

政府總部
環境運輸及工務局
香港花園道美利大廈



Environment, Transport
and Works Bureau
Government Secretariat
Murray Building, Garden Road,
Hong Kong

Ref. : ETWB(W) 517/83/02

Group : 5, 12

25 May 2006

Environment, Transport and Works Bureau
Technical Circular (Works) No. 3/2006

Tree Preservation

Scope

This Circular sets out the policy on tree preservation, and the procedures for control of tree felling, transplanting and pruning in Government projects. For the purpose of this Circular, Government projects hereinafter mean public works projects, entrustment works and works that are undertaken by private parties but will be handed back to the Government for maintenance. This Circular also covers the reporting of unauthorized tree removal (i.e. felling or transplanting), on both private and unleased Government land.

2. This Circular has the agreement of the Secretary for Housing, Planning and Lands, Director of Agriculture, Fisheries and Conservation, Director of Buildings, Director of Home Affairs, Director of Housing, Director of Lands, Director of Leisure and Cultural Services and Director of Planning.

Effective Date

3. Insofar as the procedures for control of felling, transplanting and pruning of trees in Government projects are concerned, paragraphs 15 to 39 of this Circular shall apply to projects for which tenders are invited on or after 1 September 2006.

Also, those projects with the tree removal applications submitted before 1 September 2006 should follow the existing control procedures and are exempted from the requirements under paragraphs 15 to 39.

4. Insofar as the reporting of unauthorized tree removal is concerned, paragraphs 40 to 44 of this Circular shall take immediate effect.

Effect on Existing Circulars

5. This Circular supersedes WBTC No. 14/2002, which is hereby cancelled.

6. This Circular should be read in conjunction with the following circulars:

	Number	Subject
1.	WBTC No. 7/2002	Tree Planting in Public Works
2.	ETWB TCW No. 34/2003	Community Involvement in Greening Works
3.	ETWB TCW No. 2/2004	Maintenance of Vegetation and Hard Landscape Features
4.	ETWB TCW No. 11/2004	Cyber Manual for Greening
5.	ETWB TCW No. 29/2004	Registration of Old and Valuable Trees, and Guidelines for their Preservation

Background

7. The Government has put in place a comprehensive range of legislative and administrative measures for tree preservation on both private and unleased Government land.

8. For trees on unleased Government land, they are protected under the Forests and Countryside Ordinance (Cap. 96). Under the Ordinance, any person who, without lawful authority or excuse, fells or destroys any trees in any forest or plantation on unleased Government land is punishable by a fine up to \$25,000 and imprisonment up to one year. The legislation is applicable to both urban and rural areas. Other relevant legislation includes Country Parks Ordinance (Cap. 208), Crimes Ordinance (Cap. 200) and Theft Ordinance (Cap. 210). Also, trees on

pleasure grounds, public cemeteries and gardens of remembrance are protected under the Public Health & Municipal Services Ordinance (Cap. 132).

9. In addition, the Government has implemented a host of administrative measures to protect trees affected by Government and private developments. We have promulgated a set of sample contract provisions for incorporation in public works contracts since June 2004 to further strengthen tree protection during construction. Besides, a Register of Old and Valuable Trees has been established to provide priority protection to such trees on unleased Government land within built-up areas (ETWB TCW No. 29/2004 refers). Furthermore, a tree preservation clause is imposed, as appropriate, on the land allocated to Government departments in order to protect existing trees therein. For private developments, a tree preservation clause has been incorporated since 1970's in the lease condition to protect trees in private sites.

10. To further enhance tree preservation, the Government has reviewed the current procedures to control felling and transplanting of trees affected by Government projects. The improvement measures identified have been incorporated in this Circular, which also sets out the procedures for prompt reporting of unauthorised tree removal. Separately, Lands Department (LandsD) is preparing a Practice Note for private projects on preservation of trees subject to lease control.

Definition

11. For the purpose of this Circular, a plant is considered as a "tree" if its trunk diameter measures 95 mm or more at a height of 1.3m above the ground level.¹

Policy

12. It is the responsibility of all Government officers to ensure that no trees are unnecessarily felled or pruned.

¹ Guidance on measurement of tree diameter is given in AFCD's Nature Conservation Practice Note No. 2, which can be viewed from the Cyber Manual for Greening or AFCD's internet homepage (www.afcd.gov.hk).

Tree Preservation for Government Projects

13. We have reviewed the tree preservation procedures for government projects with a view to further enhancing the existing arrangements, in particular for preservation of trees with high conservation and amenity value.

14. The need to preserve trees **must** be borne in mind, notwithstanding engineering and financial constraints, particularly by those in charge of development and construction projects. The planning and design of projects **must** take into account the need for tree preservation so that an optimal project layout is adopted, balancing all the major considerations.

Planning and Design Stage

15. At planning or early design stage, a tree survey should be carried out within and, if appropriate, adjacent to the site in order to identify trees or tree groups with high conservation or amenity value that deserve to be retained. In particular, the following types of trees should be identified for priority preservation:

- (i) Trees included in the Register of Old and Valuable Trees under ETWB TCW No. 29/2004; or
- (ii) Trees potentially registrable in accordance with the criteria for Old and Valuable Trees (OVT) as set out in ETWB TCW No. 29/2004.

16. The above OVT or potentially registrable OVT should be preserved at their existing locations, and their removal should be prohibited except under very special circumstances² with full justifications.

Hierarchy for Tree Removal Consideration

17. No trees should be unnecessarily felled or pruned. For other trees not covered under paragraph 15 above, the following order of priority should be adopted for tree removal considerations:

² Approval for removal of a tree in the Register of Old and Valuable Trees will not be granted unless under exceptional circumstances. In such case, LandsD will seek the recommendation from the Works Branch of Environment, Transport and Works Bureau before final approval is given to the project office. Further details are given in ETWB TCW No. 29/2004.

- (a) retain the trees at their existing locations;
- (b) if (a) is not possible, transplant the affected trees to other permanent locations within the site, so as to increase the tree's survival rate after transplantation and minimize the loss of greenery on the local environs. This should be considered as far as possible unless the trees affected are of low conservation and amenity value, or have a low chance of surviving or recovering to its normal form after transplanting;
- (c) if both (a) and (b) are not possible, transplant the trees to a permanent location off site. Location of receptor site should preferably be within the same area for retention of amenity value in the vicinity. To strike a balance between cost and benefit, only trees with high conservation value or high amenity value including rare and precious species and "transplantable" trees (i.e. trees that have a very good chance of recovering to its normal form) should be considered for transplanting. The project office should allow sufficient time, normally not less than 12 months, for obtaining approval and preparation of transplanting work; and
- (d) felling of trees will only be considered as a last resort under the following circumstances:
 - there is no other practicable alternative and the tree(s) to be felled is not covered under paragraph 15 above; or
 - the tree(s) has unrecoverable health problem and is in poor condition; or
 - other justifications provided by the project proponent.

18. To avoid wilful damage to any existing trees, consideration for removal of trees in poor condition should be assessed on a case-by-case basis. Every practicable opportunity should be explored to restore the conditions of the tree in question as far as possible. Compensatory planting should be implemented wherever tree felling is involved but such planting itself should not be the only justification for removing the trees affected by the project.

Control Procedures for Tree Felling or Transplanting

Tree Removal Application

19. Permission to fell trees will not be granted unless good cause is shown and fully justified and that the option of transplanting the trees within the site or off-site has been fully explored but found not practicable. The project office shall submit an application to the relevant District Lands Officer (DLO) for formal approval of the felling/transplanting proposal and verification of the land status where necessary, with copies to Agriculture, Fisheries and Conservation Department (AFCD) or Leisure and Cultural Services Department (LCSD), or the relevant tree maintenance departments as appropriate³. LandsD will scrutinise the application and reply to the applicant within 10 weeks from the date of receipt of an application with all the requisite information, or within 4 weeks upon receipt of all comments from relevant departments as well as agreement to the application from AFCD or LCSD and the relevant tree maintenance departments, whichever is the earlier. However, longer processing time may be required should the proposal involve felling or transplanting of a tree included in the Register of Old and Valuable Trees. Where the project office disagrees with DLO's decision on the tree felling/transplanting application, either party may bring the dispute to the District Lands Conference (DLC) under LandsD for a decision. For removal of OVT, the project office should seek recommendation from ETWB before an appeal is made to DLC for decision.

20. In the case of tree transplant, the project office should allow at least 12 months in advance for consultation to obtain approval, sourcing of receptor location and preparation works for the transplanting operation. Otherwise, justification should be provided in the application for tree transplanting proposal.

Public Works Subcommittee (PWSC) Paper

21. For public works projects, project offices have incorporated in the PWSC papers information on tree preservation since October 2003, when seeking the Legislative Council's (LegCo) approval of project funding. The information to be incorporated includes the extent and type of trees affected by the project. An updated template to facilitate the incorporation of the tree preservation information in the PWSC paper is given in **Appendix A**. For Category B projects under the Public Works Programme, the project office must obtain the necessary approval, or

³ The principle for determining the tree maintenance department is given in ETWB TCW No. 2/2004.

agreement in principle, for the tree removal and compensatory planting proposals prior to submitting the PWSC paper for funding approval to upgrade the project to Category A for implementation of construction works.

Submissions for Tree Removal Application

22. In support of the tree felling or transplanting application, the project office shall submit a tree survey plan and a tree assessment schedule, including tree preservation and protection measures for the trees to be retained and a compensatory planting proposal to the relevant DLO for approval. Details of the submissions are set out in paragraphs 23 to 28 below.

Tree survey plan

23. The tree survey plan shall include the following details:

- (i) the location of trees together with their crown spread within and, if appropriate, adjacent to the site on a plan showing the existing levels and above-ground features, together with an identification number provided adjacent to each tree;
- (ii) the trees to be retained, transplanted within the site, transplanted off-site or felled. Different colours shall be used to facilitate vetting of the application, if necessary; and
- (iii) an overlay of site formation plan showing the proposed layout of the development, the formation or finished levels as well as the extent of temporary works.

Tree assessment schedule

24. The tree assessment schedule shall indicate for each tree:

- (i) the species, (scientific names and Chinese common names);
- (ii) height;
- (iii) trunk diameter (at 1.3m above the ground level);
- (iv) tree crown spread;
- (v) form;
- (vi) amenity value;
- (vii) health condition; and

- (viii) the suitability of transplanting and recommendations (i.e. retain, transplant or fell) with justification.

The submission should include colour photographs of the tree(s), illustrating the whole tree as far as possible with tree identification numbers marked, and imprinted with date shall also be submitted. The appropriate authorities for control of each tree shall be shown in the tree assessment schedule to facilitate assessment of the application by the relevant authority (see **Appendix B** for further details). Furthermore, general method statements on tree preservation and protection measures for the trees to be retained should be submitted. Any pruning proposals to the retained or transplanted trees should also be highlighted in the submission giving the reason and proposed extent of tree surgery, canopy and root pruning.

25. Where the project involves removal of “important trees”, which are trees that are either included in the Register of Old and Valuable Trees or potentially registrable in accordance with the criteria as set out in ETWB TCW No. 29/2004, an additional schedule using the standard proforma given in **Annex I to Appendix A** should be submitted with details of the “important trees” affected by the project.

26. The tree survey plan and assessment schedule should be based on findings of tree surveys conducted within two years prior to submission, provided that there have been no substantial deviations to the number and condition of the trees in the affected area.

Compensatory planting proposal

27. As far as possible, implementation of compensatory planting should be of a ratio not less than 1:1 in terms of quality and quantity within the site. That is, the total numbers and the aggregated girth size of compensatory trees within the site and off-site, should not be less than that of the tree(s) to be felled. In addition, the quality of compensatory trees should be at least of “heavy standard” (Section 3 of the General Specification for Civil Engineering Works refers) except for slope works, which are exempted from the compensation planting ratio requirement. Proposals which deviate from this principle should be supported with justification, in order to ensure that the greening opportunity within the site is optimised where feasible. Also, sufficient space should be provided for the planting of compensatory trees taking into account the minimum space required to cater for the establishment and healthy growth of the trees.

28. The soil specification and ground surface treatment of recipient locations of the compensatory tree shall be clearly indicated in the compensatory planting proposal. In addition, there shall be a written statement with typical section to demonstrate adequate soil depth for tree planting (e.g. minimum 1,200mm in depth excluding drainage layer with reasonable planting area). Where the planting area is partly located under cover, this shall be highlighted in the proposal with a plan showing the locations. In general, a clear height of 4.5m or more is required for tree planting under elevated/overhead structures in order to allow adequate natural sunlight and headroom for growth of trees.

Departmental Responsibilities for Control of Tree Removal

29. LandsD is responsible for processing tree felling and transplanting applications for both government projects, and private projects with lease control on tree preservation, with advice provided by the expert departments. A summary of the departmental responsibilities for providing expert advice to LandsD is given in **Appendix B**.

30. For new and redevelopment public housing projects within the vesting order boundary, HD had obtained approval from the Director of Administration in 1998 to establish internal procedures for tree protection for such projects. To further strengthen the existing control procedures, HD will set up an independent internal vetting committee and adopt a similar system as that described in paragraphs 19 to 28 for vetting the housing projects affecting trees and to ensure that no trees are unnecessarily felled, transplanted or pruned.

31. For projects undertaken by AFCD and LCSD, the departments have established an internal vetting mechanism similar to that set out in paragraphs 19 to 28, in order to ensure that no trees are unnecessarily felled/transplanted or improperly pruned. The approval of LandsD and ETWB will also be required for projects involving removal of OVT, in accordance with ETWB TCW No. 29/2004.

Exemption

32. The control requirements under paragraphs 19 to 28 of this Circular are not applicable to the removal of hazardous trees due to natural causes such as lightning, typhoon, torrential rain or landslide, or dead/dying/diseased trees, where

public safety is at stake, or fully justified emergency situations. Where possible, the department in carrying out the above tree works should take full photographic records of the trees concerned before removing them. The photographs, which should be in colour and imprinted with date, should cover the ground condition surrounding each of the trees concerned, and/or fallen parts as well as the exposed rootball of the tree.

33. The control requirements under paragraphs 19 to 28 of this Circular are not applicable to normal horticultural maintenance that involve felling of self-seeded trees of undesirable species, such as “*Leucaena leucocephala*” (銀合歡), which would prevent natural succession of indigenous species. The requirements are also not applicable to woodland management works carried out by respective tree maintenance departments.

Control of Tree Pruning and Tree Surgery Work

34. For tree surgery work involving extensive crown, limb or root pruning that significantly affect the tree form, the justification, extent and supervision requirements of pruning works should be approved by the Senior Landscape Architect (SLA) of the project office for contracts managed by in-house staff, or the Project Director of the landscape consultants for consultant-managed contracts.

35. Detailed pruning proposal and method statements submitted by contractor should be approved by project officer before implementation, and monitored throughout the duration of the contract⁴. If the extent of pruning is small and the engagement of a landscape professional is not practical, the works should be carried out by a specialist contractor on ETWB’s “List of Approved Suppliers of Materials and Specialist Contractors for Public Works”, under the Category of “Landscaping Class I – General Landscape Works”. The contractor should appoint a competent person with arboriculture knowledge to supervise the works.

⁴ Pruning should be conducted according to good arboriculture and horticultural practices. Reference may be made to the Particular Specification for Preservation and Protection of Existing Trees (Type A) in the Cyber Manual for Greening, as well as “BS3998:1989 Recommendation for Tree Work” and Tree Planting and Maintenance in Hong Kong (1991).

36. The control requirements under paragraphs 19 to 28 and 34 to 35 are not applicable to tree pruning carried out for regular horticultural maintenance, woodland management, emergency situations and where public safety is at stake. In general, tree pruning is a necessary part of proper horticultural upkeep or maintenance. However, over-pruning such as hard-pruning of the crown, pollarding or topping must be avoided.

Preparation of Contract Documents

37. The project office should incorporate in construction contracts, as well as relevant maintenance and ground investigation contracts, contractual requirements to protect the trees that require to be preserved within the site. A set of sample contract provisions for inclusion in the Form of Tender, Special Conditions of Contract, Particular Specification (PS) and Method of Measurement are available in the Cyber Manual for Greening (<http://portal.ccgo.hksarg/index.jsp>). Where appropriate, the sample PS and Method of Measurement may need to be modified to suit specific project requirements. The sample contract provisions for tree preservation have been in use since June 2004 in public works contracts.

38. In addition, the following PS clause on the training requirement should be included in contracts for which tenders are invited on or after 1 September 2006 and where preservation of trees is required:

“The Contractor shall assign a competent member of the site supervisory staff to oversee and supervise tree works related to horticultural operations and preservation of trees within the Site, including, but without limitation to, planting, transplanting, tree surgery work and control of pest and disease affecting trees on the Site. The person assigned shall be working full-time on the Site but not necessarily working solely on trees. The assigned person shall have attended relevant training on the subject organised by training institutes (such as Construction Industry Training Authority), or similar courses as considered appropriate by the *Architect/Engineer/Supervising Officer. The Contractor shall submit to the *Architect/Engineer/Supervising Officer for approval within 45 days of the date of the Employer’s letter of acceptance of the Tender particulars of the assigned person (including his name, experience and position)

together with a copy of the certificate issued by the training institute confirming his satisfactory completion of the relevant course.”

** Please delete as appropriate.*

Notes to Tenderer

39. The following notes to tenderers should also be incorporated in contracts where the above PS clause is incorporated:

“Tenderers should note that the Particular Specification Clause ____ requires the Contractor to assign a competent member of the site supervisory staff to oversee and supervise the tree works under the Contract, and that such a person should have attended relevant training course as required under the Particular Specification Clause.”

Reporting of Unauthorized Tree Felling or Damage of Trees, and Regulating Actions

Government projects

40. Where incidents of unauthorized removal or damage of trees occur in a Government project, the project office should investigate and take necessary regulating action should the contractor be found responsible for the incidents. For public works contracts, the contractor’s performance on tree protection should be fully reflected in the Report on Contractor’s Performance. In this regard, the reporting officer should consider rating Item No. 6.2 “Care of Works” in Section 6 of the Report on Contractor’s Performance as “Poor” if the contractor is found liable for the damage or unauthorized removal of any tree in the site, unless the Architect/Engineer/Supervising Officer is convinced that the incident is justifiable due to exceptional circumstances (e.g. under emergency situation).

Unleased Government land

41. Any incidents of unauthorized removal or damage of trees within

unallocated or allocated Government land should be reported promptly to AFCD or the allocatee department respectively for investigation and necessary prosecution actions under the relevant legislation. The report should also be copied to LandsD for information.

Private land

42. Where unauthorized removal or damage of trees occurs on leased land (i.e. private land), the incident should be reported promptly to the relevant DLO for investigation who would follow upon those cases that are subject to tree preservation clause under lease.

Reporting of Serious Incidents of Unauthorized Tree Felling or Damage of Trees

43. For serious incidents of unauthorized tree removal or damage of trees that have attracted media attention, the following departments should alert and submit a brief incident report to ETWB [Attn: PAS(W)3] within 2 working days after the incident is reported by the media:

	Locations of the incident	Department responsible
1.	Allocated Government land	Allocatee department
2.	Unallocated Government land	AFCD
3.	Private land including land leased under the short term tenancy and land under Government Licence, where there is lease requirement to preserve trees	LandsD

44. The incident report should set out the background of the incident, location, number and types of trees affected (if known), course of actions taken and follow-up actions required, where appropriate. A sample template of the incident report is given in **Appendix C**.

Further Enquiries

45. Any further enquiries on this Circular or related issues should be directed to AS(WP)1 of this Bureau.

(C S Wai)
Deputy Secretary for the Environment,
Transport and Works (Works) 2

**Template for Incorporating the Information
on Tree Removal/Planting Proposals into PWSC Paper**

A. For non-construction projects (such as site investigation, design consultancy and feasibility study*)

“The proposed [*description of the works e.g. site investigation works, design consultancy, feasibility study, etc.*] will not directly involve any tree removal or planting proposals. *We⁵ will require the consultant to/We will take into consideration the need for tree preservation during the planning and design stages of projects. We will also incorporate tree planting proposals, where possible, in the construction phase in the future.”

B. For construction projects which do not involve tree removal or planting proposals

“The proposed [*description of the works e.g. procurement of air traffic equipment, fitting out works within the existing RC markets and enhancement of infections disease control facilities, etc.*] will not involve any tree removal or planting proposals.”

C. For construction projects which do not involve tree removal proposal but planting proposals are included

“The proposed [*description of the works e.g. construction of primary school, drainage improvement in North New Territories, etc*] will not involve any tree removal proposal. We will incorporate planting proposal as part of the project, including estimated quantities of *aa* no. of trees, *bb* no. of shrubs, *cc* no. of annuals and *dd* m² of grassed area.”

⁵ “We” in this template should be replaced by reference to the subvented organization (e.g. “Hospital Authority” for medical projects and “the school” for school projects) for those subvented capital works projects under Head 708 where the subvented organization is the works agent.

D. For construction projects which involve the removal of common trees⁶ with/without⁷ planting proposals

“Of the A no. of trees within the project boundary, B no. of trees will/may be preserved. The proposed [*description of the works, e.g. construction of infrastructure for Penny’s Bay Development, site formation, roads and drainage works at Sha Tin, construction of Fanling Magistracy Building, etc*] *will/may⁸ involve the removal of T no. of trees including X no. of trees to be felled, Y no. of trees to be transplanted elsewhere and Z no. of trees to be replanted within the project site (subject to finalization of design⁸) (Note: $A=B+T$; $T=X+Y+Z$). All trees to be removed are not important trees⁹. We will incorporate planting proposals as part of the project, including estimated quantities of aa no. of trees, bb no. of shrubs, cc no. of annuals and dd m² of grassed area.”

E. For construction projects which involve removal of both common trees⁶ as well as “important trees”⁹ with/without⁷ planting proposals

“Of the A no. of trees within the project boundary, B no. of trees will/may be preserved. The proposed [*description of the works e.g. construction of infrastructure for Penny’s Bay Development, site formation, roads and drainage works at Sha Tin, etc.*] will involve the removal of T_1 no. of common trees including X_1 no. of trees to be felled, Y_1 no. of trees to be transplanted elsewhere and Z_1 no. of trees to be replanted within the project site (Note: $A=B+T_1+T_2$; $T_1=X_1+Y_1+Z_1$). Besides, T_2 no. of important trees will be affected during the implementation of the project. A summary of important trees affected is provided at **Annex I**. We will incorporate planting proposal as part of the project, including estimated quantities of aa no. of trees, bb no. of shrubs, cc no. of annuals and dd m² of grassed area.”

* *Please delete as appropriate.*

⁶ A common tree refers to trees not classified as “important tree” (see footnote 9).

⁷ If planting proposal is not included, the last sentence of this paragraph can be omitted. However, further explanation will have to be added for any tree removal plan without compensatory planting.

⁸ Only applicable to Design & Build contracts.

⁹ An “important tree” refers to trees in the Register of Old and Valuable Trees, or any other trees that meet one or more of the following criteria:-

- (a) trees of 100 years old or above;
- (b) trees of cultural, historical or memorable significance e.g. Fung Shui tree, tree as landmark of monastery or heritage monument, and trees in memory of an important person or event;
- (c) trees of precious or rare species;
- (d) trees of outstanding form (taking account of overall tree sizes, shape and any special features) e.g. trees with curtain like aerial roots, trees growing in unusual habitat; or
- (e) trees with trunk diameter equal or exceeding 1.0 metre (measured at 1.3 metre above ground level), or with height/canopy spread equal or exceeding 25 m.

Summary of “important trees” involved in

Project No. : _____ **Project Title** : _____

Tree ref. no. ⁽³⁾ (and/or photo no.)	Tree species (Botanical name)	Tree maintenance department	Tree size			Form ⁽¹⁾ (Good/ Fair/ Poor)	Health condition (Good/ Fair/ Poor)	Amenity value (High/ Med/ Low)	Survival rate after transplanting (High/ Med/ Low)	Recommendation (Retain/ Transplant/ Fell)	Remarks (including justification for proposed tree removal /ecological and historical significance (if any) of affected trees, etc.)
			Overall height (metres)	Trunk ⁽²⁾ diameter (mm)	Average crown spread (metres)						

- (1) Form of a tree will take account of the overall tree size, shape, and any special feature.
 (2) Trunk diameter of a tree refers to its diameter at breast height (i.e. measured at **1.3 m** above ground level).
 (3) Tree(s) in the Register of Old and Valuable Trees should be highlighted.

**Departmental Responsibilities for
Providing Expert Advice to LandsD for Vetting of Tree Removal Applications**

Land Category	Responsible Departments
<ul style="list-style-type: none">• Allocated Government land including land allocated to LCSD (e.g. public parks, gardens, open spaces, public recreation grounds and stadiums, etc.) except land allocated to AFCD.• Leased land to be resumed for public projects and unleased land to be allocated to Government departments (except land allocated or to be allocated to AFCD).• Roadside areas on unallocated and unleased Government land, in Hong Kong Island and Kowloon within 5 metres from the kerb, or in the New Territories within 30 metres from the kerb of public roads maintained by HyD, except for land within the boundary of expressways and on SIMAR slopes maintained by HyD.• Roadside landscaping areas maintained by LCSD.	LCSD
<ul style="list-style-type: none">• Unallocated and unleased Government land (except roadside areas under LCSD's jurisdiction as stipulated above, or areas under HyD's jurisdiction as mentioned below).• Land allocated to AFCD, Country Parks and Special Areas under the Country Parks Ordinance and Sites of Special Scientific Interest.	AFCD
<ul style="list-style-type: none">• Land within the boundary of expressways and on SIMAR slopes maintained by HyD.	HyD*
<ul style="list-style-type: none">• Land within the vesting order boundary.	HD**

Remarks:

* HyD will set up an independent internal vetting body to advise LandsD on the tree removal applications.

** HD is the approval authority for felling/transplanting of trees in the new and redevelopment public housing projects within the vesting order boundary. HD will set up an independent internal vetting committee to deal with the removal applications.

1. Where a Government land to be leased or granted to a third party (e.g. private developers) contains trees that have been included in the Register of Old and Valuable Trees or nominated for registration, LandsD will seek advice from LCSD/AFCD to include appropriate tree preservation and protection clauses in the lease documents to ensure that the trees will be preserved and adequately maintained.
2. Architectural Services Department is responsible for advising LandsD on tree preservation (including tree felling/transplanting) within leased land (i.e. private lots) that are governed by tree preservation related clause(s) in the lease (by land grant, landsale, or Short Term Tenancy). LandsD will also consult relevant management and/or maintenance departments responsible for the affected trees and/or proposed vegetation within the "coloured areas" (such as Yellow Area, Green Area, etc.) that are to be formed under the provisions of lease.
3. Planning Department is responsible for dealing with planning applications submitted to the Town Planning Board, which may impose conditions requiring preservation of trees and submission/implementation of landscaping proposal.

To : ETWB [Attn: PAS(W)3] Fax No.: 2536 9299

Report of Serious Incidents of Unauthorized Tree Removal or Damage of Trees

1.	Location of the incident :	
2.	Number, Size and Species of (if known) Trees Removed or Damaged :	
3.	Date and Time When the Incident Occurred :	
4.	Nature and Brief Account of the Incident :	
5.	Follow-up Actions being Taken :	
6.	Date of Media Reports and Names of the Media: <i>(copies of media reports to be provided where appropriate)</i>	
7.	Relevant Background Information:	
Submitted by : _____ (Name) _____ (Post) _____ (Department)		
Date : _____		