ES thought that the cost should be paid by the pollution sources such as the ferry and bus companies as well as golf cart owners, on a pro-rata basis. To reduce air pollution, he strongly recommended a change from the present oil-driven golf carts to electric golf carts as soon as possible.</p> <p>5.3.5 FC appreciated the comments from Members.</p>	NOTED
<b>5.4</b>	<b>Sports and Leisure Sub-Committee</b>	10:56pm
	<p>5.4.1 SM reported on the three main topics discussed in the last meeting including the sports pitch at Siena, the provision of a basketball pitch at Hillgrove or Beach Village, and the low-level walk to Disneyland.</p> <p>5.4.2 SM had received a business proposal from DB Pirates regarding the</p>	NOTED

	<p>temporary grass pitch at DB North. The Sub-Committee suggested not asking HKR to pay for the replacement of grass with artificial turf, but instead to approach the COC, because of the due date of the renewable lease. He would like to seek Members' feedback on whether the City Funds should be used to pay the \$2.9 million estimated cost, while the operation would be discussed later. He would prepare a paper for the next COC meeting.</p> <p>5.4.3 CB learnt from HKR that the pay back period was five years and he suggested SM share this information with DB Pirates. According to SM, DB Pirates estimated the pay back period to be three years based on the present usage.</p> <p>5.4.4 Members supported and applauded the proposal.</p> <p>5.4.5 SM also reported that a meeting with some concerned residents regarding the hiking trail near the Golf Club was held. Some good suggestions on the works to improve the trail were gathered during the subsequent trail walk with some COC Members and local residents. HKR had provided a time scale and undertook to pay for the improvement works. CM would be responsible for the future maintenance. HKR expected the work to be completed before Christmas.</p> <p>5.4.6 Members appreciated the work. AY suggested naming it as "a public walking path" instead of "a hiking trail". SM said Members preferred calling it a hiking trail.</p> <p>5.4.7 SC was concerned that the sharp rusty steel corners on the steps of the path might be a hazard to hikers.</p>	<p>SM</p> <p>NOTED</p>
<p><b>5.5</b></p>	<p><b>Rehab Bus Working Group</b></p> <p>5.5.1 DW reported back on some past fundraising events including the charity dinner at 22° North and Hemingway's. She expressed appreciation to CB for organizing them and advised that more than \$15,000 was raised. Some money was also collected from the bouncy bus at the Picnic in the Park. She thanked various companies and individuals who had donated to the project. The amount raised so far had reached \$785,438 but was still short of the target amount of HK\$800,000 required for the purchase of the bus and its first year operational costs. She was pleased that the community is gaining interest in this meaningful project.</p> <p>5.5.2 The Launch Ceremony will be held on 9 December. DW invited Members to come and show their support. Lastly, she thanked CM for assisting with the project.</p>	<p>11:05pm</p> <p>NOTED</p>
<p><b>5.6</b></p>	<p><b>Security Liaison Group</b></p> <p>SM advised Members that a meeting would be held in November.</p>	<p>NOTED</p>
<p><b>5.7</b></p>	<p><b>Unresolved Issues Working Group</b></p> <p>No meeting has taken place since the last COC meeting and HKR required time to amend the licence plan following the termination of licences to some</p>	<p>NOTED</p>

	City Common Areas.	
5.8	<p><b>Seniors Community Group</b></p> <p>A meeting was held with some senior residents to discuss medical issues, accessibility to the facilities of the Recreation Club, and some equipment for the city.</p>	<p>11:10pm</p> <p>NOTED</p>
6.	<p><b>CM REPORT</b></p> <p>6.1 CYY, WSY and FKW presented the CM Report which included the following: upcoming tenders, community events, security service tender, COC/ VOC Christmas Party and the food recycling update.</p> <p>6.2 FKW confirmed that the number of participating households will increase by 50 units, reaching the maximum capacity of the food waste decomposers. It is now necessary to purchase more food waste collection bins for these additional households. However, the funding from the EPD has already been capped so no more saving can be made. Therefore, supported by the COC, City Management will use City funds to purchase additional collection bins.</p> <p>6.3 SM enquired about getting the fertilizer from food waste recycling and horse waste products for the Midvale Environmental Garden. FKW replied that the fertilizer was undergoing trials in a designated area. If this was found to be satisfactory, it would be sent to individual villages. The horse waste is currently being transported out of DB. Although the hotel was thinking of a similar scheme, FKW said that the plan was premature.</p>	<p>11:15pm</p> <p>NOTED</p>
7.	<p><b>Resolutions for Endorsement of COC Papers Issued during the Period of 30th August 2012 to 7th November 2012</b></p> <p>7.1 COC Paper 379/12 was issued to Members before the meeting.</p> <p>7.2 Regarding tenders for the following: provision of high pressure water jetting of the drainage system, examination and certification services for lifting appliances and air compressors, as well as for the scaffolding work, CYY reported that as there had been no objections from Members regarding the first two tenders and only one objection for the third tender, these three contracts had been signed.</p> <p>7.3 CB proposed the motion and FC seconded it.</p> <p>7.4 The resolutions listed below (Paper No. COC T781/12, Paper No. COC T785/12 and Paper No. COC T788/12) were passed unanimously.</p> <ul style="list-style-type: none"> <li>● Tender for provision of high pressure water jetting of drainage system</li> <li>● Tender for examination and certification services for lifting appliances and air compressors</li> <li>● Tender for scaffolding work</li> </ul>	<p>11:25pm</p> <p>NOTED</p>
8.	<p><b>ITEMS FOR DISCUSSION</b></p> <p>8.1 SM proposed deferring the discussions on the rest of the agenda items (i.e. Item 8.1-8.3, Item 9.1-9.3 &amp; item 10 of meeting No.1-12/13 plus the item "Decoration contractors control measures" proposed by LHY) to the next COC meeting as it was very late. No Members</p>	<p>NOTED</p>



	<p>objected.</p> <p>8.2.1 Regarding Item 5.1 above, FKW advised Members that as the formation of sub-committees and working groups would only be decided at the next COC meeting, the existing ones formed in the last term would cease to operate. SM was concerned that he still had some ongoing meetings. DW also raised her concerns regarding the Rehabus Working Group. She suggested the old group should continue until a new one was formed.</p> <p>8.2.2 TC said that all previous sub-committees and working groups set up under the previous COC term should be dissolved and convenors under the new term should be elected. Since the Rehabus Working Group would not be affected by the restrictions on Membership proposed in COC paper 376/12, he proposed that it could continue its work. With TC proposing, RB seconding and no Members objecting, DW was appointed as the convener of the Rehabus Working Group before the next COC meeting.</p> <p>8.2.3 AY felt that as the FSC still had a lot of follow up work to complete and hence it should continue to meet. She pointed out that if HKR stopped FSC's operation, there would be a direct conflict of interest as FSC was seeking to recover money that should be paid by HKR.</p> <p>8.2.4 As SM was organizing meetings for SLG and SLSC, TC proposed appointing SM as the convener of both groups before the next COC meeting. RB seconded and there was no objection.</p> <p>8.2.5 RB proposed AY as the convener of FSC. AY reiterated that HKR and CM had no right to vote. TC reiterated that AY had no right to deprive the voting right of any Member. AY said that HKR stopped the voting and CM proposed other committees with the exception of FSC. TC stressed that CM had prepared a paper governing the composition and appointment of all sub-committees and working groups. However, owing to the objection by a Member, the paper could not be voted on. FSC was one of the sub-committees that would be affected by the recommendations in the paper. As there was no agreement on the adoption of the recommendations, the COC could not elect and appoint the FSC.</p> <p>8.2.6 SM said he would not have any sub-committee and working group meetings until the next COC meeting. CB expressed his disappointment as he felt that the motive behind this was to silent dissenting voices.</p>	
<p>10.</p>	<p><b>Date of the Next Meeting</b></p> <p>The next COC meeting will be held on 16th January 2013.</p>	

The meeting was adjourned at 11.35 p.m.



Chairman



## COC Meeting No. 1 – 2012/2013 7th November 2012

城市業主委員會二零一二年十一月七日舉行之二零一二至二零一三年度第一次大會

**Item 4.2 Motion from Sam Cole - Amendment on Taxi Proposal (Voting result)****議程4.2 Sam Cole 提出的動議 - 的士建議修訂 (投票結果)**

Annex

Member 委員	Village 屋村	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席
1 Vincent Chua 蔡國璋	DBSML					
2 FK Wong 黃富強	DBSML	7569		7569		
3 Ada Leung 梁梓齡	HKR					
4 Tony Cheng 鄭偉聰	HKR	98047		98047		
5 Edwin Lu 劉志健	Clubs	2150		2150		
6 Grant Ramsay	DBIS	290		290		
7 Deborah Wan 溫麗友	PN	29000				29000
8 Paul Dwyer / Rene Buts	GV	21400	21400			
9 Eddy Shen 沈安迪	HV	12200		12200		
10 Lee Huen Yee 李萱怡	PV	11500				11500
11 Amy Yung 容詠嫦	BV	11200	11200			
12 Colin Boshier 布思仁	LV/LS	9370	9370			
13 Simon Mawdsley	MV	8300				8300
14 Sam Cole	PK	7400	7400			
15 Francis Chiu 趙德威	SN2B	5970		5970		
16 Lam Park Keung 林栢強	HG	5600		5600		
17 David Kwok 郭錦光	CN	5522		5522		
18 Kent Rossiter	LC	5080				5080
19 Alison Dack	SN1	3555				3555
20 Dr. Jennie Lee 李梅以善博士	DBP	2700		2700		
21 Maggie Chan 陳少玉	NH	1914		1914		
22 Bijou Hamlet 璧如臺	BT	1100				1100
		249867	49370	141962		48800
<b>Total Undivided Share Voted on 7th Nov</b> 在11月7日投票的不可分割業權總數		<b>240132</b>				
<i>Not counted on 7th</i> 沒有在11月7日計算						
<i>Parkland 明尚樓 (P/D 13)</i>		123				
<i>School 學校</i>		10				
<b>Grand Total 累計總數</b>		<b>250000</b>				

## COC Meeting No. 1 – 2012/2013 7th November 2012

城市業主委員會二零一二年十一月七日舉行之二零一二至二零一三年度第一次大會

## Item 4.2 Motion from Sam Cole - Amendment on Taxi Proposal (Voting result)

## 議程4.2 Sam Cole 提出的動議 - 的士建議修訂 (投票結果)

Member 委員	Village 屋村	HKR/CM shares adjustment 香港興業/城市管理處業權份數調整		Village Common Area shares adjustment 屋村公共範圍業權份數調整		Actual Shares represented by HKR /CM/COC Members 香港興業/城市管理處/ 城市業主委員會委員的 實際業權份數	Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席
		Original Shares of HKR/CM 香港興業/城市管理處原本的業權份數	HKR /CM shares after adjustment 調整後的香港興業/城市管理處業權份數	Village Common Area 屋村公共範圍						
1 Vincent Chua 蔡國璋	DBSML									
2 FK Wong 黃富強	DBSML	7569	7406	15294		22700		22700		
3 Ada Leung 梁梓齡	HKR									
4 Tony Cheng 鄭偉國	HKR	98047	98210			98210		98210		
5 Edwin Lu 劉志健	Clubs	2150	2150			2150		2150		
6 Grant Ramsay	DBIS	290	300			300		300		
7 Deborah Wan 溫麗友	PN		29000		2880	26120				26120
8 Paul Dwyer / Rene Buts	GV		21400		2200	19200	19200			
9 Eddy Shen 沈安迪	HV		12200		1220	10980		10980		
10 Lee Huen Yee 李蕙怡	PV		11500		1233	10267				10267
11 Amy Yung 容詠嫦	BV		11200		1128	10072	10072			
12 Colin Boshier 布恩仁	L/V/L/S		9370		1101	8269	8269			
13 Simon Mawdsley	MV		8300		830	7470				7470
14 Sam Cole	PK		7400		740	6660	6660			
15 Francis Chiu 趙德威	SN2B		5970		1202	4768		4768		
16 Lam Park Keung 林栢強	HG		5600		566	5034		5034		
17 David Kwok 郭錦光	CN		5522		589	4933		4933		
18 Kent Rossiter	LC		5080		493	4587				4587
19 Alison Dack	SN1		3555		437	3118				3118
20 Dr. Jennie Lee 李梅以稱博士	DBP		2700		230	2470		2470		
21 Maggie Chan 陳少玉	NH		1914		330	1584		1584		
22 Biyou Hamlet 樓如森	BT		1100		115	985				985
			249877			249877	44201	153129	43857	8690
Total Undivided Share Voted on 7th Nov 在11月7日投票的不可分割業權總數			241187							
Not counted on 7th Nov 沒有在11月7日計算										
Markland 駱晉程 (PD 13)					123					
Grand Total 累計總數					250000					

## Item 4.2 Motion from Tony Cheng - Taxi Proposal (Voting result)

## 議程4.2 鄭偉鵬提出的動議 - 的士建議 (投票結果)

Member 委員	Village 屋村	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席
1 Vincent Chua 蔡國璋	DBSML					
2 FK Wong 黃富強	DBSML	7569	7569			
3 Ada Leung 梁梓齡	HKR					
4 Tony Cheng 鄭偉鵬	HKR	98047	98047			
5 Edwin Lu 劉志健	Clubs	2150	2150			
6 Grant Ramsay	DBIS	290	290			
7 Deborah Wan 溫麗友	PN	29000				29000
8 Paul Dwyer / Rene Buts	GV	21400		21400		
9 Eddy Shen 沈安迪	HV	12200	12200			
10 Lee Huen Yee 李萱怡	PV	11500				11500
11 Amy Yung 容詠嫻	BV	11200		11200		
12 Colin Boshier 布思仁	LV/LS	9370				9370
13 Simon Mawdsley	MV	8300				8300
14 Sam Cole	PK	7400		7400		
15 Francis Chiu 趙德威	SN2B	5970	5970			
16 Lam Park Keung 林栢強	HG	5600	5600			
17 David Kwok 郭錦光	CN	5522	5522			
18 Kent Rossiter	LC	5080				5080
19 Alison Dack	SN1	3555				3555
20 Dr. Jennie Lee 李梅以菁博士	DBP	2700	2700			
21 Maggie Chan 陳少玉	NH	1914	1914			
22 Bijou Hamlet 璧如臺	BT	1100				1100
		249867	141962	40000		58170
Total Undivided Share Voted on 7th Nov 在11月7日投票的不可分割業權總數		240132				
Not counted on 7th 沒有在11月7日計算						
Parkland 明蔚徑 (PD 13)		123				
School 學校		10				
Grand Total 累計總數		250000				

COC Meeting No. 1 – 2012/2013 7th November 2012  
 城市業主委員會二零一二年十一月七日舉行之二零一二至二零一三年度第一次大會

**Item 4.2 Motion from Tony Cheng - Taxi Proposal (Voting result)**  
**議程4.2 鄭偉鵬提出的動議 - 的士建議 (投票結果)**

Member 委員	Village 屋村	HKR/CM shares adjustment 香港興業/城市管理處業權份數調整		Village Common Area shares adjustment 屋村公共範圍業權份數調整		Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席
		Original Shares of HKR/CM 香港興業/城市管理處原本的業權份數	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Village Common Area 屋村公共範圍	Actual Shares represented by HKR/CM/COC Members 香港興業/城市管理處/城市業主委員會委員的實際業權份數				
1 Vincent Chun 蔡國璋	DBSML								
2 FK Wong 黃富強	DBSML	7569	7406	15294	22700	22700			
3 Ada Leung 梁梓齡	HKR								
4 Tony Cheng 鄭偉鵬	HKR	98047	98210	0	98210	98210			
5 Edwin Lu 劉志健	Clubs	2150	2150	0	2150	2150			
6 Grant Ramsey	DBIS	290	300	0	300	300			
7 Deborah Wan 溫麗友	PN		29000	2880	26120			26120	
8 Paul Dwyer / Rene Buts	GV		21400	2200	19200		19200		
9 Eddy Shen 沈安迪	HV		12200	1220	10980	10980			
10 Lee Huen Yee 李富怡	PV		11500	1233	10267			10267	
11 Amy Yung 容詠娟	BV		11200	1128	10072		10072		
12 Colin Boshier 布思仁	LV/LS		9370	1101	8269			8269	
13 Simon Mawdsley	MV		8300	830	7470			7470	
14 Sam Cole	PK		7400	740	6660		6660		
15 Francis Chiu 趙德威	SN2B		5970	1202	4768	4768			
16 Lam Park Keung 林栢強	HG		5600	566	5034	5034			
17 David Kwok 郭錦光	CN		5522	589	4933	4933			
18 Kent Rossiter	LC		5080	493	4587				4587
19 Alison Dack	SN1		3555	437	3118				3118
20 Dr. Jennie Lee 李梅以青博士	DBP		2700	230	2470	2470			
21 Maggie Chan 陳少玉	NH		1914	330	1584	1584			
22 Bijou Hamlet 碧如翠	BT		1100	115	985				985
<b>Total Undivided Share Voted on 7th Nov 在11月7日投票的不可分割業權總數</b>			<b>249877</b>		<b>249877</b>	<b>153729</b>	<b>35932</b>	<b>52126</b>	<b>8690</b>
			<b>241187</b>						
<i>Not counted on 7th Nov 沒有在11月7日計算</i>									
<i>Parkland 碧綠樓 (P/D 13)</i>			<i>123</i>						
<b>Grand Total 累計總數</b>			<b>250000</b>						

## COC Meeting No. 1 – 2012/2013 7th November 2012

城市業主委員會二零一二年十一月七日舉行之二零一二至二零一三年度第一次大會

Annex

**Item 4.2 Motion from Sam Cole - Amendment on Cocah Proposal (Voting result)****議程4.2 Sam Cole 提出的動議 - 旅遊巴建議修訂 (投票結果)**

Member 委員	Village 屋村	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席
1 Vincent Chua 蔡國璋	DBSML					
2 FK Wong 黃富強	DBSML	7569		7569		
3 Ada Leung 梁粹齡	HKR					
4 Tony Cheng 鄭偉鵬	HKR	98047		98047		
5 Edwin L. 劉志健	Clubs	2150		2150		
6 Grant Ramsay	DBIS	290		290		
7 Deborah Wan 溫麗友	PN	29000				29000
8 Paul Dwyer / Renc Buts	GV	21400	21400			
9 Eddy Shen 沈安迪	HV	12200		12200		
10 Lee Huen Yee 李萱怡	PV	11500				11500
11 Amy Yung 容詠嫦	BV	11200	11200			
12 Colin Boshier 布思仁	LV/LS	9370	9370			
13 Simon Mawdsley	MV	8300				8300
14 Sam Cole	PK	7400	7400			
15 Francis Chiu 趙德威	SN2B	5970		5970		
16 Lam Park Keung 林栢強	HG	5600		5600		
17 David Kwok 郭錦光	CN	5522		5522		
18 Kent Rossiter	LC	5080				5080
19 Alison Dack	SN1	3555				3555
20 Dr. Jennie Lee 李梅以菁博士	DBP	2700		2700		
21 Maggie Chan 陳少玉	NH	1914		1914		
22 Bijou Hamlet 璧如臺	BT	1100				1100
		249867	49370	141962		48800
<b>Total Undivided Share Voted on 7th Nov</b> 在11月7日投票的不可分割業權總數		<b>240132</b>				
<i>Not counted on 7th</i> 沒有在11月7日計算						
<i>Parkland 明蔚徑 (PD 13)</i>		123				
<i>School 學校</i>		10				
<b>Grand Total 累計總數</b>		<b>250000</b>				

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 城市業主委員會二零一二年十一月七日舉行之二零一二至二零一三年度第一次大會

**Item 4.2 Motion from Sam Cole - Amendment on Cocah Proposal (Voting result)**  
**議程 4.2 Sam Cole 提出的動議 - 旅遊巴建議修訂 (投票結果)**

Member 委員	Village 屋村	HKR/CM shares adjustment 香港興業/城市管理處業權份數調整		Village Common Area shares adjustment 屋村公共範圍業權份數調整						
		Original Shares of HKR/CM 香港興業/城市管理處原本的業權份數	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Village Common Area 屋村公共範圍	Actual Shares represented by HKR /CM/COC Members 香港興業/城市管理處/ 城市業主委員會委員的實 際業權份數	Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席	
1 Vincent Chua 蔡國璋	DBSMI.									
2 FK Wong 黃富強	DBSMI.	7569	7406	15294	22700		22700			
3 Ada Leung 梁梓齡	HKR									
4 Tony Cheng 鄭偉聰	HKR	98047	98210	0	98210		98210			
5 Edwin Lu 劉志偉	Clubs	2150	2150	0	2150		2150			
6 Grant Ramsay	DBIS	290	300	0	300		300			
7 Deborah Wan 溫麗友	PN		29000	2880	26120				26120	
8 Paul Dwyer / Rene Buts	GV		21400	2200	19200	19200				
9 Bddy Shen 沈安迪	HV		12200	1220	10980		10980			
10 Lee Huen Yee 李蕙怡	PV		11500	1233	10267				10267	
11 Amy Yung 容詠嫻	BV		11200	1128	10072	10072				
12 Colin Bosher 布恩仁	LVLS		9370	1101	8269	8269				
13 Simon Mawdsley	MV		8300	830	7470				7470	
14 Sam Cole	PK		7400	740	6660	6660				
15 Francis Chiu 趙德威	SN2B		5970	1202	4768		4768			
16 Lam Park Keung 林栢強	HG		5600	566	5034		5034			
17 David Kwok 郭錦光	CN		5522	589	4933		4933			
18 Kent Rossiter	LC		5080	493	4587				4587	
19 Alison Dack	SN1		3555	437	3118				3118	
20 Dr. Jennie Lee 李梅以菁博士	DBP		2700	230	2470		2470			
21 Maggie Chan 陳少玉	NH		1914	330	1584		1584			
22 Bijou Hamlet 璧如寮	BT		1100	115	985				985	
			249877		249877	44201	153129	43857	8690	
<b>Total Undivided Share Voted on 7th Nov</b> 在11月7日投票的不可分割業權總數										
			241187							
<b>Not counted on 7th Nov</b> 沒有在11月7日計算										
Parkland 明蔚苑 (P1) 13			123							
<b>Grand Total 累計總數</b>				250000						



**Item 4.2 Motion from Tony Cheng - Cocah Proposal (Voting result)****議程4.2 鄭偉鵬提出的動議 - 旅遊巴建議 (投票結果)**

Member 委員	Village 屋村	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席
1 Vincent Chua 蔡國璋	DBSML					
2 FK Wong 黃富強	DBSML	7569	7569			
3 Ada Leung 梁梓齡	HKR					
4 Tony Cheng 鄭偉鵬	HKR	98047	98047			
5 Edwin Lu 劉志健	Clubs	2150	2150			
6 Grant Ramsay	DBIS	290	290			
7 Deborah Wan 溫麗友	PN	29000				29000
8 Paul Dwyer / Rene Buts	GV	21400		21400		
9 Eddy Shen 沈安迪	HV	12200	12200			
10 Lee Huen Yee 李蕙怡	PV	11500				11500
11 Amy Yung 容詠嫦	BV	11200		11200		
12 Colin Boshier 布恩仁	LV/LS	9370				9370
13 Simon Mawdsley	MV	8300				8300
14 Sam Cole	PK	7400		7400		
15 Francis Chiu 趙德威	SN2B	5970	5970			
16 Lam Park Keung 林栢強	HG	5600	5600			
17 David Kwok 郭錦光	CN	5522	5522			
18 Kent Rossiter	LC	5080				5080
19 Alison Dack	SN1	3555				3555
20 Dr. Jennie Lee 李梅以菁博士	DBP	2700	2700			
21 Maggie Chan 陳少玉	NH	1914	1914			
22 Bijou Hamlet 璧如苑	BT	1100				1100
		<b>249867</b>	<b>141962</b>	<b>40000</b>		<b>58170</b>
<b>Total Undivided Share Voted on 7th Nov</b> 在11月7日投票的不可分割業權總數		<b>240132</b>				
<i>Not counted on 7th</i> 沒有在11月7日計算						
Parkland 朗蔚徑 (PD 13)		123				
School 學校		10				
<b>Grand Total 累計總數</b>		<b>250000</b>				

COC Meeting No. 1 – 2012/2013 7th November 2012  
 城市業主委員會二零一二年十一月七日舉行之二零一二至二零一三年度第一次大會

**Item 4.2 Motion from Tony Cheng - Cocah Proposal (Voting result)**  
**議程4.2 鄭偉鵬提出的動議 - 旅遊巴建議 (投票結果)**

Member 委員	Village 屋村	HKR/CM shares adjustment 香港興業/ 城市管理處業權份數調整		Village Common Area shares adjustment 屋村公共範圍業權份數調整		Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席	
		Original Shares of HKR/CM 香港興業/ 城市管理處原本的業權份數	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Village Common Area 屋村公共範圍	Actual Shares represented by HKR /CM/COC Members 香港興業/ 城市管理處/ 城市業主委員會委員的 實際業權份數					
1 Vincent Chua 蔡國璋	DBSML									
2 FK Wong 黃富強	DBSML	7569	7406	15294	32700	22700				
3 Ada Leung 梁梓齡	HKR									
4 Tony Cheng 鄭偉鵬	HKR	98147	98210	0	98210	98210				
5 Edwin Lu 劉志健	Clubs	2150	2150	0	2150	2150				
6 Grant Ramsay	DBIS	290	300	0	300	300				
7 Deborah Wan 溫耀友	PN		29000	2880	26120			26120		
8 Paul Dwyer / Rene Buis	GV		21400	2200	19200		19200			
9 Eddy Shen 沈安迪	HV		12200	1220	10980	10980				
10 Lee Huen Yee 李賢怡	PV		11500	1233	10267			10267		
11 Amy Yung 容詠嫻	BV		11200	1128	10072		10072			
12 Colin Bosher 布思仁	LV/LS		9370	1101	8269			8269		
13 Simon Mawdsley	MV		8300	830	7470			7470		
14 Sam Cole	PK		7400	740	6660		6660			
15 Francis Chiu 趙德威	SN2B		5970	1202	4768	4768				
16 Lam Park Keung 林栢強	HG		5600	566	5034	5034				
17 David Kwok 郭錦光	CN		5522	589	4933	4933				
18 Kent Rossiter	LC		5080	493	4587				4587	
19 Alison Duck	SN1		3555	437	3118				3118	
20 Dr. Jennie Lee 李梅以 醫博士	DBP		2700	230	2470	2470				
21 Maggie Chan 陳少玉	NH		1914	330	1584	1584				
22 Bjorn Hamlet 卑如拿	BT		1100	115	985				985	
Total Undivided Share Voted on 7th Nov 在11月7日投票的不可分割業權總數				249877		249877	153129	35932	52126	8690
				241187						
<i>Not counted on 7th Nov 沒有在11月7日計算</i>										
Parkland 明蔚徑 (P1) 13)				133						
<b>Grand Total 累計總數</b>				<b>250000</b>						

## COC Meeting No. 1 – 2012/2013 7th November 2012

城市業主委員會二零一二年十一月七日舉行之二零一二至二零一三年度第一次大會

**Item 4.3 To Raise a Motion on Obtaining Independent Legal Advice on  
What the COC Should Do When an AGM Election Result was in Dispute (Voting result)**

**議程 4.3 就在一個週年業主大會的結果出現爭議下，城市業主委員會應如何處理而取得獨立法律意見一事提出動議（投票結果）**

Member 委員	Village 屋村	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席
1 Vincent Chua 蔡國璋	DBSML					
2 FK Wong 黃富強	DBSML	7569		7569		
3 Ada Leung 梁梓齡	HKR					
4 Tony Cheng 鄭偉聰	HKR	98047		98047		
5 Edwin Lu 劉志健	Chubs	2150		2150		
6 Grant Ramsay	DBIS	290		290		
7 Deborah Wan 溫麗友	PN	29000	29000			
8 Paul Dwyer / Rene Buts	GV	21400	21400			
9 Eddy Shen 沈安迪	HV	12200		12200		
10 Lee Huen Yee 李奮怡	PV	11500	11500			
11 Amy Yung 容詠嫦	BV	11200	11200			
12 Colin Boshier 布思仁	LV/LS	9370	9370			
13 Simon Mawdsley	MV	8300			8300	
14 Sam Cole	PK	7400	7400			
15 Francis Chiu 趙德威	SN2B	5970		5970		
16 Lam Park Keung 林栢強	HG	5600		5600		
17 David Kwok 郭錦光	CN	5522		5522		
18 Kent Rossiter	LC	5080				5080
19 Alison Dack	SN1	3555				3555
20 Dr. Jennie Lee 李梅以青博士	DBP	2700				2700
21 Maggie Chan 陳少玉	NH	1914		1914		
22 Bijou Hamlet 碧如豪	BT	1100				1100
		249867	89870	139262		8300
Total Undivided Share Voted on 7th Nov 在11月7日投票的不可分割業權總數		237432				12435
<b>Not counted on 7th Nov 沒有在11月7日計算</b>						
Parkland 碧翠庭 (P113)		123				
School 學校		70				
<b>Grand Total 累計總數</b>		<b>250000</b>				

**Item 4.3 To Raise a Motion on Obtaining Independent Legal Advice on  
What the COC Should Do When an AGM Election Result was in Dispute (Voting result)**

議程4.3 就在一個週年業主大會的結果出現爭議下，城市業主委員會應如何處理而取得獨立法律意見一事提出動議（投票結果）

Member 委員	Village 屋村	HKR/CM shares adjustment 香港興業/城市管理處業權份數調整		Village Common Area shares adjustment 屋村公共範圍業權份數調整		Agree 同意	Disagree 不同意	Abstain 棄權	Absent 缺席
		Original Shares of HKR/CM 香港興業/城市管理處原本的業權份數	Original Calculated Undivided Shares 原本計算的不可分割業權份數	Village Common Area 屋村公共範圍	Actual Shares represented by HKR /CM/COC Members 香港興業/城市管理處/ 城市業主委員會委員的實 際業權份數				
1 Vincent Chao 蔡國璋	DHSMI								
2 FK Wong 黃富強	DHSMI	7569	7106	15294	22700		22700		
3 Ada Leung 梁桂齡	HKR								
4 Tony Cheng 鄭份觀	HKR	9801	98210	0	98210		98210		
5 Edwin Lu 劉志健	Clubs	2150	2150	0	2150				
6 Grant Ramsay	DBIS	290	300	0	300			300	
7 Deborah Wan 溫麗友	PN		29000	2880	26120	26120			
8 Paul Dwyer / Rene Buts	GV		21400	2200	19200	19200			
9 Eddy Shen 沈安迪	HV		12200	1220	10980		10980		
10 Lee Huen Yee 李蕙怡	PV		11500	1233	10267	10267			
11 Amy Yung 容詠嫻	BV		11200	1128	10072	10072			
12 Colin Boshier 布恩仁	I.V./S		9370	1101	8269	8269			
13 Simon Mawdsley	MV		8300	830	7470				7170
14 Sam Cole	PK		7400	740	6660	6660			
15 Francis Chin 趙德威	SN2B		5970	1202	4768		4768		
16 Lam Park Keong 林柏強	HG		5600	566	5034		5034		
17 David Kwok 郭錦光	CN		5522	589	4933		4933		
18 Kent Rossiter	LC		5080	493	4587				4587
19 Alison Dack	SN1		3553	437	3118				3118
20 Dr. Jennie Lee 李柯以晉博士	DBP		2700	230	2470				2470
21 Maggie Chiu 陳少玉	NH		1914	330	1584		1584		
22 Bijou Hamlet 藍如耀	BT		1100	115	985				985
			249877		249877	80588	150639	7470	11169
Total Undivided Share Voted on 7th Nov 在11月7日投票的不可分割業權總數			238717						
Not counted on 7th Nov 沒有在11月7日計算									
Parkland 999 (PD 13)			123						
Grand Total 業權總數			240000						

**Revised Control Measures for  
Confining Taxis to the Authorised Areas in DB North**

The amendments made to COC Paper 349/12 here are shown either as struck-through text or underlined text. For any text that is not struck-through or underlined but is found to be different from the text in the original Paper, the text in the original Paper will be considered as final.

**Introduction**

This paper sets out revisions to the control measures for confining taxis to the Authorised Areas in Discovery Bay (DB) North endorsed by the COC previously. The revisions arise from recent development that incoming taxis will not be required to proceed to the site currently used by City Management (CM) for controlling external vehicles entering DB (CM Site), as well as the announcement that horses and carriages will use the road network at DB North.

**Revised Control Measures**

Registration of incoming taxis

2. Previously, it was agreed that an incoming taxi would proceed to the CM Site for registration and collection of a permit issued by CM. A taxi driver would be required to fill in a form giving his personal particulars such as vehicle registration number, name and telephone number. Before leaving DB, an outgoing taxi must go to the CM Site to return the permit.
3. It is proposed that the registration be simplified and automated as follows:
  - When paying the toll at the tunnel toll booth (near Cheung Tung Road), the driver of an incoming taxi will be given a ticket printed with entry time by tunnel staff;
  - Tunnel staff will record the registration number of the taxi and the name of the driver shown on the 'Taxi Driver Identity Plate' displayed inside the taxi;
  - Before leaving DB, an outgoing taxi will 'check out' through an automatic control gate to be installed near the tunnel control centre situated at DB side; and
  - Tunnel staff will record the vehicle registration number and timing of an outgoing taxi.

These revisions will shorten the time for registration, minimize inconvenience to passengers and improve the traffic flow.

#### Overstaying charge

4. To discourage taxis from staying in DB, taxis will be subject to an overstaying charge. Previously, it was agreed that taxis should be allowed to stay in DB free of charge for 30 minutes after registration at the CM Site. It is proposed to extend the free staying duration to 45 minutes, after starting from 'check in' at the tunnel toll booth and lasting until 'check out' at the automatic control gate. Given the distance between tunnel toll booth and DB North, a 30-minute free staying duration will not be sufficient. ~~With DB's proximity to Tung Chung where there are many taxi passengers, it is most unlikely that taxis will wait in idle in DB for a long duration.~~

#### Banning offending taxis from entering DB

5. ~~Previously, it was agreed that~~ Taxis will be subject to the same City Rules applicable to all external vehicles. Under the relevant Rules, an external vehicle which fails to follow traffic signs or road markings in DB will be deducted 10 penalty points and will be prohibited from entering DB for the next 12 months upon accumulation of 20 penalty points. ~~However, it is proposed not to apply this point deduction system to taxis because~~ Any contravention by taxis will also be reported to the Police for enforcement action.

#### Further Amendments

6. A new Traffic Impact Assessment which takes into account that horses will be kept and used in close proximity to taxis must be completed and submitted to TD with any application connected with the plans described herein. Copies of this Assessment must be provided to any owner of DB property who requests a copy.

7. Hong Kong Resort Company Limited (HKR) must provide a precise, detailed plan of the Authorised Areas for approval by the COC for the current resolution to take effect. This plan must show the extent of the Authorised Areas and all features described in COC Paper 349/12, inclusive of Annex.

8. HKR must sign an undertaking, which includes the following guarantees, in order for this resolution to take effect:

- a.) Recognition of the Authorised Areas by the COC will not bestow any new right or privilege on HKR or its successors to restrict the types of vehicle that may enter Discovery Bay City.
- b.) All costs associated with allowing taxi access, including but not limited to equipment, personnel and administration, will be borne entirely by HKR and will be permanently non-transferable.

8.9. The control measures for confining taxis to DB North described herein constitute a single resolution to be voted on separately from any resolution on control measures for confining public coaches in Authorised Areas of DB North.

710. Other than the revisions set out above, there is no change to the remaining control measures agreed previously. A set of revised control measures is set out at Annex.

**Advice Sought**

811. Members are invited to offer their views and support for the revised control measures.

Hong Kong Resort Company Limited October 2012

**Control Measures for  
Confining Taxis to the Authorised Areas in Discovery Bay North**

Road signs

1. With the approval of Transport Department (TD), Hong Kong Resort (HKR) will erect traffic signs (which will be gazetted by TD) to prohibit taxis from entering other areas in DB.
2. With the approval of TD, HKR will mark "double yellow line" (which will be gazetted by TD) in the Authorised Areas to prohibit pick-up/drop-off of passengers except in designated areas.
3. Warning signs to alert taxi drivers of the presence of golf carts will be erected in the Authorised Areas by HKR.

Equipment and security guards

4. Three drop bars will be installed to stop taxis from going beyond the Authorised Areas at Discovery Bay Road near the big roundabout, road entrance near the big roundabout leading to Chianti and the roundabout near the hotel in DB North leading to Siena Avenue.
5. A CCTV with recording function will be installed at each drop bar.
6. The drop bars will be manned by security guards employed and paid for by HKR 24 hours a day.
7. An automatic control gate will be installed near the tunnel control centre on DB side.

Control measures

8. When paying the toll at the toll booth of the tunnel, the driver of an incoming taxi will be given a ticket printed with entry time by tunnel staff.
9. Tunnel staff will record the registration number of the taxi and the name of the driver shown on the Taxi Driver Identity Plate displayed inside the taxi.
10. Before leaving DB, an outgoing taxi will be required to 'check out' through an automatic control gate to be installed near the tunnel control centre on DB side. A guard employed and paid for by HKR will man this gate 24 hours a day. This guard will collect overstaying charges.
11. The tunnel staff will record the vehicle registration number and timing of an outgoing taxi.
12. After entering DB through the tunnel, an incoming taxi will proceed to DB North directly via the underpass.
13. An incoming taxi may drop off passengers at four locations in DB North: pick-up/drop-off bay outside Block 7, pick-up/drop-off bay outside community hall, pick-up/drop-off area outside hotel and queuing bay opposite to hotel. No taxi may pick-up/drop-off any passengers at any other location other than these four designated areas. All other locations are Prohibited Areas.
14. If a taxi goes beyond the Authorised Areas, a report will be made to the Police immediately. The offending taxi will be stopped by tunnel staff and handed over to the Police.



- | 15. If a taxi drops off or picks up passenger in a ~~p~~Prohibited ~~a~~Area within the Authorised Areas, the security guard will record the registration number of the taxi and a description of the driver. The information together with CCTV recording (if required) will be passed to the Police for follow up action.
16. An incoming taxi will be allowed to stay in DB for up to 45 minutes free of charge after 'check in' at the tunnel toll booth.
17. An outgoing taxi will be required to pay an overstaying charge before 'check out' if it stays in DB beyond the free duration. The overstaying charge will be \$100 for the first overstaying hour and \$200 for each subsequent hour.
- | 18. When the spaces in the ~~Authorized Areas~~ the four pickup/dropoff areas are full, tunnel staff will stop incoming taxis with no passengers on board or call order from entering the tunnel before they pass the toll booth.
19. HKR will consult the relevant taxi associations on the control measures and remind them of the restrictions before taxis are allowed to enter DB.

-End-



**Sam Cole's amendment to COC paper 350/12  
Paper No. COC 350a/12**

**Revised Control Measures for Confining Public Coaches to the Authorised  
Areas in DB North**

The amendments made to COC Paper 350/12 here are shown either as struck-through text or underlined text. For any text that is not struck-through or underlined but is found to be different from the text in the original Paper, the text in the original Paper will be considered as final.

**Introduction**

This paper sets out revisions to the control measures for confining public coaches to the Authorised Areas in Discovery Bay (DB) North endorsed by the COC previously. The revisions arise from recent development that incoming public coaches will not be required to proceed to the site currently used by City Management (CM) for controlling external vehicles entering DB (CM Site), as well as the announcement that horses and carriages will use the road network at DB North.

**Needs for Public Coaches**

2. The COC has endorsed the following needs for public coaches in DB at earlier meetings:

- (a) *hotel* – it is an industry practice for travel agencies to use their own coaches to transport tourists. There is a practical need to allow these coaches to use the tunnel;
- (b) *community hall* – since the community hall is open to all people in Hong Kong and it can accommodate some 400 audiences, coaches are needed for transporting the audiences;
- (c) *residents* – residents will need coaches when organizing outings, gatherings and banquets;
- (d) *sports and community groups* – various groups in DB including rugby, soccer, dance groups and churches need coaches when organizing events and functions;
- (e) *commercial operators* – shops and commercial operators in DB need coaches when organizing large scale commercial events; and
- (f) *construction contractors* – there were complaints from residents concerning construction workers using the residents' buses in DB. The problem will be solved if construction workers.

## Revised Control Measures

### Advance application

3. Previously, it was agreed that an application must be submitted to CM in advance before public coaches hired for the purposes set out in paragraph 2 above would be allowed to enter the tunnel. Since an incoming public coach will no longer be required to proceed to the CM Site, an advance application will be submitted to the tunnel control centre with endorsement by the relevant party specified below:

Party requiring public coach service	Endorsement by
(a) hotel	DB Hotel
(b) community hall	CM
(c) residents	CM
(d) sports and community groups	CM
(e) commercial operators	HKR
(f) construction contractors	HKR (for HKR projects) CM (for village projects)

### Registration procedures

4. Previously, it was agreed that a public coach driver would be required to proceed to the CM Site for registration. It is proposed to do away with this requirement because the driver can be easily traced from the information provided in the advance application submitted to the tunnel control centre. Also, tunnel staff will record the timing of entry and exit of each public coach.

### Overstaying charge

5. ~~Previously, it was agreed that a public coach will be subject to an overstaying charge applicable to all external vehicles entering DB. Since it is most unlikely that public coaches will stay idle in DB North due to their tight operational schedule, it is proposed that no overstaying charge should be imposed. To discourage public coaches from staying in DB, public coaches will be subject to an overstaying charge. The free staying duration will be 45 minutes, starting from 'check in' at the tunnel toll booth and lasting until the public coach 'checks out' through the automatic control gate.~~

### Banning offending public coaches from entering DB

6. ~~Previously, it was agreed that p~~Public coaches ~~would~~will be subject to the same City Rules applicable to all external vehicles. Under the relevant Rules, an external vehicle which fails to follow traffic signs or road markings in DB will be deducted 10 penalty points and will be prohibited from entering DB for the next 12 months upon accumulation of 20 penalty points. ~~However, it is proposed not to apply this point deduction system to public coaches because a~~Any contravention by public coaches will also be reported to the Police for enforcement action.

#### Further Amendments

9.7. A new Traffic Impact Assessment which takes into account that horses will be kept and used in close proximity to public coaches must be completed and submitted to TD with any application connected with the plans described herein. Copies of this Assessment must be provided to any owner of DB property who requests a copy.

10.8. HKR must provide a precise, detailed plan of the Authorised Areas for approval by the COC for the current resolution to take effect. This plan must show the extent of the Authorised Areas and all features described in COC Paper 350/12, inclusive of Annex. This plan must also show all parking places that may be used by public coaches.

9. HKR must sign an undertaking, which includes the following guarantees, in order for this resolution to take effect:
- a.) Recognition of the Authorised Areas by the COC will not bestow any new right or privilege on HKR or its successors to restrict the types of vehicle that may enter Discovery Bay City.
  - b.) All costs associated with allowing public coach access, including but not limited to equipment, personnel and administration, will be borne entirely by HKR and will be permanently non-transferable.
  - c.) HKR will apply the control measures herein to all public coaches, including those currently picking up groups in DB (including but not limited to sports team and community group coaches) illegally in areas that are outside the future Authorised Areas.

10. The control measures for confining public coaches to DB North described herein constitute a single resolution to be voted on separately from any resolution on control measures for confining public taxis in Authorised Areas of DB North.

711. Other than the revisions set out above, there is no change to the remaining control measures agreed previously. A set of revised control measures is set out at **Annex**.

#### **Advice Sought**

812. Members are invited to offer their views and support for the revised control measures.

Hong Kong Resort Company Limited October 2012

## Annex

### **Control Measures for Confining Public Coaches to the Authorised Areas in DB North**

#### Road signs

1. With the approval of Transport Department (TD), Hong Kong Resort (HKR) will erect traffic signs (which will be gazetted by TD) to prohibit public coaches from entering other areas in DB.
2. With the approval of TD, HKR will mark "double yellow line" (which will be gazetted by TD) in the Authorised Areas to prohibit pick-up or drop-off of passengers except in designated areas.
3. Warning signs to alert public coach drivers of presence of golf carts will be erected in the Authorised Areas by HKR.

#### Equipment and security guards

4. Three drop bars will be installed to stop public coaches from going beyond the Authorised Areas at Discovery Bay Road near the big roundabout, road entrance near the big roundabout leading to Chianti and the roundabout near the hotel in DB North leading to Siena Avenue.
5. A CCTV with recording function will be installed at each drop bar.
6. The drop bars will be manned by security guards employed and paid for by HKR 24 hours a day.

#### Advance application

7. An advance application must be submitted to the tunnel control centre with endorsement by the relevant party specified below:

##### Party requiring public coach service Endorsement by

- (a) hotel DB Hotel
- (b) community hall CM
- (c) residents CM
- (d) sports and community groups CM
- (e) commercial operators HKR
- (f) construction contractors HKR (for HKR projects) CM (for village projects)

#### Control measures

8. When paying the toll at the toll booth of the tunnel, the driver of an incoming public coach will be given a ticket printed with entry time by tunnel staff.
- 8.9. Tunnel staff will record the timing of entry and exit, as well as registration number, of each public coach.

10. Before leaving DB, an outgoing public coach will be required to 'check out' through an automatic control gate to be installed near the tunnel control centre on DB side. A guard employed and paid for by HKR will man this gate 24 hours a day. This guard will collect overstaying charges.
- 9-11. After entering DB through the tunnel, an incoming public coach will proceed to DB North directly via the underpass.
- 10-12. An incoming public coach may drop-off and pick-up passengers at three locations in DB North: pick-up/drop-off bay outside community hall, pick-up/drop-off area outside hotel and pick-up/drop-off bay near hotel. No public coach may pick-up/drop-off any passengers at any other location other than these three designated areas. All other locations are Prohibited Areas.
- 11-13. If a public coach goes beyond the Authorised Areas, a report will be made to the Police immediately. The offending public coach will be stopped by tunnel staff and handed over to the Police.
- 12-14. If a public coach drops off or picks up any passenger in a Prohibited Area within the Authorised Areas, the security guard will record the registration number of the public coach and a description of the driver. The information together with the form completed by the driver earlier and CCTV recording (if required) will be passed to the Police for follow up action.
15. An incoming public coach will be allowed to stay in DB for up to 45 minutes free of charge after 'check in' at the tunnel toll booth.
16. An outgoing public coach will be required to pay an overstaying charge before 'check out' if it stays in DB beyond the free duration. The overstaying charge will be \$300 for the first overstaying hour and \$600 for each subsequent hour.
17. When all pick up/drop off areas and parking space for public coaches are in use, tunnel staff will stop incoming public coaches from entering the tunnel until pickup/drop off areas for public coaches and/or parking spaces for public coaches become available.
18. Coaches may only park in those places designated as public coach parking places on the plan that describes the Authorised Area.
19. HKR will consult public coach companies and relevant associations on the control measures and remind them of the restrictions before coaches are allowed to enter DB.

-End-

