



Report of the Task Force on Tree Management

People, Trees, Harmony

June 2009

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Foreword

We all love trees. We love their delightful shades of green and their pleasant scent of freshness. In the middle of a hot summer's day, we love to sit under the cool canopy of their outstretched branches.

Trees are usually close to our hearts. But the tragic accident caused by a tree collapse in Stanley last August also showed that some trees pose a hidden danger. This accident made us think more carefully about how, in our crowded urban cityscape, we can build an environment where people and trees can co-exist in harmony.

So we need to resolve long-standing problems, more clearly define the division of work among departments, enhance professional standards, and strike a good balance between tree preservation and public safety. We also need to consider the mindset of our citizens, and their involvement in any solutions.

Over the past three months, we have been grappling with many and varied problems to devise a set of proposals acceptable to our community.

Legislative Councillors, District Councillors and tree experts have all given us good ideas and advice. The media has provided timely reminders every now and then, while members of the public have sent us words of encouragement. Our heartfelt thanks go to every one of them. We have taken on board many of the practical ideas offered, and we will keep under review other suggestions after we roll out our new initiatives.

This report is just a start. We will need the community's continued support and participation to implement our various recommendations.

Let's work together to build a city in which people and trees can co-exist safely in harmony.

At this time, we also remember Miss Kitty Chong. We hope that thriving trees can be a memorial to her life.

Henry Tang
Chief Secretary for Administration
June 2009

Majestic greenery

Hong Kong is inextricably connected to nature, with hundreds of old and valuable trees in majestic form and size.

Chinese Banyan (*Ficus microcarpa*)



Masonry wall tree

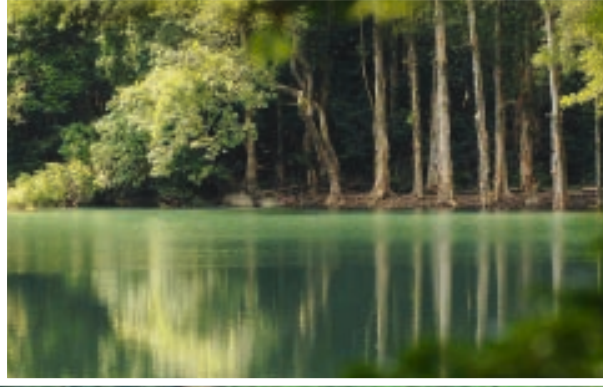


Burmese Rosewood (*Pterocarpus indicus*)



Chinese Banyan (*Ficus microcarpa*)

Shing Mun Country Park



Feng shui woods in Lin Au



Verdant countryside

About 67% of Hong Kong's 1,100 square kilometres is open countryside which is just a stone's throw from the city centre, including feng shui woodlands which are an important cultural heritage with unique ecological value.



Shing Mun Country Park

Seasonal changes

Straddling the transition zone between the tropics and the temperate region, Hong Kong boasts a huge diversity of flora with a mix of native and introduced/exotic species, adding colour and life to the city.

Flame tree (*Delonix regia*)



Golden Shower
(*Cassia fistula*)



African Tulip Tree
(*Spathodea campanulata*)



Queen Crape Myrtle
(*Lagerstroemia speciosa*)



Frangipani
(*Plumeria rubra*)



Lance-leaved Sterculia
(*Sterculia lanceolata*)

Camphor tree (*Cinnamomum camphora*)



Attractive native

Although renowned as a compact urban centre, Hong Kong is home to an impressive range of flora with hundreds of native tree species - a valuable asset to the city and a treasure to be explored.



Grantham's Camellia
(*Camellia granthamiana*)



Rhodoleia
(*Rhodoleia championii*)



Hong Kong Camellia
(*Camellia hongkongensis*)



Schima
(*Schima superba*)

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REPORT OF TASK FORCE ON TREE MANAGEMENT

Executive Summary

1. On 31 March 2009, Government announced that the Chief Secretary for Administration would lead a Task Force comprising relevant bureaux and departments to examine a range of issues regarding tree management in Hong Kong, addressing in particular concerns about the public safety aspects of tree management expressed by the Coroner's Court relating to a fatal tree collapse case in Stanley and the Jury's specific recommendations. Within a three-month duration, the Task Force has examined comprehensively various aspects including the guiding principles and approach to be adopted in greening and tree management; the institutional framework to ensure effective co-ordination; the arrangements for enhanced tree risk assessment; the availability of expertise and staff training; the need for new legislation; community involvement, public education and handling of complaints; and the provision of resources and equipment. This Report sums up the work of the Task Force and sets out recommendations on the way forward.

GUIDING PRINCIPLES AND APPROACH TO TREE MANAGEMENT IN HONG KONG

Government's Greening Efforts

2. Hong Kong's greenery is much treasured by our community. Around 67% of the territory's total land area is covered by woodland, shrubland and grassland, most of which concentrates in rural areas especially in country parks. Green landscape, whether natural or man-made and on Government or private land, contributes to the quality of our living environment in various ways – improvement in air quality, lower temperature, visual appeal, etc.

3. Such green coverage is achieved over the years through careful spatial planning as well as conscious greening efforts. For example, in undertaking new public works projects including roads and drains, slope stabilisation works and building projects, efforts are made by works departments to plant new vegetation wherever appropriate. In more recent

years, greening works are systematically undertaken on a district basis through the implementation of Greening Master Plans (GMPs). For the past three years, Government spent an average of about \$200 million on greening works annually, planting about 10 million new trees, shrubs and seasonal flowers each year.

Government's Tree Maintenance Efforts

4. Trees and vegetation grow and blossom, but they also need to be maintained in a healthy state for the enjoyment of the public. Over the years, Government adopts an “integrated approach” in assigning responsibilities for preserving and maintaining all vegetation on Government land to relevant departments. Under this approach, tree maintenance is part and parcel of the duty of the department which uses and manages that particular piece of land or facility. Such “integrated approach” has generally been operating smoothly, but recent events have indicated the need for some gaps to be filled and certain aspects of tree management to be re-examined. One of these aspects is the risk posed by trees and the danger that may be caused to public safety.

Public Safety

5. Trees, like other living organisms have a natural cycle. They grow, age, become weak and die. Their growth is subject to both internal constraints as well as external or environmental factors. Different tree species have different growth patterns. In general, as they grow older and larger, their growth rate and ability to recover will decline and one day due to internal or external reasons (or mixture of both), a tree will die. Exposed to the natural environment, trees are particularly vulnerable during thunderstorms or heavy rain. As a result, on average, some 8 000 trees are felled each year by Government for such reasons as aging, diseases, natural forces (such as typhoon and torrential rain) and woodland management (i.e. removal of weaker trees to make way for growth of stronger ones). When a tree poses imminent danger to life and property, it would only be prudent to remove the threat without delay. Felling the tree would be required so as not to jeopardise public safety. Other potential risks posed by weakened trees should be tackled by remedies following risk assessment and be subject to the needed monitoring.

Need for a Holistic and Visionary Approach

6. Although the current review emanates from the concern over public safety, in the course of its deliberations, the Task Force recognised that tree safety could not be tackled in isolation through management and maintenance without putting this work in the overall context of our greening and landscape policy. Put simply, if unsuitable species of trees were planted in inappropriate locations with inadequate soil room and sunlight, the healthy growth of trees would be hampered, making it difficult, challenging and more resource intensive to manage and maintain them. The Task Force has therefore recommended that we should tackle tree management in a comprehensive and sustainable manner, addressing issues such as appropriate planning, proper identification of planting locations, suitable design and careful selection of species. In this way, we would be in a better position to ensure that trees planted will be sustainable – in terms of health, aesthetic quality, livability, ease of future maintenance and public safety. This approach to tree management is reflected in the Task Force's recommendation to set up a new Tree Management Office under the oversight of a greening, landscape and tree management policy.

Need to Balance Other Considerations

7. Apart from public safety, the preservation of trees has to take account of other policy considerations in the interest of the community. When a tree is suffering from problems, we would of course take remedial measures to save it. However, in doing so, we have to balance various factors, such as the health conditions of the tree, the value of the tree, the expected chance/duration of survival upon taking of remedial actions on the one hand, and the costs and effort on the other. For instance, for an Old and Valuable Tree (OVT), it may be worthwhile to spend substantial effort and public monies to save it when problems are encountered. But for an ordinary tree, it may not be justified to do the same as we can easily plant a new tree (or trees) to replace the problem tree, and the public resources thus saved can be used to undertake more vegetation.

8. Another angle is development needs in the interest of the community. Under the guiding principle of "Progressive Development", while we press ahead with infrastructure projects to promote Hong Kong's economic development and maintain Hong Kong's competitiveness, our development should be sustainable and balanced and should ensure proper

care on environmental protection to offer our people a quality city life. Removal of trees in public works projects is thus permitted but we must ensure that appropriate measures are taken to make up for the tree loss. In the past three years, while various works departments have removed about 10 000 trees annually for development needs, over some 60 000 trees have been planted annually in the process (i.e. around 6 trees planted for each tree felled).

9. In Hong Kong where respect for private property rights is enshrined in the Basic Law, we also have to strike a pragmatic balance between tree preservation and protection of private property rights. While we are keen to protect trees, it would be quite controversial to do so indiscriminately without giving due regard to the owners' wish.

10. The above considerations have guided the work of the Task Force and its recommendations as discussed below.

INSTITUTIONAL FRAMEWORK

11. The Task Force has reviewed the present "integrated approach" on tree management and considered this to be generally efficient and cost effective, although there is room for improvement. A totally centralised approach in which tree management will be taken up by one single "government department" is neither desirable nor practical given the large number of trees all over the territory. The Task Force's considerations are: first, there will be interface problems and fragmentation of responsibilities leading to non-optimal use of resources. For example, under the current "integrated approach", staff of the Agriculture, Fisheries and Conservation Department (AFCD) will take care of trees in country parks in conjunction with the carrying out of their duties in patrolling for fire prevention purpose and maintenance of recreational facilities like barbecue pits, whereas under a "single department" approach, it would require staff of a separate department to be responsible for trees within the country park boundaries. Secondly, the existing arrangement reflects a well established division of responsibilities amongst departments that accompanies land allocation or facility management, such as in slope maintenance, and this whole system would need to be overhauled if tree management were to be dealt with differently. The case for this major revamp is doubtful. However, while the Task Force does not consider it desirable to have a single Government

department to be responsible for tree management, it recognises the need to improve the current situation and coordinate better the work of different departments by setting up a new tree office to act as a central authority, a clearing house and a provider of expertise in tree management.

12. To achieve the above, the Task Force recommends that the current institutional framework be enhanced. The ***Development Bureau*** (DEVB), being the existing policy bureau overseeing the greening policy, should take up the overall policy responsibility for greening, landscape and tree management. A new post of Principal Assistant Secretary (PAS) (Greening, Landscape and Tree Management) (at Directorate Pay Scale (DPS) Point 2) will be created to oversee the two new Offices as set out below to ensure better integration of greening and tree management and the adoption of a holistic approach. Details are as follows –

- (a) a new ***Tree Management Office*** should be set up at the bureau level as the central authority and focal point for coordination to ensure more effective implementation of the “integrated approach”. It will also deal with those complex cases which cannot be adequately dealt with by departments. In coming to this recommendation, the Task Force has drawn reference from the institutional arrangement in place for the last 30 years in Hong Kong’s slope safety work with leadership and expertise provided by the Geotechnical Engineering Office of the Civil Engineering and Development Department while individual slopes are assigned to the relevant departments for day-to-day maintenance. The Office will be headed by a Chief Assistant Secretary (CAS) (at DPS Point 1). The post should preferably be filled by an individual with the requisite expertise. An expert panel should be set up comprising experts from both locally and outside Hong Kong to provide the needed expertise in both policy and operational aspects of tree management. The Office will serve as the secretariat of the expert panel; and
- (b) a new ***Greening and Landscape Office*** should be set up to be responsible for central coordination of greening and landscaping efforts. The Office will assume the current policy role in respect of GMPs and support the current Steering Committee on Greening and its various subcommittees. In addition, it would undertake a new responsibility of providing

input to landscape design in large scale Government infrastructure projects (e.g. the Kai Tak Development) as well as comprehensive private developments which are subject to landscape master plans or public open space requirements to enhance quality. The Office will also be established at the bureau level mainly by redeploying existing staff from the Works Branch of DEVB and the Architectural Services Department (ArchSD), including the post of Chief Landscape Architect (CLA) (at DPS Point 1). In order to tap outside expertise, consideration will be given to setting up a Design Panel to help scrutinise the landscape and greening proposals. The Office will serve as the secretariat of the Design Panel.

13. The two new Offices at the bureau level and the executive departments under the “integrated approach” will have clear delineation of duties. Existing guidelines promulgated over the years on a range of tree-related topics at the central as well as departmental levels will be reviewed by the new Tree Management Office in a comprehensive manner. The new arrangements will provide clear administrative mechanisms to all parties concerned for them to efficiently and effectively discharge their respective duties and bring about an improvement to the existing situation.

NEW TREE RISK ASSESSMENT ARRANGEMENTS

14. The Task Force considers it necessary to enhance the tree risk assessment arrangements to better protect public safety. This is indeed one of the priority areas for improvement identified by the Jury of the Coroner’s Court. Making reference to overseas experiences and taking into account the situation in Hong Kong, the Task Force has devised new tree risk assessment arrangements based on a dual approach –

- (a) “Area Basis” assessment – departments concerned will first identify those areas where members of public will be subject to significant risk if a tree fails; and
- (b) “Tree Basis” assessment – once an area is identified, staff in the concerned department will in the course of their duty identify those trees which may be problematic/important, and assess their conditions in accordance with a newly devised form with

particular emphasis on the risk angle. OVTs will as a rule be included for close monitoring.

15. In view of the unique circumstances of departments concerned and resource constraint, it will be necessary to allow suitable flexibility in implementation. For example, while parks and public housing estates are subject to high pedestrian flow and warrant comprehensive assessment, the huge area in country parks and unallocated and unleased Government land (which together constitute some 70% of the total land area of Hong Kong) may not warrant a comprehensive exercise but would rather have to rely on identification of such trees in routine control/management functions and upon referrals and complaints. Through the above approach, Government will be able to build up a database of important or problematic trees over time, have their conditions closely monitored and information recorded systematically and comprehensively for appropriate follow up actions.

EXPERTISE AND TRAINING

16. Tree management (in particular tree risk assessment) is a professional task, and training is essential to ensure that we have adequate quality staff at different levels. The Task Force recommends that the proposed new Offices should be manned by staff with appropriate academic/professional qualifications as well as frontline experience. Where local expertise is not immediately available, overseas experts should be engaged to kick-start the work. In addition, a Training Committee should be set up under the new Tree Management Office to plan staff training in a comprehensive, strategic and continuing manner.

17. Apart from training for staff within Government, we will also liaise with local tertiary education institutions, the Vocational Training Council, the Construction Industry Council Training Academy and other training providers on the possibility of strengthening the provision of related education and training courses. This will not only benefit staff within Government, but also the private sector (including management companies as well as contractors on horticulture/arboriculture work), thus ensuring a professional task force in the industry of tree management. In view of the outsourcing of Government work, the Task Force recommends that the eligibility criteria of contractors to be recognised as landscape contractors should also be reviewed and enhanced.

NEED FOR LEGISLATIVE CHANGES

18. The Task Force has devoted a lot of effort in examining the existing legislation with provisions applicable to tree management and deliberated on whether it is necessary to introduce a new tree ordinance or amend any existing ordinance.

19. For trees on Government land, improvement measures will be undertaken by Government departments and in general, there will not be any major problem. For trees on private land, the Task Force noted that since the 1970's, Government has already included tree preservation clauses in land leases. In the case of redevelopment of land, there is also an opportunity for Government to impose new requirements in regard to tree preservation via the planning regime or through the process of lease modification. The Task Force considers the existing regime generally adequate. After careful consideration, the Task Force considers that there is no need to introduce any legislative change at this stage and efforts should instead be channelled to the administrative means proposed to improve co-ordination, enhance tree risk assessment, upgrade expertise and involve the community. It would be better to see how the administrative measures work in reality before we consider the need for legislative amendments.

20. While the Task Force considers that there is no need to introduce any legislative change at this stage, Government will keep the matter under review having regard to the operational experience of the new improvement measures as set out in this Report.

COMMUNITY INVOLVEMENT AND PUBLIC EDUCATION

21. Apart from Government, the community can play a significant role in helping to preserve trees in Hong Kong. The Task Force hence recommends that we should strengthen our community involvement and public education.

22. On community involvement, the Task Force considers that District Councils and the local community are the key partners in our tree management work. To enhance public participation, the Task Force

recommends that the existing Green Volunteer Scheme should be expanded by recruiting more District Tree Care Volunteers and inviting prominent figures in the community to act as Green Ambassadors. Through such effort, we hope to gain greater support of our community in tree management work.

23. As for public education, the Task Force recommends that we should strengthen our public education on greening and tree preservation. There are two major aspects –

- (a) to foster an attitude of care for trees across the territory by the community at large (especially trees located in public facilities such as parks, country parks, housing estates, etc.); and
- (b) to appeal to private owners to take proper care of trees within their private lots for the benefit and safety of residents and visitors.

24. Apart from measures mentioned above, the cultivation of proper values and attitude towards protecting the environment (including protection of trees as part of the natural environment) among students should be strengthened via the school curriculum.

COMPLAINT HANDLING

25. The Task Force recognises the need to efficiently handle tree-related complaints. The “1823” hotline should function as the central point to receive public complaints on tree management in general. It will ensure timely assignment of complaints to the responsible departments under the “integrated approach”, monitor case progress and keep complainants updated in the process.

RESOURCES AND IMPLEMENTATION

26. The Task Force has recommended additional resources to commensurate with the enhanced measures to be adopted in tree management. For example, the new Greening, Landscape and Tree Management Section will comprise a total staff complement of about 20.

27. At the departmental level, in the light that at present the Lands Department (LandsD) does not have any in-house professional expertise to discharge its duties for dealing with the trees in the vast area of unleased and unallocated Government land (about 33 000 hectares) not covered by other departments, the Task Force recommends that a new tree unit should be set up in LandsD to enable it to effectively discharge its duties without having to seek expert advice from other departments. In addition, we will assess the resource requirements of other departments to enable them to implement the recommendations of the Task Force as appropriate.

28. Additional and more advanced equipment will be procured.

WAY FORWARD

29. The recommendations of the Task Force are summarised as follows –

- (a) the Development Bureau should take up the overall policy responsibility for greening, landscape and tree management. A new post of Principal Assistant Secretary (Greening, Landscape and Tree Management) (at Directorate Pay Scale Point 2) should be created to ensure better integration of greening and tree management and the adoption of a holistic approach;
- (b) a new Tree Management Office should be set up as the central authority and focal point for coordination to ensure more effective implementation of the “integrated approach” in tree management. A new post of Chief Assistant Secretary (at Directorate Pay Scale Point 1) should be created. An expert panel should be set up comprising experts from both locally and outside Hong Kong to provide the needed expertise in both policy and operational aspects of tree management;
- (c) a new Greening and Landscape Office should be set up to be responsible for central coordination of greening and landscaping efforts. It will be established mainly by redeploying the existing staff in Works Branch as well as the

Architectural Services Department including the existing post of Chief Landscape Architect (at Directorate Pay Scale Point 1). In order to tap outside expertise, consideration will be given to setting up a Design Panel to help scrutinise the landscape and greening proposals;

- (d) new tree risk assessment arrangements based on a dual approach should be adopted;
- (e) a Training Committee should be set up under the new Tree Management Office to plan staff training in a comprehensive, strategic and continuing manner;
- (f) the new Tree Management Office should liaise with local tertiary education institutions, Vocational Training Council, Construction Industry Council Training Academy and other training providers on the possibility of strengthening the provision of related education and training courses;
- (g) the eligibility criteria of contractors to be recognised as landscape contractors should be reviewed and enhanced;
- (h) there is no need to introduce any legislative change at this stage. However, Government will keep the matter under review having regard to the operational experience of the new improvement measures as set out in this Report;
- (i) community involvement should be strengthened by expanding the existing Green Volunteer Scheme by recruiting more District Tree Care Volunteers and inviting prominent figures in the community to act as Green Ambassadors;
- (j) public education should be strengthened to foster an attitude of care for trees across the territory by the community at large (especially trees located in public facilities such as parks, country parks, housing estates, etc.);
- (k) public education should be strengthened to appeal to private owners to take proper care of trees within their private lots for the benefit and safety of residents and visitors;

- (l) cultivation of proper values and attitude towards protecting the environment (including protection of trees as part of the natural environment) among students should be strengthened via the school curriculum;
- (m) the “1823” hotline should function as the central point to receive public complaints on tree management in general;
- (n) a new tree unit should be set up in the Lands Department to enable it to discharge its duties without having to seek expert advice from other departments;
- (o) the resource requirements of other departments will be assessed to enable them to implement the recommendations as appropriate; and
- (p) more advanced equipment should be procured as necessary.

30. Upon the release of the Report, bureaux and departments concerned will follow up on the above recommendations accordingly. In particular, DEVB will coordinate the acquisition of necessary resources under the established mechanism and make preparation for the setting up of the new Tree Management Office and the new Greening and Landscape Office as soon as practical.

31. The publication of this Report concludes the work of the Task Force. We hope that with the collaborative efforts of the community, we will promote our city’s greening for the safe enjoyment of all.

Chapter 1

BACKGROUND AND OVERVIEW

(A) Task Force on Tree Management

1.1 On 31 March 2009, Government announced that the Chief Secretary for Administration (CS) would lead a Task Force comprising relevant bureaux and departments to examine a range of issues regarding tree management in Hong Kong, addressing in particular concerns about the public safety aspects of tree management expressed by the Coroner's Court relating to a fatal tree collapse case in Stanley and the Jury's specific recommendations¹.

1.2 The Task Force comprises representatives from the Development Bureau (DEVB), Environment Bureau (ENB), Home Affairs Bureau (HAB) and Transport and Housing Bureau (THB), the relevant executive departments responsible for tree maintenance and management and certain operational departments.

1.3 The Task Force has set out to complete its deliberations within a three-month duration. During this period, the Task Force has examined comprehensively various aspects including the guiding principles and approach to be adopted in greening and tree management; the institutional framework to ensure effective co-ordination; the arrangements for new tree risk assessment; the availability of expertise and staff training; the need for new legislation; community involvement,

¹ The Jury's specific recommendations can be summarised as follows –

- (a) an independent department should be set up to assess the risk of all trees in Hong Kong, not just Old and Valuable Trees (OVTs) and the departments looking after trees should refer critical cases to it for follow-up;
- (b) Leisure and Cultural Services Department (LCSD)'s tree staff from manager down to front line are short of professional knowledge and training should be stepped up and entry qualification set for new staff;
- (c) the tree inspection form should be enhanced to include risk assessment such that the data can be transferred to the independent tree risk department for follow-up; and
- (d) while a balance should be struck between tree preservation and public safety, in a densely populated city, the latter should not be lost sight of.

public education and handling of complaints; and the provision of resources and equipment. The membership and terms of reference of the Task Force are set out at **Annexes 1 and 2** respectively.

(B) Modus Operandi of the Task Force

1.4 The Task Force held three plenary meetings and numerous sub-group meetings to examine the various issues relating to tree management in Hong Kong. The Chairman of the Task Force conducted site visits to obtain first-hand information on greening, tree planting and management effort by various departments, and talked to staff involved. The visits covered completed greening works of Greening Master Plan (GMP), vegetation management in country parks, tree management on unleased and unallocated Government land, management of wall trees at roadside slopes and management of trees located in leisure facilities with lots of human activities.

1.5 The Chairman of the Task Force also met with various partners, including Members of the Legislative Council (LegCo); Chairmen and Vice Chairmen of District Councils (DCs); local experts of related disciplines from academia, related professional institutes and organisations, etc. to gauge their views.

1.6 The Task Force also looked into tree management practices internationally (including the Mainland of China and selected overseas economies including Australia, Canada, Singapore, the United Kingdom as well as some other European cities), concentrating on their legislative approach vis-à-vis administrative approach, as well as the organisational framework.

(C) Hong Kong's Greenery

1.7 *Hong Kong's greenery is much treasured by our community. Around 67% (or about 74 100 hectares) of the territory's total land area is covered by woodland, shrubland and grassland, most of which concentrates in rural areas especially in country parks.* The built-up townscape of Hong Kong is however dominated by concrete landscape with little greenery, particularly when viewed at the street level.

1.8 Government does not have an official record of the number of trees in Hong Kong. A rough estimate is that there are tens of millions. The bulk of the trees are located on Government land, but there are also substantial quantities of trees located on private land. While most of them are in the countryside, the number of trees in the built-up areas of all districts is also in the order of hundreds of thousands.

(D) Benefits of Greening

1.9 *Green landscape, whether natural or man-made and situated on Government or private land, contributes to the quality of environment and enhances quality living in many ways.* It can also promote our international image as “Asia’s World City”. The benefits can generally be grouped into two major categories –

(a) Improvement to Environment

- (i) there is a close relationship between greening and improvement in air quality. Green plants can help act as a sponge by sequestering carbon dioxide in the atmosphere while releasing oxygen. They can improve air quality by intercepting particulate matters and absorbing noxious gaseous contaminants emitted from vehicles or industrial activities (such as sulphur dioxide and nitrogen oxides) in the atmosphere;
- (ii) vegetation improves microclimate by, for instance, providing sun shades and windbreaks, absorbing heat and reducing the temperature of hard surface, and enhancing humidity;
- (iii) vegetation helps retain the rainwater flow in heavy rain for release in dry weather days and helps moderate soil erosion and enhance slope stability; and
- (iv) suitable trees and plants provide food and shelters for wildlife (e.g. insects and birds) and hence maintain the ecological well-being of the countryside;

(b) *Enhancement of Quality Living From an Aesthetic Angle*

- (i) greening functions as urban lung to offer visual and psychological comfort and relief, which is vital to the health and well-being of people in a high-density and congested environment;
- (ii) greening adds aesthetic quality to the urban design for creation of a more pleasant cityscape;
- (iii) trees and greening contribute to varied landscape and can reduce visual monotony and glare; and
- (iv) trees and flowers provide a sense of seasonal change that enhances the visual interest of the city scene and vibrancy of city life.

1.10 As such, ***Government's general policy over the years is to actively promote greening in order to improve our living environment.*** We strive to uplift the quality of our living environment through active planting, proper maintenance and preservation of trees and other vegetation. Our target is to especially bring about noticeable improvements in urban greenery. Private sector and community involvement are also encouraged.

(E) Government's Greening Efforts

1.11 To co-ordinate Government's greening work, a high-level Steering Committee on Greening (SCG) has been established to set the strategic direction and oversee the implementation of major greening programmes since 2002. The SCG is chaired by the Permanent Secretary for Development (Works) with members drawn from various bureaux and departments.

1.12 We have been taking a two-pronged approach in the promotion of greening –

- (a) planting in new public works projects; and
- (b) planting in GMP projects.

(a) Planting in New Public Works Projects

1.13 ***In undertaking new public works projects including roads and drains, slope stabilisation works and building projects, efforts are made by works departments to plant vegetation where appropriate.*** As space for planting in built-up areas of Hong Kong is limited, we are also pursuing new techniques in greening (such as vertical greening including the use of green wall panels in the design of noise barriers, rooftop greening, etc.)

(b) Planting in GMP Projects

1.14 In recent years, as an enhanced greening initiative, ***the Civil Engineering and Development Department (CEDD) with the support of DEVB has adopted and implemented GMPs to undertake greening works on a district basis systematically.*** In recognition of the fact that greening opportunities arise under different time frames, GMPs embody a full spectrum of short, medium and long-term measures. Measures that conform to the district layout, pose no direct conflict to existing land use or traffic arrangements and can be implemented within one or two years are short-term ones. Greening measures which have to be implemented in association with other projects or which require substantial private sector participation are classified as medium-term measures. As for long-term measures, they depict the ultimate greening vision and include proposals such as tree corridors along major roads which can only be achieved in conjunction with urban renewal, etc.

1.15 Following the completion of greening works in GMPs for Central and Tsim Sha Tsui in 2007, the implementation of greening works in GMPs for Mong Kok, Yau Ma Tei, Sheung Wan, Wan Chai and Causeway Bay started in August 2008 and will be completed by end 2009. Implementation of greening works in GMPs for the remaining urban areas is scheduled to commence in late 2009 for completion in late 2011. Consultation for preparation of GMPs in the New Territories is expected to start in the latter half of 2009. As an interim measure, various departments have been carrying out greening enhancement projects at focal points in the New Territories.

1.16 ***For the past three years, Government spent an average of about \$200 million on greening works annually, planting about 10 million new trees, shrubs and seasonal flowers each year.***

(F) Review of Current Efforts and Basic Philosophy of Greening and Tree Management

Greening and Tree Management

1.17 *Trees and vegetation grow and blossom, but they also need to be maintained in a healthy state for the enjoyment of the public. Over the years, Government adopts an “integrated approach” in assigning responsibilities for preserving and maintaining all vegetation on Government land to relevant departments. Under this approach, tree maintenance is part and parcel of the duty of the department which uses and manages that particular piece of land or facility. Such “integrated approach” has generally been operating smoothly, but recent events have indicated the need for some gaps to be filled and certain aspects of tree management to be re-examined.*

1.18 When compared to the practice on greening, tree preservation appears to have less prominence and is more ancillary (only appearing as part of the broader greening or environmental protection policy). While there are provisions governing division of responsibilities on tree preservation, felling of trees, arrangements during emergencies, etc., there has not been sufficiently detailed deliberation on various policy issues – like what should be the balance between the importance of tree preservation versus the risk of public safety we can tolerate; between the importance of tree preservation versus the ultimate cost to Government or the community; and between the importance of tree preservation versus respect for private property rights.

Angle of Public Safety

1.19 *Trees, like other living organisms have a natural cycle. They grow, age, become weak and die. Their growth is subject to both internal constraints as well as external or environmental factors. Different tree species have different growth patterns. In general, as they grow older and larger, their growth rate and ability to recover will decline and one day due to internal or external reasons (or mixture of both), a tree will die. Exposed to the natural environment, trees are particularly vulnerable during thunderstorms or heavy rain. As a result, on average, some 8 000 trees are felled each year by Government for such reasons as aging, diseases, natural forces (such as typhoon and torrential rain) and woodland management (i.e. removal of weaker trees to make way for growth of stronger ones). When a tree poses imminent danger to life and property, it would only be prudent to*

remove the threat without delay. Felling the tree would be required so as not to jeopardise public safety. Other potential risks posed by weakened trees should be tackled by remedies following risk assessment and be subject to the needed monitoring.

Need for a Holistic and Visionary Approach

1.20 *Although the current review emanates from the concern over public safety, in the course of its deliberations, the Task Force recognised that tree safety could not be tackled in isolation through management and maintenance without putting this work in the overall context of our greening and landscape policy. Put simply, if unsuitable species of trees were planted in inappropriate locations with inadequate soil room and sunlight, the healthy growth of trees would be hampered, making it difficult, challenging and more resource intensive to manage and maintain them. The Task Force has therefore recommended that we should tackle tree management in a comprehensive and sustainable manner, addressing issues of appropriate planning, proper identification of planting locations, suitable design and careful selection of species. In this way, we would be in a better position to ensure that trees planted will be sustainable – in terms of health, aesthetic quality, livability, ease of future maintenance and public safety. This approach to tree management is reflected in the Task Force’s recommendation to set up a new Tree Management Office under the oversight of a greening, landscape and tree management policy.*

Need to Balance Other Considerations

1.21 *Apart from public safety, the preservation of trees has to take account of other policy considerations in the interest of the community. One of them is the financial cost to the community. When a tree is suffering from problems, we would of course take remedial measures to save it. However, in doing so, we have to balance various factors, such as the health conditions of the tree, the value of the tree, the expected chance/duration of survival upon taking of remedial actions on the one hand, and the costs and effort on the other. For instance, for an Old and Valuable Tree (OVT), it may be worthwhile to spend substantial effort and public monies to save it when problems are encountered. But for an ordinary tree, it may not be justified to do the same as we can easily plant a new tree (or trees) to replace the problem tree, and the public resources thus saved can be used to undertake more vegetation.*

1.22 *Another angle is development needs in the interest of the community. Under the guiding principle of “Progressive Development”, while we press ahead with infrastructure projects to promote Hong Kong’s economic development and maintain Hong Kong’s competitiveness, our development should be sustainable and balanced and should ensure proper care on environmental protection to offer our people a quality city life. Removal of trees in public works projects is thus permitted but we must ensure that appropriate measures are taken to make up for the tree loss.*

1.23 Trees affected by works projects can be divided into two groups on the basis of the arrangements for handling them. The first group pertains to those trees which can be transplanted directly to their permanent planting locations. The other group pertains to those trees which have to be moved to a temporary storage site first before being transplanted to their permanent planting locations. For the former, we will select as far as possible another location in the same project site for transplanting. Failing this, trees will be transplanted to other project sites or suitable roadside amenity areas. As for the latter, works departments or their contractors will have to make their own arrangements for identifying suitable temporary storage locations.

1.24 *In the past three years, while various works departments have removed about 10 000 trees annually for development needs, over some 60 000 trees have been planted annually in the process (i.e. around 6 trees planted for each tree felled).*

1.25 *In Hong Kong where respect for private property rights is enshrined in the Basic Law, we also have to strike a pragmatic balance between tree preservation and protection of private property rights. While we are keen to protect trees, it would be quite controversial to do so indiscriminately without giving due regard to the owners’ wish.*

1.26 There will also be a need to balance the interests of different sectors of the community. For example, in a case where there is a very large tree standing on the pavement, while it can provide shade as well as visual comfort to passers-by, its aggressive root system may grow to such an extent that it undermines the stability of the boundary wall of an adjacent residential development. In such a case, we will undertake practical remedial action as far as possible but in the end, if no solution that satisfies all parties concerned can be found, a balanced decision will have to be made.

(G) Other Aspects

1.27 Apart from the above, we will also examine the institutional framework, the arrangements for enhanced tree risk assessment, training and question on the need for legislative changes in detail. We will also examine efforts on the community involvement, public education and complaint handling fronts. Last but not least, we will also review the provision of resources and set out the implementation arrangements.

Chapter 2

REVIEW OF INSTITUTIONAL FRAMEWORK FOR TREE MANAGEMENT

2.1 This chapter reviews the existing institutional arrangements on tree management on Government land and private land and proposes the way forward.

(A) Tree Management on Government Land

Existing Situation

The “Integrated Approach”

2.2 *Over the years, Government has adopted an “integrated approach” in assigning responsibilities for preserving and maintaining all vegetation (including OVTs, other trees and plants) on Government land among relevant departments.* The arrangement is enshrined in a range of technical circulars promulgated by the Works Branch (WB) of DEVB and its predecessors. *As a guide, under this approach, the demarcation of maintenance responsibilities is based on where trees are located (i.e. category of land) and which departments are responsible to maintain the facilities thereon (e.g. country parks, leisure parks, expressways, public housing estates, etc.). Tree maintenance is then part and parcel of the daily management duty of the facilities.* For example, in the case of the Leisure and Cultural Services Department (LCSD), routine inspections to guard against damage of trees are now carried out by park’s staff as part of their regular patrol of the parks. Nurturing and maintenance of trees are carried out in conjunction with the horticultural and gardening activities for other plants and vegetation within the same facility. *If such inspections and maintenance work for trees and vegetation are to be carried out separately by staff from another department, issues including interface problems, work coordination, fragmentation of responsibilities, etc. may arise.* In broad terms, the main tree management departments are listed below –

| Maintenance department | Category of land |
|--|--|
| Leisure and Cultural Services Department (LCSD) | Parks and roadside landscaped areas |
| Highways Department (HyD) | Expressways, slopes assigned to HyD after a systematic study to identify maintenance responsibilities for slopes |
| Housing Department (HD) | Public Housing Estates |
| Agriculture, Fisheries and Conservation Department (AFCD) | Country parks |
| Other allocatee departments (e.g. Water Supplies Department (WSD)) | Allocated Government land |
| Lands Department (LandsD) | Unleased and unallocated Government land |

2.3 It is important to note that the maintenance foci and requirements of trees at different locations may vary significantly. For instance, for trees along expressways and public roads, the foremost consideration is to ensure that the trees will not impact on the safety of road users and traffic. For trees on man-made slopes, the prime concern is to ensure slope safety. For trees in parks and other leisure facilities, the comfort and safety of the visitors will prevail.

Inadequacies of the Existing System

2.4 *The existing “integrated approach” has in general proved to be efficient and cost effective, considering that there are tens of millions of trees in Hong Kong.*

2.5 *Nevertheless, the following inadequacies have been identified –*

- (a) At present, expertise on trees is scattered among different departments and it lacks a clear central body with the necessary resources/expertise to coordinate effectively. At present, WB of DEVB coordinates effort on greening but has no mandate on other aspects of tree management such as expertise, safety or training. The respective tree management departments operate very much on their own without a central expert body to turn to in case of queries or problems;
- (b) At present, for unleased and unallocated Government land not covered by any maintenance department, LandsD will carry out ad-hoc tree maintenance (e.g. tree felling, trimming and grass cutting) when a requirement is identified or a complaint or referral is received. However, LandsD has no in-house expertise on trees and has to seek professional advice from other departments such as LCSD and AFCD, which may lead to a delay on prompt resolution of the problems. Moreover, unleased and unallocated Government land amounts to about 33% of all land in Hong Kong and there is no detailed record or statistics on the number of trees thereon. LandsD therefore has grave problem in coping with the work concerned;
- (c) The general rule on felling trees on Government land is that permission will not be granted unless good cause is shown and fully justified and that the option of transplanting trees within the site or off-site has been fully explored but found not practical. Various departments have to make applications to LandsD for approval before felling/transplanting any trees in any capital works projects. However, as LandsD does not have any expertise on trees itself, it in turn has to seek advice from expert departments in particular LCSD and AFCD. This has given rise to complicated processes of communication with cases not being dealt with efficiently; and
- (d) Various guidelines have been issued over the years at the bureau level. In addition, departments have issued guidelines according to their operational needs. These guidelines and technical circulars have become voluminous. It leads to the problem that frontline colleagues sometimes find it difficult to come to a clear view on what should be

done especially during urgent situations. Moreover, the guidelines sometimes specify that every effort should be made to preserve trees. Departmental colleagues occasionally are not certain what is exactly meant by “every effort” (e.g. whether they should spend a very large amount of money to save a tree with no particular significant value) – in other words, the appropriate balance or proportionality.

Recommendations

2.6 *The Task Force has reviewed the present “integrated approach” on tree management and considered this to be generally efficient and cost effective, although there is room for improvement. A totally centralised approach in which tree management will be taken up by one single “government department” is neither desirable nor practical given the large number of trees all over the territory. The Task Force’s considerations are: first, there will be interface problems and fragmentation of responsibilities leading to non-optimal use of resources. For example, under the current “integrated approach”, staff of AFCD will take care of trees in country parks in conjunction with the carrying out of their duties in patrolling for fire prevention purpose and maintenance of recreational facilities like barbecue pits, whereas under a “single department” approach, it would require staff of a separate department to be responsible for trees within the country park boundaries. Secondly, the existing arrangement reflects a well established division of responsibilities amongst departments that accompanies land allocation or facility management, such as in slope maintenance², and this whole system would need to be overhauled if tree management were to be dealt with differently. The case for this major revamp is doubtful.*

² While the Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department (CEDD) acts as the central authority for slope safety, the maintenance responsibility of slopes continues to be vested with the relevant departments. In 1996, the Government commenced a consultancy study to systematically identify the maintenance responsibility (SIMAR) of each and every man-made slope in the catalogue maintained by the GEO. The study was completed in 1999 with the production of a register showing the maintenance responsibility concerning individual slopes covered by the study. This is rather similar to the “integrated approach” adopted in assigning tree maintenance responsibility.

2.7 *However, while the Task Force does not consider it desirable to have a single Government department to be responsible for tree management, it recognises the need to improve the existing situation and coordinate better the work of different departments by setting up a new tree office to act as a central authority, a clearing house and a provider of expertise in tree management.* The new tree office should come under a policy bureau instead of a department to provide it with the status to coordinate effectively. Furthermore, as mentioned in Chapter 1, it would be necessary to adopt a holistic approach in greening and tree management. Hence, the policy responsibilities for greening and tree management should not be separated and should come under a single bureau.

2.8 *To achieve the above, the Task Force recommends that the current institutional framework be enhanced. DEVB, being the existing policy bureau overseeing the greening policy, should take up the overall policy responsibility for greening, landscape and tree management. A new post of Principal Assistant Secretary (PAS) (Greening, Landscape and Tree Management) (at Directorate Pay Scale (DPS) Point 2) will be created to oversee the two new Offices as set out below to ensure better integration of greening and tree management and the adoption of a holistic approach. Details are as follows –*

- (a) *a new Tree Management Office should be set up at the bureau level as the central authority and focal point for coordination to ensure more effective implementation of the “integrated approach”. It will also deal with those complex cases which cannot be adequately dealt with by departments. In coming to this recommendation, the Task Force has drawn reference from the institutional arrangement in place for the last 30 years in Hong Kong’s slope safety work with leadership and expertise provided by the Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department (CEDD) while individual slopes are assigned to the relevant departments for day-to-day maintenance. The Office will be headed by a Chief Assistant Secretary (CAS) (at DPS Point 1). The post should preferably be filled by an individual with the requisite expertise. An expert panel should be set up comprising experts from both locally and outside Hong Kong to provide the needed expertise in both policy and operational aspects of tree management. The Office will*

serve as the secretariat of the expert panel; and

- (b) *a new Greening and Landscape Office should be set up to be responsible for central coordination of greening and landscaping efforts. The Office will assume the current policy role in respect of GMP and support the current Steering Committee on Greening and its various subcommittees. In addition, it would undertake a new responsibility of providing input to landscape design in large scale Government infrastructure projects (e.g. the Kai Tak Development) as well as comprehensive private developments which are subject to landscape master plans or public open space requirements to enhance quality. The Office will also be established at the bureau level mainly by redeploying existing staff from WB of DEVB and the Architectural Services Department (ArchSD), including the post of Chief Landscape Architect (CLA) (at DPS Point 1). In order to tap outside expertise, consideration will be given to setting up a Design Panel to help scrutinise the landscape and greening proposals. The Office will serve as the secretariat of the Design Panel.*

2.9 *The two new Offices at the bureau level and the executive departments under the “integrated approach” will have clear delineation of duties. Existing guidelines promulgated over the years on a range of tree-related topics at the central as well as departmental levels will be reviewed by the new Tree Management Office in a comprehensive manner. The new arrangements will provide clear administrative mechanisms to all parties concerned for them to efficiently and effectively discharge their respective duties and bring about an improvement to the existing situation.*

2.10 Further details on the setup of the new offices and the provision of resources on different fronts will be explained in Chapter 7.

(B) Tree Management on Private Land

Existing Situation

Provision of “Tree Preservation Clauses” and “Landscape Clauses”

2.11 To prevent unnecessary felling of trees due to private development and to place the responsibility for proper management of trees on private land to the lessees, Government has been implementing a number of measures. Since the 1970's, Government has included tree preservation clauses in land leases as a lease condition. For those leases that already contain “tree preservation clauses”, the lessee will already be required by the clauses to apply for consent from the Director of Lands before felling of or interfering with any tree(s) on his lot. Moreover, starting from 1985, it has become common to include “landscape clauses” into the leases. Such clauses intend to encourage landscaping of private lots and proper management of the plants planted thereon.

Control in Cases of Redevelopment

2.12 When private owners aim to re-develop their private lots (which may contain trees), they would need to comply with requirements from the town planning as well as lease control angle.

2.13 From the planning angle, the owner needs to ensure that the proposed redevelopment complies with the planning controls for the site (e.g. zoning and other development restrictions as specified under the Outline Zoning Plan (OZP), departmental plans and planning briefs). If a planning application is required under the Town Planning Ordinance (TPO) (Cap. 131), technical assessments on impacts of the proposed redevelopment, such as on the environment, drainage, traffic, infrastructure, geotechnical conditions, landscape and urban design, etc. may be required to support the planning application. In case the site is covered by dense vegetation or contains old and/or valuable trees, the private owner will usually be required to submit tree survey report (together with proposals for preservation, transplanting, removal and/or compensatory planting of trees within the site) and Landscape Master Plan / Landscape Proposal for consideration. The Town Planning Board (TPB) may disapprove or impose conditions upon approving the planning application. In particular, TPB may impose a condition which requires the private owner to submit revised Landscape Master Plans, Landscape Proposals and/or Tree Preservation Proposals, as the case may be, to the

satisfaction of the TPB or Director of Planning. Under section 16 of the Buildings Ordinance (Cap. 123), the Buildings Department, may refuse to approve the General Building Plan submission from the private owner for redevelopment which does not comply with the OZP or Master Layout Plan prepared under the TPO. We consider that such regime should be generally effective for those sites which are subject to relevant planning control.

2.14 From the lease angle, the developer needs to ensure that the proposed redevelopment is permissible under the lease of the site. For those leases that already contain “tree preservation clauses”, the lessee will already be required by the clauses to apply for consent from the Director of Lands before felling of or interfering with any tree(s) on his lot. For those leases that do not contain “tree preservation clauses”, if the proposed redevelopment requires lease modification (due to other reasons not relating to tree preservation), LandsD will also take these opportunities to incorporate “tree preservation clauses” in the course of the lease modification.

2.15 *Hence, in brief, there is already control over those leases after 1970’s. For cases of redevelopment requiring planning approval or lease modification, there will also be opportunities to impose conditions for tree preservation purpose.* What remains are trees on those sites which are subject to pre-1970’s leases and do not require any permission from Government in redevelopment, e.g. unrestricted lease.

Other Relevant Ordinances

2.16 In this regard, we have looked into two ordinances to see if some form of protection can be provided –

- (a) Antiquities and Monuments Ordinance (A&MO) (Cap. 53) – Under Section 3 of A&MO, the Antiquities Authority (AA) (i.e. Secretary for Development) may declare any place, building, site or structure, which AA considers to be of public interest by reason of its historical, archaeological or palaeontological significance, to be a monument after consultation with the Antiquities Advisory Board with the approval of the Chief Executive (CE). Although the intent of the Ordinance is to protect historical buildings, if a tree (or trees) is located within the boundary, under Section 6 of A&MO, actions to excavate, carry on building or other works, plant or fell trees or deposit earth or refuse on or in a

monument; or actions to demolish, remove, obstruct, deface or interfere with a monument, are prohibited except in accordance with a permit granted by AA. Any person who contravenes section 6 shall be guilty of an offence and shall be liable on conviction to a fine of \$100,000 and imprisonment for one year. Hence, this can in some cases offer a form of protection to OVTs located in the vicinity of historical buildings declared as monuments. However, there has not been any case in which a place was declared a monument solely due to the need to preserve a tree (or trees) thereon; and

- (b) Country Parks Ordinance (CPO) (Cap. 208) – Under Section 14 of CPO, CE may, by order in the Gazette, designate an area to be a country park. While this Ordinance can give protection to trees “in bulk”, it would not be justified to use the Ordinance to protect individual trees grown in private land situated on an area designated as a country park, as the purpose of the Ordinance is to protect the habitat and ecology of the country parks rather than individual trees per se, and it would go beyond the legislative intent of the Ordinance to make use of it to protect specific trees within private lots.

Duties of Private Owners Under Common Law

2.17 As a related matter, we have also considered the angle of private owners taking proper care of trees located within their private lots. Under common law, the duty of care owed by private owners as land owner and/or occupier would require them to inspect trees on their land so as to ensure that such trees would not pose a potential danger to people or property. Failure to discharge such a duty will result in possible liability for negligence and nuisance.

Recommendations

2.18 ***The Task Force considers the existing regime generally adequate.*** The Task Force has in particular considered whether it would be necessary at this stage to impose further requirements or amend legislation to give greater protection to trees on private land. However, after detailed deliberation, it is felt that this should not be pursued for the time being for the following reasons –

- (a) while we recognise that there are some leases before the 1970's, which in redevelopment does not require planning approval or lease modification, we will have to respect the original legitimate rights of the private owners for redevelopment of their sites; and
- (b) Hong Kong is a place where we duly respect private property rights. Not only our Basic Law includes provisions on protection of private property right, it is also the general aspiration of our community.

2.19 ***We will however strengthen our public education effort on the importance of tree preservation and proper maintenance of trees on private land.*** Private owners who wish to improve upon management of trees in their premises but lack knowledge/expertise, basic technical advice can be sought from LandsD, e.g. provision of lists of landscape and horticulture contractors. We will also provide more information through seminars, websites, etc. For details please refer to Chapter 6.

Chapter 3

NEW TREE RISK ASSESSMENT ARRANGEMENTS

3.1 This chapter reviews existing tree risk assessment arrangements within Government and proposes the way forward.

3.2 One important objective of tree management is to minimise the risk of significant harm from tree hazard whilst maintaining the benefits conferred by trees. *The Task Force considers it necessary to enhance the tree risk assessment arrangements to better protect public safety. This is indeed one of the priority areas for improvement identified by the Jury of the Coroner's Court.*

(A) Existing Situation

3.3 Currently, while some departments have a relatively comprehensive system in regard to risk assessment of OVTs, the risk assessment of other trees which are not OVTs in various departments is generally less elaborate and structured. The Task Force has reviewed this issue in detail and considers it necessary to introduce enhanced arrangements that are more in-depth and systematic. The enhanced arrangements should achieve the following objectives –

- (a) to identify trees with problems (problems of the tree itself or problems of the site where the tree stands) that have risk of failure (collapse of the whole tree or part of it) and will likely cause significant harm to targets (life or property) if the tree fails; and
- (b) to prioritise the problematic trees according to their risk of harm for guiding follow-up risk mitigation and monitoring actions.

(B) Recommendations

The Dual Approach

3.4 ***Making reference to overseas experiences and taking into account the situation in Hong Kong, the Task Force has devised new tree risk assessment arrangements based on a dual approach –***

- (a) ***“Area Basis” assessment – departments concerned will first identify those areas where members of public will be subject to significant risk if a tree fails; and***
- (b) ***“Tree Basis” assessment – once an area is identified, staff in the concerned department will in the course of their duty identify those trees which may be problematic/important, and assess their conditions in accordance with a newly devised form with particular emphasis on the risk angle. OVTs will as a rule be included for close monitoring.***

3.5 The new form will be devised by the new Tree Management Office and will cover various aspects such as site conditions, tree characteristics, conditions of different parts of the tree and with particular emphasis on the risk angle. Thereafter, the information obtained will be put on a database for guiding follow up remedial actions (ranging from trimming of excessive crown to reduce weight, to construction of support structure, to felling when all possible effort is exhausted) and future monitoring.

3.6 Apart from such proactive effort, if a complaint is received on a particular tree, the department concerned will speedily examine the tree and should it be assessed to be problematic, suitable follow up actions will be taken and the information will also be entered into the database for future monitoring.

Flexibility to be Allowed for Departments Concerned

3.7 ***In view of the unique circumstances of the departments concerned and resource constraint, it will be necessary to allow suitable flexibility in implementation. For example, while parks and public housing estates are subject to high pedestrian flow and warrant comprehensive assessment, the huge area in country parks and unallocated and unleased Government land (which together constitute some 70% of the total land area of Hong Kong) may not warrant a***

comprehensive exercise but would rather have to rely on identification of such trees in routine control/management functions and upon referrals and complaints. Nevertheless, the new Tree Management Office will oversee the application of the new tree risk assessment arrangements amongst departments to ensure a certain degree of consistency.

Setting up of Database

3.8 ***Through the above approach, Government will be able to build up a database of important or problematic trees over time, have their conditions closely monitored and information recorded systematically and comprehensively for appropriate follow up actions.*** The database will be supported by appropriate information technology setup. The information may also be made known to the public in future in some suitable form.

Follow-up Actions by the New Tree Management Office

- 3.9** Upon its setting up, the new Tree Management Office will –
- (a) devise the new tree risk assessment form;
 - (b) set up a panel of advisors comprising local and overseas experts in tree management to provide advice on complex cases of tree management including finalisation of details of the enhanced risk assessment arrangements;
 - (c) prepare guidelines and toolkits;
 - (d) work out a programme to ensure adequate training to staff for undertaking the new risk assessment arrangements effectively; and
 - (e) study the setting up of a database on inventory of trees.

Chapter 4

TRAINING

(A) Overview

4.1 *Tree management (in particular tree risk assessment) is a professional task, and training is essential to ensure that we have adequate quality staff at different levels.* The Task Force has hence conducted a comprehensive assessment of the matter. Apart from meeting the needs within Government, it has also looked into the provision of training for personalities in the private sector.

4.2 In general, there is a spectrum of training requirements –

- (a) in terms of target staff –
 - (i) training for staff within Government; and
 - (ii) training for personalities in the private sector (e.g. management companies, horticulture/arboriculture contractors, etc.), thus ensuring a professional task force in the industry of tree management;
- (b) in terms of level –
 - (i) training for the management level;
 - (ii) training for the supervisory level; and
 - (iii) training for the frontline level; and
- (c) in terms of training provider –
 - (i) in-house training; and
 - (ii) external training providers.

(B) Training for Staff Within Government

4.3 Under the “integrated approach” different departments have made reference to their specific operational needs in arranging for suitable in-house as well as external training.

4.4 Among the staff involved in tree works, the Forestry Officers (FO) of AFCD, the tree teams (comprising Leisure Services Managers, Amenities Assistants, Artisans and Workmen) of LCSD and the Landscape Architects (LAs) of various executive departments possess the most relevant expertise and experience. They have also provided support to other department’s on tree matters. In order to improve their professional/technical expertise, some staff have on their own initiative also acquired the qualification of Certified Arborist of the International Society of Arboriculture (ISA). Currently, a total of over 80 staff within Government (including over 40 staff of LCSD, over 10 staff of AFCD and over 20 LAs in various departments) have acquired the status of ISA Certified Arborists. However, it should be noted that the ISA Certified Arborist qualification is not a pre-requisite for the entry or promotion ranks in the relevant grades, and is also not a pre-requisite for posting to posts relating to tree management.

4.5 Various departments have organised different in-house courses for their staff. For example, the tree team staff of LCSD attend horticulture maintenance and/or arboriculture training courses organised by LCSD’s Training Section. Details of the current provision of in-house courses in executive departments are at **Annex 3**.

4.6 Apart from in-house courses, there are also courses organised by outside bodies in particular the Vocational Training Council (VTC) and the Construction Industry Council Training Academy (CICTA). In addition, there are various programmes organised by local tertiary education institutions as well as self-financing continuing education arms of tertiary education institutions. For details, please refer to **Annex 4**.

4.7 ***Given the need to upgrade the standard of our workforce, we will enhance training at all levels –***

- (a) ***at the management level: we will aim to groom a core team of officers who have expert knowledge and experience on tree preservation and maintenance.*** They should in the long run fulfill the following three elements –

- (i) academic background – hold relevant degree (e.g. degree in Arboriculture, Biology, Botany, Forestry, Landscape Architecture, Environmental Science, etc.), preferably with post-graduate qualification;
- (ii) trade qualification – acquire relevant recognised professional qualifications (e.g. ISA Certified Arborist/ ISA Certified Tree Worker); and
- (iii) relevant experience – acquaint with frontline operation on tree works.

To achieve this, we will adopt a systematic approach to –

- (i) identify and boost the number of officers in the core team possessing all three elements over time. Specific training and other arrangements, focusing on the deficiency in any of the three elements, will be made;
 - (ii) explore possible areas of cooperation with local tertiary education institutions; and
 - (iii) arrange overseas training/secondment with the aim of broadening staff exposure as well as keeping track on latest developments overseas;
- (b) ***at the supervisory/frontline level: we will aim to train colleagues to supervise/carry out tree work operations competently*** (including tree inspection, tree diagnosis, tree assessment, tree pruning and surgery) and to be well-versed with the relevant guidelines. For the sake of better utilisation of resources as well as experience sharing, the following actions are proposed –
- (i) ***the new Tree Management Office should adopt a strategic approach in the overall coordination and organising of training courses;***
 - (ii) ***it will also liaise with local providers like VTC and CICTA to organise courses which meet changing needs; and***

- (iii) *in order to plan staff training in a comprehensive, strategic and continuing manner, a Training Committee would be set up under the new Tree Management Office.*

(C) Training Available to the Private Sector

4.8 *In order to enhance the quality of our work force in the territory, we aim to enhance the training opportunities available to the private sector. This will primarily be provided by outside providers.*

The proposed liaison by the new Tree Management Office with local tertiary education institutions, VTC, CICTA and other self-financing continuing education arms of tertiary education institutions will ensure this aspect be catered for.

4.9 Separately, the new Tree Management Office and departments will also organise forums and seminars on greening and tree preservation for Owners' Corporations, property management companies, landscape contractors and other relevant organisations.

4.10 We will also provide relevant information via the webpages of DEVB and relevant departments.

4.11 In addition, *in view of the outsourcing of Government work, the Task Force recommends that the eligibility criteria of contractors to be recognised as landscape contractors should also be reviewed and enhanced by the new Tree Management Office.* The availability of training to contractors concerned will be examined to ensure needs be met.

Chapter 5

REVIEW OF LEGISLATION

5.1 This chapter reviews the existing legislation on tree-related matters and proposes the way forward.

(A) Existing Situation

5.2 The Laws of Hong Kong contains a wide range of statutory provisions relating to “tree(s)”. There are eight ordinances which are most relevant and frequently used by the relevant law enforcement departments. They are –

- (a) Forests and Countryside Ordinance (Cap. 96);
- (b) Public Health and Municipal Services Ordinance (Cap. 132);
- (c) Country Parks Ordinance (Cap. 208);
- (d) Antiquities and Monuments Ordinance (Cap. 53);
- (e) Crimes Ordinance (Cap. 200);
- (f) Theft Ordinance (Cap. 210);
- (g) Summary Offences Ordinance (Cap. 228); and
- (h) Environmental Impact Assessment Ordinance (Cap. 499).

(A) Forests and Countryside Ordinance (Cap. 96)

5.3 The Ordinance protects trees in any forest or plantation on unleased Government land and is applicable to both urban and rural areas. It targets cases of damage to trees (e.g. illegal felling) on unleased Government land.

(B) Public Health and Municipal Services Ordinance (Cap. 132)

5.4 This Ordinance contains provisions that may be applicable to trees on pleasure grounds, public cemeteries and gardens of remembrance, etc. It is used to prosecute cases of tree vandalism at these locations.

(C) Country Parks Ordinance (Cap. 208)

5.5 This Ordinance protects, *inter alia*, trees in country parks. It targets cases of wilful damage of trees (e.g. illegal felling) within country parks.

(D) Antiquities and Monuments Ordinance (Cap. 53)

5.6 This Ordinance protects trees in proposed monuments and monuments. It targets cases of wilful damage to a proposed monument or monument (including excavate, carry on building or other works, plant or fell trees or deposit earth or refuse on or in a proposed monument or monument).

(E) Crimes Ordinance (Cap. 200)

5.7 More serious cases involving wilful damage of trees (e.g. illegal felling, arson) are prosecuted under Section 60 of the Ordinance.

(F) Theft Ordinance (Cap. 210)

5.8 More serious cases involving stealing of trees, especially valuable trees (such as Incense Tree and Buddhist Pine) are prosecuted under Section 2(1) of the Ordinance.

(G) Summary Offences Ordinance (Cap. 228)

5.9 Cases involving minor damage of trees (e.g. drawing, scratching on trees) in a public place are prosecuted under Section 4(28) of the Ordinance.

(H) Environmental Impact Assessment Ordinance (Cap. 499)

5.10 The environmental impact assessment process requires any impact on trees as part of the ecosystem be assessed. Depending on need, mitigation or compensatory measures including transplanting of the valuable trees and planting of new trees and other vegetation may be required.

5.11 A summary of these ordinances can be found at **Annex 5**.

(B) Analysis

5.12 *The Task Force has devoted a lot of effort in examining the existing legislation with provisions applicable to tree management and deliberated on whether it is necessary to introduce a new tree ordinance or amend any existing ordinance.* In particular, it has critically examined the adequacy of existing legislation in achieving our overall objectives in tree management from the following angles –

- (a) Protection of trees against wilful damage (e.g. illegal tree felling, stealing of valuable trees and vandalism);
- (b) Protection of trees on Government land against unnecessary felling due to public works projects;
- (c) Protection of trees on private land against unnecessary felling due to private development;
- (d) Establishment of the new Tree Management Office; and
- (e) Enhancing the safety of trees in order not to cause any injury or loss of human lives or damage to properties.

They will be elaborated in the ensuing paragraphs.

(a) Protection of trees against wilful damage (e.g. illegal tree felling, stealing of valuable trees and vandalism)

5.13 As regards protection of trees against wilful damage, the ordinances as stated in the preceding paragraphs are applicable to trees on Government land and some of them are also applicable to trees on private land. There are successful prosecution cases. They are generally comprehensive and effective for protecting trees. The penalty set out in the relevant legislation is appropriate. Based on our records, the court has almost never accorded the maximum penalties as set out in the relevant ordinances. The relevant bureaux and departments of the above-mentioned eight ordinances are generally content with the legal power under these ordinances that they presently have for protection of trees against wilful damage and do not see a need for any legislative change at this stage.

(b) Protection of trees on Government land against unnecessary felling due to public works projects

5.14 For trees on Government land, improvement measures will be undertaken by Government departments and in general, there will not be any major problem. The Administration has adopted a series of administrative measures to ensure appropriate protection of trees on Government land. As set out in technical circulars promulgated by WB of DEVB (and its predecessors), no trees should be unnecessarily felled due to implementation of public works projects. Project proponents should first consider retaining the trees at their existing locations, and if this is not possible, consider transplanting the affected trees. Felling of trees would only be considered as a last resort, and compensatory planting would be required. In case the public works project requires funding approval from LegCo, there is a standard paragraph on “tree preservation” under the “Background Information” section in the Public Works Subcommittee paper, where the information about extent and types of trees affected by the project will have to be incorporated. The relevant Technical Circulars also provide that for public works construction contracts, the project office should incorporate the necessary contractual requirements for tree preservation purpose.

5.15 The Task Force considers that the current administrative measures have been generally effective and have the merits of providing flexibility and allowing for proper balancing of various considerations.

(c) Protection of trees on private land against unnecessary felling due to private development

5.16 This issue has been explored at length in Chapter 2. The Task Force considers that it would not be justified to introduce new legislation for protection of individual trees in private lots (outside of boundaries of monuments or country parks) because –

- *For trees on private land, the Task Force noted that since the 1970’s and mid 1980’s respectively, Government has already included “tree preservation clauses” and “landscape clauses” in land leases;*

- *In the case of redevelopment of land, there is also an opportunity for Government to impose new requirements in regard to tree preservation via the planning regime or through the process of lease modification. The Task Force considers the existing regime generally adequate;*
- Introduction of new legislation for protection of trees will be a long drawn process requiring substantial inputs on resources. It will also require an appeal mechanism. It will not be conducive to producing quick improvement to our tree management work. Instead, it would be more effective for us to focus our efforts on enhancing the administrative arrangements so that improvements will be speedily made;
- For land leased before the 1970's, when modifications of their leases are applied as a result of re-development, LandsD will take these opportunities to incorporate "tree preservation clauses" in so far as possible. While we recognise that there are some leases before the 1970's, which in redevelopment does not require planning approval or lease modification, we will have to respect the original legitimate rights of the private owners for redevelopment of their site. Hong Kong is a place where we duly respect private property rights. Not only our Basic Law includes provisions on protection of private property right, it is also the general aspiration of our community; and
- Introduction of new legislation to impose control on management or felling of trees on private land may deter owners from planting more trees for fear that Government may interfere in future, especially in the redevelopment of their private lots in the years to come. As a result, this may create a deterrent effect on the planting of more trees, which runs against our policy intention.

(d) Establishment of the new Tree Management Office

5.17 The Task Force has examined whether there is a need to have a separate ordinance to confer necessary statutory power to the new Tree Management Office. The Task Force notes that this would not be necessary as in the previous cases of the setting up of the GEO under

CEDD and the establishment of the Commissioner for Heritage's Office under DEVB. We will seek the necessary funding approval from LegCo through the established mechanism.

(e) Enhancing the safety of trees in order not to cause any injury or loss of human lives or damage to properties

5.18 The Task Force considers that such objective can be achieved by administrative measures and introducing new tree risk assessment arrangements (see Chapter 3). There is no need for any legislative change at this stage.

(C) Recommendations

5.19 *After careful consideration, the Task Force considers that there is no need to introduce any legislative change at this stage and efforts should instead be channeled to the administrative means proposed to improve co-ordination, enhance tree risk assessment, upgrade expertise and involve the community. It would be better to see how the administrative measures work in reality before we consider the need for legislative amendments.*

5.20 *While the Task Force considers that there is no need to introduce any legislative change at this stage, Government will keep the matter under review having regard to the operational experience of the new improvement measures as set out in this Report.*

Chapter 6

COMMUNITY INVOLVEMENT, PUBLIC EDUCATION AND COMPLAINT HANDLING

6.1 This chapter reviews the current efforts on community involvement, public education and complaint handling and proposes the way forward.

6.2 *Apart from Government, the community plays a significant role in helping to preserve trees in Hong Kong.* Along this thinking, we are committed to enlisting community support in the promotion of greening and tree management.

(A) Community Involvement

Existing Situation

(a) Community Involvement Committee on Greening

6.3 Under the auspices of the SCG, the Community Involvement Committee on Greening (CICG) was formed in 2003 with the aim to enhance community participation in greening activities. The Committee is chaired by the Permanent Secretary for Home Affairs, with members coming from relevant bureaux/departments as well as various sectors of the community.

(b) District Councils

6.4 In support of Government's greening policy, the Home Affairs Department (HAD) assists the District Councils (DCs) in promoting greening messages through various activities such as tree planting days, greening/gardening education and promotional activities, etc.

6.5 For all capital works contracts with an estimated value exceeding \$3 million for greening, works departments would be responsible for consulting the respective DCs on the related works.

6.6 In the course of developing GMPs, CEDD adopts an “enhanced partnering approach” which involves consultation with DCs and local stakeholders. In brief, CEDD introduces the GMP initiative to each DC and invites its members to form a District Participation Group to partner with it throughout the course of GMP development. The views of the local community are also gauged through forum(s), etc.

(c) General Public

6.7 Various Government departments are involved in the implementation of community involvement activities such as community planting by LCSD, AFCD and HD. In the past years, under the coordination of CICG, about 70 programmes covering some 3 400 activities were organised by members annually, with a total attendance of over 1 330 000. These include flower shows, carnivals, exhibitions, talks, etc. A list of activities organised is at **Annex 6**.

Recommendations

6.8 *The Task Force recommends that we should strengthen our community involvement and considers that DCs and the local community are the key partners in our greening and tree management work. To enhance public participation, the Task Force recommends that the existing Green Volunteer Scheme organised by LCSD should be expanded by –*

- (a) recruiting more District Tree Care Volunteers to enhance surveillance of trees in their respective districts; and*
- (b) inviting prominent figures in the community (such as LegCo and DC members) to participate in the Scheme as Green Ambassadors.*

DCs are also welcomed to suggest activities they consider appropriate. Through such effort, we hope to gain greater support of our community in tree management work.

(B) Public Education

Existing Situation

6.9 We have been organising various public education activities such as seminars for owners' corporations, property management companies, staff of horticulture firms, etc. to promote greening and share experience (the latest one was organised in March 2009). LCSD has also set up an education and resource centre in Kowloon Park to enhance public awareness in greening and environmental protection. In addition, information on greening and tree care has also been posted on websites for public access e.g. General Guidelines on Tree Pruning in DEVB's Greening webpage (<http://www.devb-wb.gov.hk/greening/en/index.htm>) and Green School Handbook in LCSD's webpage.

Recommendations

6.10 The Task Force recommends that we should strengthen our public education on greening and tree preservation. There are two major aspects –

- (a) *to foster an attitude of care for trees across the territory by the community at large (especially trees located in public facilities such as parks, country parks, housing estates, etc.); and*
- (b) *to appeal to private owners to take proper care of trees within their private lots for the benefit and safety of residents and visitors.*

6.11 *The Task Force also recommends that cultivation of proper values and attitude towards protecting the environment (including protection of trees as part of the natural environment) among students should be strengthened via the school curriculum. The initiative will be implemented in partnership with the Curriculum Development Institute of the Education Bureau (EDB).*

(C) Complaint Handling

Existing Situation

6.12 In 2008, the “1823” hotline received about 300 000 complaints from the public, of which about 13 000 cases (4.3%) were on vegetation management. Vegetation management is a broader subject than tree management as it also covers complaints on grass, flowers, shrubs and bushes, etc.

Recommendations

6.13 *The Task Force recognises the need to efficiently handle tree-related complaints.* Complaints from public would help departments focus on trees which may pose a risk on public safety or the environment and ensure timely actions be taken. To improve the service to the community, the Task Force considers that the complaint handling mechanism should be strengthened.

Emergency Cases

6.14 As for emergencies, when tree problems give rise to situations where life and/or property are endangered, such will continue to be dealt with by the Police and the Fire Services Department in the first instance. For cases where there is serious blockage to roads and footpaths that allow public access, HyD will take speedy actions.

1823 Call Centre (“1823” hotline)

6.15 *The “1823” hotline should function as the central point to receive public complaints on tree management in general. It is a 24-hour multi-channel platform which accepts complaints via telephone, email or letter. It will ensure timely assignment of complaints to the responsible departments under the “integrated approach”, monitor case progress and keep complainants updated in the process.*

Chapter 7

RESOURCES AND IMPLEMENTATION

7.1 This chapter sets out the proposed provision of staff resources and equipment and the implementation of the various improvement measures to our tree management framework as set out in the previous chapters.

(A) Resources

Staffing

At the Bureau Level

7.2 As explained in Chapter 2, at present, expertise on trees is scattered among different departments and there lacks a clear central body with the necessary authority and resources/expertise to coordinate effectively. There is also a need to adopt a holistic and visionary approach in greening and tree management. As such the Task Force recommends that the current institutional framework should be enhanced by the following measures at the bureau level –

- (a) ***DEVB, being the existing policy bureau overseeing the greening policy, should take up the overall policy responsibility for greening, landscape and tree management.*** A new post of PAS (Greening, Landscape and Tree Management) (at DPS Point 2) will be created to oversee the two new Offices as set out below to ensure better integration of greening and tree management and the adoption of a holistic approach;
- (b) ***a new Tree Management Office should be set up at the bureau level as the central authority and focal point for coordination to ensure more effective implementation of the “integrated approach”.*** The Office will be headed by a CAS (at DPS Point 1) and the post should preferably be filled by an individual with the requisite expertise; and

- (c) *a new Greening and Landscape Office should be set up to be responsible for central coordination of greening and landscaping efforts. In addition, it would undertake a new responsibility of providing input to landscape design in large scale Government infrastructure projects as well as comprehensive private developments which are subject to landscape master plans or public open space requirements to enhance quality.* The Office will also be established at the bureau level mainly by redeploying existing staff from WB of DEVB and ArchSD, including the CLA post (at DPS Point 1).

7.3 A proposed revised organisation chart of WB of DEVB with the new post of PAS (Greening, Landscape and Tree Management) as well as the two new Offices (the Tree Management Office and the Greening and Landscape Office) under it is at Annex 7A. The respective functions of the new Tree Management Office and the Greening and Landscape Office are at Annex 7B and Annex 7C. *The Task Force recommends that the proposed new Offices should be manned by staff with appropriate academic/professional qualifications as well as frontline experience.* To ensure a wide spectrum of the required expertise, each of the new Offices will comprise staff from various relevant grades, e.g. LAs, FOs and LSMs, etc. to form a multi-disciplinary team. *The Task Force also recommends that where local expertise is not immediately available, overseas experts should be engaged to kick-start the work.*

At the Departmental Level

7.4 At present, under the “integrated approach”, departments have made reference to their specific operational needs in arranging suitable staffing to discharge their tree-related duties. We will assess their resource requirements for implementing the recommendations of the Task Force (in particular the new tree risk assessment arrangements) as appropriate.

7.5 In particular, it is worth mentioning that *at present LandsD does not have any in-house professional expertise on trees to discharge its duties for dealing with the trees in the vast area of unleased and unallocated Government land (about 33 000 hectares) not covered by other departments. Hence, the Task Force recommends that a new tree unit should be set up in LandsD to enable it to effectively discharge its duties without having to seek expert advice from other departments.* The Unit will have the following key duties –

- (a) maintaining vegetation on unleased and unallocated Government land upon receipt of complaints and referrals, and handling of enquiries/complaints; and
- (b) providing in-house advice on tree matters within LandsD's responsibilities (including development control for private projects, advice on tree-related issues of private land, etc.).

Review of Grade Structure

7.6 To enhance the expertise in the new Tree Management Office, it is desirable to engage specialists in arboriculture. However, there is currently no Arborist grade in the Administration. The Task Force has examined the situation and recommends no change to the existing grade structure for the time being, as any such change will be a major exercise requiring detailed research on the comparison of the grades and ranks, as well as extensive staff consultation. Such exercise could not be completed within the timeframe of the review. Instead, to enable us to assess the actual need for an Arborist grade, we propose to engage arborists on Non-civil Service Contract Staff terms for the time being. We will review the situation in three years' time.

Equipment

7.7 At present, departments and their contractors equip their staff with sufficient gears and equipment so as to conduct tree health inspection and arboricultural treatment for trees. Each executive department and/or its contractors are equipped with adequate tools, which are readily available in the market. Some departments (such as LCSD, AFCD and HyD) are also equipped with more advanced equipment (such as sonic tomograph and resistograph) to detect wood decay. HyD also requests its contractors to provide necessary installations such as lifting platform that is required for work at tree crown level.

7.8 Arising from new requirements (such as the new tree risk assessment arrangements), additional advanced equipment such as sonic tomograph will be required and staff are required to receive proper training on operation and interpretation of results. These will be procured as necessary.

Others

7.9 Apart from the above, departments will also be required to step up various initiatives on the training, community involvement, public education and complaint handling fronts. These will be dealt with by the respective bureaux/departments in accordance with the established mechanism.

(B) Implementation

7.10 *Upon the release of the Report, bureaux and departments concerned will follow up on the above recommendations accordingly. In particular, DEVB will coordinate the acquisition of necessary resources under the established mechanism and make preparation for the setting up of the new Tree Management Office and the new Greening and Landscape Office.*

7.11 Pending the setting up of the new Tree Management Office, in the light of concern over public safety, the Task Force has instructed departments concerned to step up effort and to enhance coordination with a view to providing better and speedier response in the coming typhoon season.

7.12 *The publication of the Report concludes the work of the Task Force. We hope that with the collaborative efforts of the community, we will promote our city's greening for the safe enjoyment of all.*

MEMBERSHIP OF THE TASK FORCE

Chairman

Chief Secretary for Administration

Members

Secretary for Development or representative

Secretary for the Environment or representative

Secretary for Home Affairs or representative

Secretary for Transport and Housing or representative

Director of Agriculture, Fisheries and Conservation or representative

Director of Architectural Services or representative

Director of Civil Engineering and Development or representative

Director of Home Affairs or representative

Director of Housing or representative

Director of Highways or representative

Director of Information Services or representative

Director of Lands or representative

Director of Leisure and Cultural Services or representative

Head, Efficiency Unit or representative

(On a need basis)

Commissioner of Police or representative

Director of Fire Services or representative

Representative of Department of Justice

Secretary

Principal Assistant Secretary for Development (Works)¹

TERMS OF REFERENCE OF THE TASK FORCE

- (a) To review the institutional framework and division of responsibilities in tree management within Government, in particular the roles of the respective policy bureaux and departments;
- (b) To review existing legislation on tree management;
- (c) To review existing administrative measures on tree management in particular the need to draw up risk assessment arrangements;
- (d) To review resources (including staff, training and equipment) on tree management; and
- (e) To suggest other areas of improvement to the existing tree management framework.

EXISTING TRAINING COURSES OFFERED WITHIN GOVERNMENT

| Department | In-house training courses (by department itself or another department) | | External training courses | | Course Content |
|------------|--|------------------------|---------------------------|-----------------------------|---|
| | Courses offered | Duration of courses | Courses offered | Duration of courses | |
| LCSD | 5 | 1 – 11 days | 4 | 5 days – 1 year (Note 1) | <ul style="list-style-type: none"> • Knowledge in arboriculture (including tree assessment, tree climbing, tree diagnosis, tree pest and disease, tree pruning and use of equipment for tree works) • Skills in tree works (including tree planting, maintenance, clearance, surgery works etc) • Preparation for International Society of Arboriculture Certified Arborist Examination |
| AFCD | 2 | 0.5 – 3 days | 10 | 3 – 10 days | <ul style="list-style-type: none"> • Knowledge in current issues in tree management and preservation, tree inspection and hazard mitigation, forest management, forest pests and treatments • Skills in tree works (including tree climbing and pruning) and use of equipment for tree works (including decay detection equipment, tree pruning or felling equipment and climbing equipment) • Preparation for International Society of Arboriculture Certified Arborist Examination and Certified Tree Worker Examination |

| Department | In-house training courses (by department itself or another department) | | External training courses | | Course Content |
|------------|---|---------------------|---------------------------|---------------------|---|
| | Courses offered | Duration of courses | Courses offered | Duration of courses | |
| HyD | 4 | 1 – 7 days | 3 | 1 – 4 days | <ul style="list-style-type: none"> • Knowledge in tree preservation and management and greening • Skills in use of equipment for tree works (including decay detection equipment) and supervision of tree works • Preparation for International Society of Arboriculture Certified Arborist Examination |
| CEDD | 4 | 0.25 – 1 day | 19 | 0.5 – 10 days | <ul style="list-style-type: none"> • Knowledge in arboriculture, urban greening and management of urban forest, tree preservation in construction projects, nursery stock selection, tree pruning, roof greening, and research on heat island effect • Skills in tree inspection and assessment, tree works (including tree pruning) and supervision of tree works • Preparation for International Society of Arboriculture Certified Arborist Examination |
| ArchSD | Nil | N/A | 4 | 12 hours – 8 days | <ul style="list-style-type: none"> • Knowledge in arboriculture, tree preservation in construction projects and tree management in urban setting • Skills in tree inspection and assessment • Preparation for International Society of Arboriculture Certified Arborist Examination |
| DSD | 2 | 1 day | 4 | 0.5 – 7 days | <ul style="list-style-type: none"> • Knowledge in arboriculture, overview of Government's greening policy, specification and practical measures on tree preservation • Skills in supervision of tree works |

| Department | In-house training courses (by department itself or another department) | | External training courses | | Course Content |
|------------|--|------------------------|---------------------------|------------------------|--|
| | Courses offered | Duration of courses | Courses offered | Duration of courses | |
| HD | 2 | 24 days | 2 | 2 – 3 days | <ul style="list-style-type: none"> • Skills in tree inspection and assessment and daily horticulture maintenance • Preparation for International Society of Arboriculture Certified Arborist Examination |

Note 1: The 1-year overseas course refers to the National Certificate on Arboriculture Programme in the United Kingdom.

EXISTING TRAINING COURSES OFFERED BY PROVIDERS OUTSIDE GOVERNMENT

(A) Courses offered by the Vocational Training Council (VTC)

(i) Skill Upgrading Scheme (SUS) courses on horticulture

(Note: SUS funded courses are conducted by external training bodies)

| Course Name | Course Outline | Course Duration (hours) | Fee (\$) | Students per class | No. of students trained | Training Provider |
|---|--|-------------------------|------------|--------------------|-------------------------|---|
| 1. Horticultural Maintenance (Pruning and Irrigation) | 1. Purpose, function, method and timing of pruning 2. Irrigation (Irrigation tools, system, timing and quantity; and importance of soil moisture in plants) | 16 | 250 | 15 | 794 (57classes) | Hong Kong Federation of Trade Unions Occupational Retraining Centre, Hong Kong and Kowloon Flower Plant Workers' General Union, Hong Kong Confederation of Trade Unions Training Centre |

| Course Name | Course Outline | Course Duration (hours) | Fee (\$) | Students per class | No. of students trained | Training Provider |
|---|--|-------------------------|------------|--------------------|-------------------------|-------------------|
| 2. Horticultural Maintenance (Fertilisation and Pest & Disease Control) | 1. Type of fertilisers: classification and functions of organic and chemical fertilisers, methods and timing of fertilisation 2. Pest and disease control | 16 | 250 | 15 | 700 (49 classes) | Ditto |
| 3. Horticultural Maintenance (Operation of equipment) | 1. Proper and safe use of horticulture equipment and tools (lawn mower, saw, chain-saw, etc.) 2. Occupational safety of operation of horticulture equipment | 12 | 200 | 15 | 392 (29 classes) | Ditto |
| 4. Basic Botany | 1. Basic botany – functions of various parts of plant (leaf, root, stem and flower) 2. Basic soil science | 12 | 120 | 20 | 440 (27 classes) | Ditto |
| 5. Plant Identification and Planting | 1. Plant identification (trees, shrubs, herbaceous plants, ground covers, climbers and aquatic plants) 2. Planting preparation, methods and aftercare | 12 | 175 | 15 | 527 (38 classes) | Ditto |

| Course Name | Course Outline | Course Duration (hours) | Fee (\$) | Students per class | No. of students trained | Training Provider |
|---|--|-------------------------|------------|--------------------|-------------------------|------------------------|
| 6. Skills in Tree Climbing and Working in Trees | <ol style="list-style-type: none"> 1. Selection of tree climbing tools and their operations and maintenance 2. Common knotting in tree climbing 3. Tree climbing methods, techniques and safety 4. Personal protective equipments 5. Proper use and maintenance of chainsaw 6. Procedures and safety of tree felling and clearance 7. Coordination between operations on the ground and aloft in the trees, and safety measures 8. Practices in tree climbing, tree cutting and working in trees | 40 | 2,200 | 8 | 21 (3 classes) | Asia Tree Preservation |

Annex 4

| Course Name | Course Outline | Course Duration (hours) | Fee (\$) | Students per class | No. of students trained | Training Provider |
|---|---|-------------------------|-----------------|--------------------|---------------------------|--|
| 7. Basic Arboriculture | 1. Basic tree knowledge and preservation 2. Basic arboriculture (knowledge in tree, pruning and assessment) 3. Use of tree pruning tools and chain-saw, (safety and techniques) 4. Tree climbing and basic operations in trees (safety, equipment, operation and common knots used in tree work) | 32 | 690 | 15 | 15 (1 class) | Hong Kong Confederation of Trade Unions Training Centre, Hong Kong and Kowloon Flower Plant Workers' General Union |
| 8. Tree Preservation and Risk Assessment (New Course) | 1. Basic arboriculture 2. Basic tree maintenance knowledge 3. Treatment of tree cavities and chemical injection (basic) 4. Non-invasive decay detection method (basic) 5. Tree assessment and maintenance options 6. Occupational safety | 32 | To be confirmed | 15 | 105 (7 classes – planned) | Planned to commence in October 2009. Training Provider To be confirmed |

(ii) Courses offered by the Integrated Vocational Development Centre of VTC

(Note: The courses are self-financing courses offered by VTC)

| Course Name | Course Outline | Course Duration (hours) | Fee (\$) | No. of students trained | Trained Students |
|--|---|-------------------------|------------|-------------------------|------------------------|
| 1. Certificate in Horticulture Management (Estate and Property Management Series) (New Course) | 1. Definition of horticulture 2. Plants knowledge 3. Key elements of horticulture management 4. Basic horticulture design 5. Horticultural contract 6. Occupational safety for horticultural industry 7. Horticulture machine operation techniques 8. Turf Management 9. Basic Arboriculture 10. Improvement for horticulture 11. New concept in horticulture management 12. Site visits | 36 | 1,500 | 25 | Commenced in May 2009 |
| 2. Certificate in Elementary Tree Risk Assessment (New Course) | 1. Definition of tree risk assessment 2. Trees in Hong Kong 3. Tree health assessment 4. Tree risk assessment and treatment 5. Tree protection method | 9 | 350 | 20 | Commenced in June 2009 |

(B) Courses offered by the Construction Industry Council Training Authority (CICTA)

| Course Name | Course Content | Duration | Fee (\$) | Number of Training Place | Date of First Class | No. of Participants (up to March 2009) |
|---|--|-----------------------|-----------------|---------------------------------|----------------------------|---|
| Supervision of Tree Works Course | <ol style="list-style-type: none"> 1. Tree Preservation and Felling; 2. Tree Protection; 3. Tree Surgery; 4. Tree Planting; 5. Tree Work Safety Procedures; and 6. Tree Maintenance | 12 hours | 800 | 35 per class | 22 Nov 2006 | 1 387 (43 classes) |
| Basic Landscape Theory Course for Landscape Workers | <ol style="list-style-type: none"> 1. Identify quality nursery stocks, install them on site and carry out works during the establishment period 2. Understand safety in carrying out operations relating to tree works and transplanting of mature trees 3. Know when and how to obtain professional help | 6 hours | 310 | 30 per class | 22 Sep 2008 | 111 (4 classes) |
| Introductory Course on Tree Works for Management Staff of Various Contractors and Property Management Companies | <ol style="list-style-type: none"> 1. Contractors/Property management companies and trees 2. Basic understanding of trees 3. Relevant regulations on tree protection 4. Correct ways to treat trees 5. Tree Felling Application Procedures | 2-hour lecture course | 140 | 25 per class | 22 Feb 2008 | 172 (6 classes) |

SUMMARY OF THE EIGHT ORDINANCES WHICH ARE MOST RELEVANT AND FREQUENTLY USED IN PROTECTION OF TREES

A. Ordinances With Provision(s) for Protection of Vegetation

| <u>Ordinance</u> | <u>Section</u> | <u>Penalties</u> |
|--|----------------|--|
| 1. Forests and Countryside Ordinance (Cap. 96) | | |
| Forests and Countryside Ordinance (Cap. 96) | s.3(1)(a) | “The Secretary [for the Environment] may by regulation provide for – (a) the protection of trees, shrubs, and other plants from destruction, injury or removal...” “Regulations made under this section may provide that a contravention of any provision thereof constitutes an offence punishable by a fine not exceeding \$25,000.” (s.3(2) of Cap. 96) |
| | s.16(1) | “Any person who – (a) has lit, or is using a fire which was lit, in or near any forest, plantation or area of open countryside...shall be guilty of an offence unless he shows that – (i) the lighting of a fire in the place in which the fire was lit was reasonable in all the circumstances; and (ii) he took all reasonable steps to prevent the fire from damaging or endangering anything growing in the forest, plantation or area of open countryside.” “Any person who contravenes s.16(1)...shall be liable on summary conviction to a fine of \$25,000 and to imprisonment for 1 year.” (s.22(1) of Cap. 96) |
| | s.21 | “Any person who, without lawful authority or excuse, in any forest or plantation –...(b) plucks or damages any bud, blossom or leaf of any tree, shrub or plant...(d) fells, cuts, burns or otherwise destroys any trees or growing plants, shall be guilty of an offence.” “A person who contravenes...s.21 shall be liable on summary conviction to a fine of \$25,000 and imprisonment for 1 year.” (s.22(1) of Cap. 96) |
| Forestry Regulation (Cap. 96A) (under Forests and Countryside Ordinance (Cap. 96)) | Reg. 2 | “No person shall without lawful excuse sell, offer for sale, or have in his possession or under his custody or control any portion of any of the [27 prescribed plants]. Regulation 2 shall not apply to plants grown outside Hong Kong or on any land held from the Government under a lease, licence or permit or by virtue of an Ordinance.” (Reg. 3 of Cap 96A) “Any person who acts in contravention of regulation 2 shall be guilty of an offence and shall be liable to a fine of \$25,000.” (Reg. 12(1) of Cap. 96A) |

| <u>Ordinance</u> | <u>Section</u> | <u>Penalties</u> |
|--|----------------|---|
| 2. Public Health and Municipal Services Ordinance (Cap. 132) | | |
| Cremation and Gardens of Remembrance Regulation (Cap 132M) (under Public Health and Municipal Services Ordinance (Cap. 132)) | s.22 | “Any person who in any garden of remembrance –... (f) wilfully or carelessly defaces, injures, soils or defiles any... tree, shrub, or plant whatsoever situated therein... shall be guilty of an offence.” “Any person guilty of an offence under... s.22 shall be liable to a fine at level 2 or to imprisonment for 6 months.” (s.25 of Cap. 132M) |
| Pleasure Grounds Regulation (Cap 132BC) (under Public Health and Municipal Services Ordinance (Cap. 132)) | s.8 | “No person shall, in any pleasure ground –... (b) climb... any tree...” |
| | s.9 | “No person shall, in any pleasure ground, walk, run, stand, sit or lie upon –... (b) any flower-bed, shrub or plant or any ground in course of preparation as a flower-bed or for the growth of any tree, shrub or plant.” |
| | s.10 | “No person shall, in any pleasure ground – (a) remove, cut or displace any soil, turf or plant; (b) pluck or damage any bud, blossom or leaf of any tree, shrub or plant, or damage any part of any tree, shrub or plant.” |
| | s.14(3) | “If any person brings a vehicle into any pleasure ground, he shall not wheel or station it over or upon – (a) any flower-bed, shrub, plant or any ground in course of preparation as a flower-bed or for the growth of any tree, shrub or plant;...” |
| | s.15 | “Save with the permission in writing of the Director and subject to such conditions as may be imposed by the Director, no person shall... affix any bill, placard or notice to or upon any tree or plant... in the pleasure ground.” |
| Public Cemeteries Regulation (Cap 132BI) (under Public Health and Municipal Services Ordinance (Cap. 132)) | s.11(1) (f) | “No person shall, in any public cemetery –... (f) wilfully or carelessly deface, injure, soil or defile any... tree, shrub or ornamental plant;...” |
| | s.11(1) (g) | “No person shall, in any public cemetery –... (g) climb any... tree...” “Any person who contravenes any of the provisions of s.11 shall be guilty of an offence and shall be liable on summary conviction to a fine at level 2.” (Reg. 13(1) of Cap. 132BI) |

| <u>Ordinance</u> | <u>Section</u> | <u>Penalties</u> |
|---|----------------|---|
| 3. Country Parks Ordinance (Cap. 208) | | |
| Country Parks Ordinance (Cap 208) | s.4 | “It shall be the duty of the Authority –...(c) to take such measures in respect of country parks and special areas as he thinks necessary –...(ii) to protect the vegetation and wild life inside country parks and special areas;...” |
| | s.26(1) (e) | “The Chief Executive in Council may make regulations to provide for –...(e) prohibiting or restricting the...destruction of or interference with vegetation within a country park or special area or the doing of anything therein which will interfere with the soil;...” |
| Country Parks and Special Areas Regulations (Cap. 208A) (under Country Parks Ordinance (Cap 208)) | Reg. 7 | <p>“Any person who contravenes regulation 7(1) or, when the Authority has prohibited the use of fire under regulation 7(2), any person who lights or uses any fire in any country park or special area in contravention of such prohibition, commits an offence and is liable on conviction to a fine of \$5,000 and to imprisonment for 1 year.” (Reg. 20(3) of Cap. 208A)</p> <p>“(1) No person shall within a country park or special area – (a) carry or have in his possession any lantern, cooking stove or other similar apparatus which uses flame except in a designated barbecue site or a designated camping site or when travelling from the country park or special area boundary to such designated site or from such site to the entrance; (b) carry or have in his possession any flare, flame-gun, fire-balloon or other similar device; (c) light, or use any fire, or be a member of a group which uses any fire, whether or not lit by any person in the group, except in a designated barbecue site or in a designated camping site; or (d) discard any match, lighted cigarette, pipe ash or other substance in a manner likely to cause a fire. (2) The Authority may, if he considers it necessary in the interests of good management so to do, prohibit the lighting or the use of fire in any country park or special area or part thereof, including any designated barbecue site or a designated camping site and display notices of such prohibition in English and in Chinese in such prominent positions as he shall determine.”</p> |

| <u>Ordinance</u> | <u>Section</u> | <u>Penalties</u> |
|--|---|---|
| Country Parks and Special Areas Regulations (Cap. 208A) (under Country Parks Ordinance (Cap. 208)) | Reg. 8 “(1) Subject to subregulation (2), no person shall within a country park or special area, except in accordance with a permit in writing granted by the Authority – (a) cut, pick or uproot any plant or part of a plant, whether living or dead; (b) dig, cultivate or disturb the soil... (2) Subregulation (1) shall not apply to a person who cuts, picks, uproots, digs, cultivates or disturbs any plant, part of a plant or soil or who sows or plants any seeds or plants under a Government lease or a licence or permit granted under the Land (Miscellaneous Provisions) Ordinance (Cap. 28) or a licence or lease issued by the Commissioner of Mines.” | “Any person who contravenes regulation...8... commits an offence and is liable to a fine of \$2,000 and to imprisonment for 3 months and, where the offence is a continuing offence to an additional fine of \$100 for each day during which the offence has continued.” (Reg. 20(1) of Cap. 208A) |
| 4. Antiquities and Monuments Ordinance (Cap. 53) | | |
| Antiquities and Monuments Ordinance (Cap. 53) | s.6(1) “...no person shall – (a) excavate, carry on building or other works, plant or fell trees or deposit earth or refuse on or in a proposed monument or monument...” | “Any person who contravenes s.6(1) shall be guilty of an offence and shall be liable on conviction to a fine of \$100,000 and imprisonment for 1 year.” (s.19(2) of Cap. 53) |

B. Ordinances with Provision(s) for Enforcement Against Illegal Activities Related to Vegetation

| <u>Ordinance</u> | <u>Section</u> | <u>Penalties</u> |
|---|--|---|
| 5. Crimes Ordinance (Cap. 200) | | |
| Crimes Ordinance (Cap. 200) | s.60 “(1) A person who without lawful excuse destroys or damages any property belonging to another intending to destroy or damage any such property or being reckless as to whether any such property would be destroyed or damaged shall be guilty of an offence. (2) A person who without lawful excuse destroys or damages any property, whether belonging to himself or another – (a) intending to destroy or damage any property or being reckless as to whether any property would be destroyed or damaged; and (b) intending by the destruction or damage to endanger the life of another or being reckless as to whether the life of another would be thereby endangered, shall be guilty of an offence. (3) An offence committed under this section by destroying or damaging property by fire shall be charged as arson.” | “(1) A person guilty of arson under s.60 or of an offence under s.60(2) (whether arson or not) shall be liable on conviction upon indictment to imprisonment for life. (2) A person guilty of any other offence under this Part shall be liable on conviction upon indictment to imprisonment for 10 years.” (s.63 of Cap. 200) |
| 6. Theft Ordinance (Cap. 210) | | |
| Theft Ordinance (Cap. 210) | s.2(1) “A person commits theft if he dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it; and “thief” and “steal” shall be construed accordingly.” | “Any person who commits theft shall be guilty of an offence and shall be liable on conviction upon indictment to imprisonment for 10 years.” (s.9 of Cap. 210) |
| 7. Summary Offences Ordinance (Cap. 228) | | |
| Summary Offences Ordinance (Cap. 228) | s.4(28) “Any person who without lawful authority or excuse –...does any act whereby injury or obstruction, whether directly or consequentially, may accrue to a public place...shall be liable...” | “[Any person who contravenes s.4] shall be liable to a fine of \$500 or to imprisonment for 3 months.” (s.4 of Cap. 228) |

C. Ordinance Relating to Environmental Protection

| <u>Ordinance</u> | <u>Section</u> | <u>Penalties</u> |
|--|----------------|--|
| 8. Environmental Impact Assessment Ordinance (Cap. 499) | | |
| Environmental Impact Assessment Ordinance (Cap. 499) | s.9(1) | <p>“A person who contravenes s.9 commits an offence and is liable –</p> <p>(a) on a first conviction on indictment to a fine of \$2,000,000 and to imprisonment for 6 months;</p> <p>(b) on a second or subsequent conviction on indictment to a fine of \$5,000,000 and to imprisonment for 2 years;</p> <p>(c) on a first summary conviction to a fine at level 6 and to imprisonment for 6 months;</p> <p>(d) on a second or subsequent summary conviction to a fine of \$1,000,000 and to imprisonment for 1 year,</p> <p>and in any case where the offence is of a continuing nature, the court or magistrate may impose a fine of \$10,000 for each day on which he is satisfied the offence continued.”</p> <p>(s.26 of Cap. 499)</p> |

Note:

Schedule 8 of Criminal Procedure Ordinance (Cap. 221) sets out the level of fines for offences as follows –

| | |
|---------|-----------|
| Level 1 | \$2,000 |
| Level 2 | \$5,000 |
| Level 3 | \$10,000 |
| Level 4 | \$25,000 |
| Level 5 | \$50,000 |
| Level 6 | \$100,000 |

**LIST OF ACTIVITIES
ORGANISED BY VARIOUS DEPARTMENTS
ON COMMUNITY INVOLVEMENT ON GREENING**

(A) Leisure and Cultural Services Department (LCSD)

(a) Hong Kong Flower Show

The Hong Kong Flower Show held in March each year at Victoria Park has a patronage of over 500 000 visitors.

(b) Community Garden Programme

The programme is to encourage the public to participate actively in greening activities at the neighbourhood level and adopt greening activities as part of daily life.

The programme is conducted in the form of gardening courses. A planting plot measuring 1.5m x 1.5m is allocated to each participant to practise gardening under the guidance of the instructors. Each participant may bring along four relatives or friends to join the activities. The course fee for each participant is \$400.

In 2008, 44 programmes were conducted with more than 9 000 participants.

(c) Community Planting Day

The community planting day is to encourage public participation in district greening activities and to promote green awareness.

In 2008, 29 community planting activities were conducted with more than 12 000 participants.

(d) Outreaching Greening Promotional Activities

The activities are to promote greening. Lecturers are provided to deliver horticultural talks/demonstrations to Non-Governmental Organisations (NGOs) and schools.

In 2008, there were 133 greening activities with about 37 000 participants.

(e) Greening Hong Kong Activities Subsidy Scheme

The Scheme is to encourage horticultural associations and community organisations to organise more greening activities with a view to making Hong Kong greener and promoting a green culture in the community through activity participation.

In 2008-09, eight greening activities were subsidised.

(f) Best Landscape Award

The Award aims to sustain the betterment of living environment in private property and to promote excellence in greening of public projects by outstanding design and horticultural maintenance.

In 2008, over 300 organisations submitted entries for the Award.

(g) Green Exhibitions/Talks

The Green Education and Resource Centre at Kowloon Park provides a place for schools, organisations and public to participate in greening activities, helps them understand and experience the importance of greening and environmental protection.

In 2008, 440 green exhibitions and talks were organised with over 38 000 participants.

(h) Greening School Subsidy Scheme

The Scheme aims to encourage campus greening, promote a green culture among students and cultivate their interest in growing plants. All local registered secondary, primary, special schools and kindergartens may apply for subsidy to implement approved greening projects and activities.

In 2008, 795 schools participated in the Scheme with about 207 000 students participated.

(i) 'One Student, One Flower' Scheme

The Scheme is to promote a green culture among students, cultivate their interest in growing plants and raise their concerns for the community. LCSD will arrange horticultural talks and distribute information leaflets, seeds and seedlings to schools to nurture.

In 2008, 1088 schools with about 348 000 students participated.

(j) Horticultural Courses/Seminars

The courses are to provide opportunities for the public to learn more on horticulture and gardening techniques and at the same time to enhance public greening awareness. Horticulture courses in elementary, intermediate and advanced levels are organised for the public periodically.

In 2008, 44 courses were organised with about 1 240 participants.

(k) School Guided Visits

The visits are to provide opportunities for students to learn more on plants and brief them the idea of simple propagation techniques through talks and field observation.

In 2008, 236 visits were organised with about 7 290 participants.

(l) Green Volunteer Scheme

The Scheme was launched in 2000 to engage the public to take part in greening activities. Apart from serving as volunteers in greening activities, they also assist in other duties such as labelling trees planted along roadsides and inside parks and gardens. Currently, there are over 1 700 Green Volunteers registered in 18 districts. Basic horticultural training and practices are provided for them. Of these, 172 have also registered as District Tree Care Volunteers for 376 (out of about 500) Old and Valuable Trees (OVTs) after attending basic courses in tree inspection. They provide visual inspection to OVTs assigned to them and report any irregularities to the Leisure Services District Offices for follow-up actions.

In 2008, over 380 greening activities were organised with more than 5 300 attendance by Green Volunteers.

(B) Agriculture, Fisheries and Conservation Department (AFCD)

(a) Corporate Afforestation Scheme

Local corporations, NGOs and education institutions are invited to donate resources for planting some 10 000 tree seedlings in a selected site within country parks for the establishment of woodland. Since the Scheme was launched in 1998, 72 woodlands have been established by 44 organisations joining the scheme and some 900 000 trees have been planted. This has significantly helped to speed up the greening work in country park areas.

(b) Hong Kong Tree Planting Day

AFCD provides technical advices and support to the Hong Kong Tree Planting Day, an annual event organised by the “Green Fun”. Sites within or close to country parks are identified for planting of tree seedlings. Participants at the Tree Planting Day usually include senior government officials, representatives of Central People’s Government offices in Hong Kong, local community organisations and students.

(C) Home Affairs Department (HAD)

In support of Government's greening policy, District Offices (DOs) of HAD assist the District Councils in promoting greening messages through organising various community involvement activities such as tree planting days, greening/gardening education and promotional activities, participation in flower shows, etc. For instance, in 2008, the DOs organised 13 greening programmes in various districts, with about 5 300 participants. HAD also set up game booths and held competitions to disseminate greening messages to the local community.

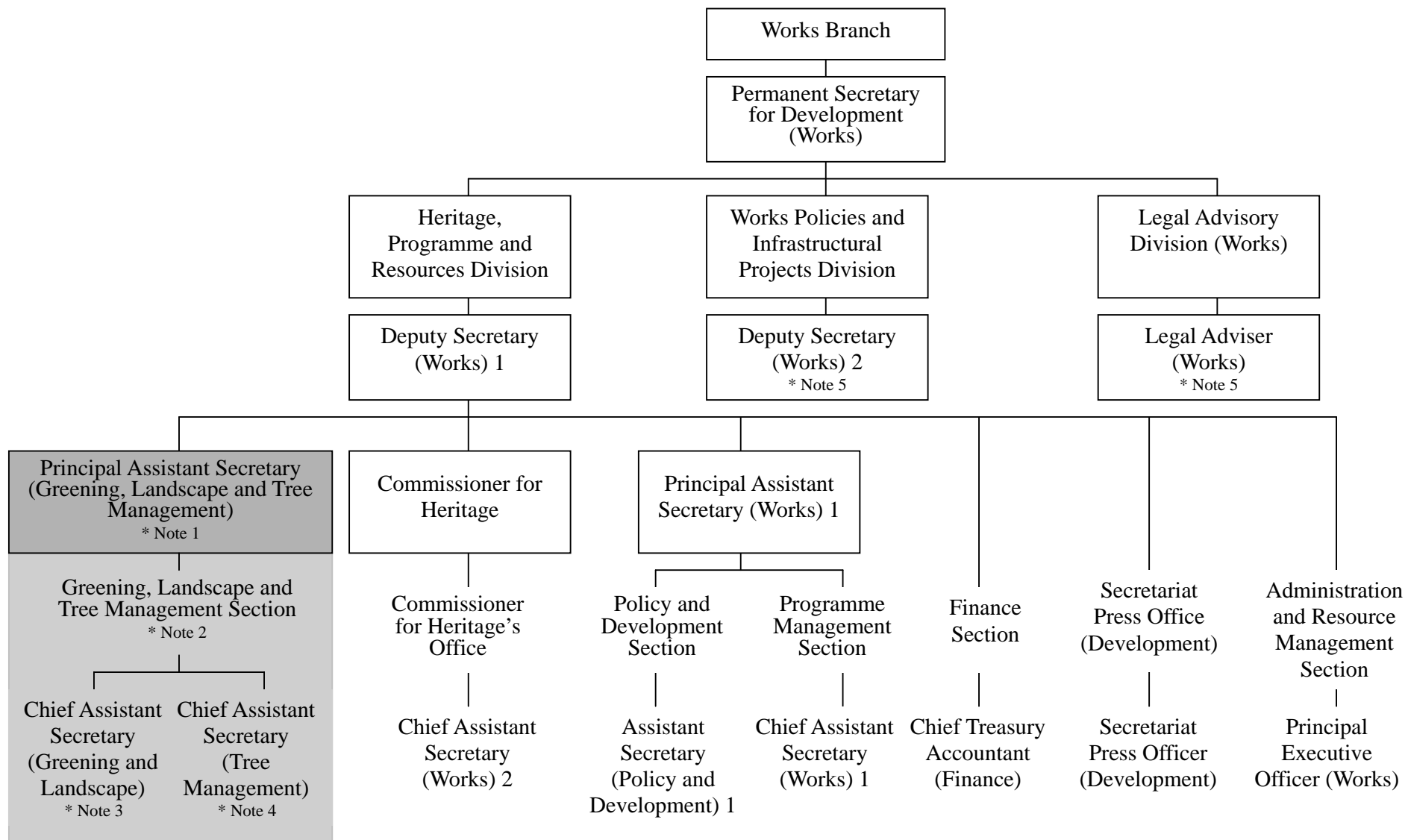
(D) Housing Department (HD)

Since 2004, HD has launched over 140 greening programmes such as community tree planting day, community garden and "Action Seedling" for over 6 000 residents and students of nearby schools.

**PROPOSED ORGANISATION CHART FOR
THE GREENING, LANDSCAPE AND TREE MANAGEMENT SECTION IN
THE WORKS BRANCH OF DEVELOPMENT BUREAU**

Annex 7A

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* Note 1 – Principal Assistant Secretary post to be newly created to coordinate greening, landscape and tree management issues with relevant bureaux and departments.

* Note 2 – A total of around 20 new posts to be created in the Greening, Landscape and Tree Management Section.

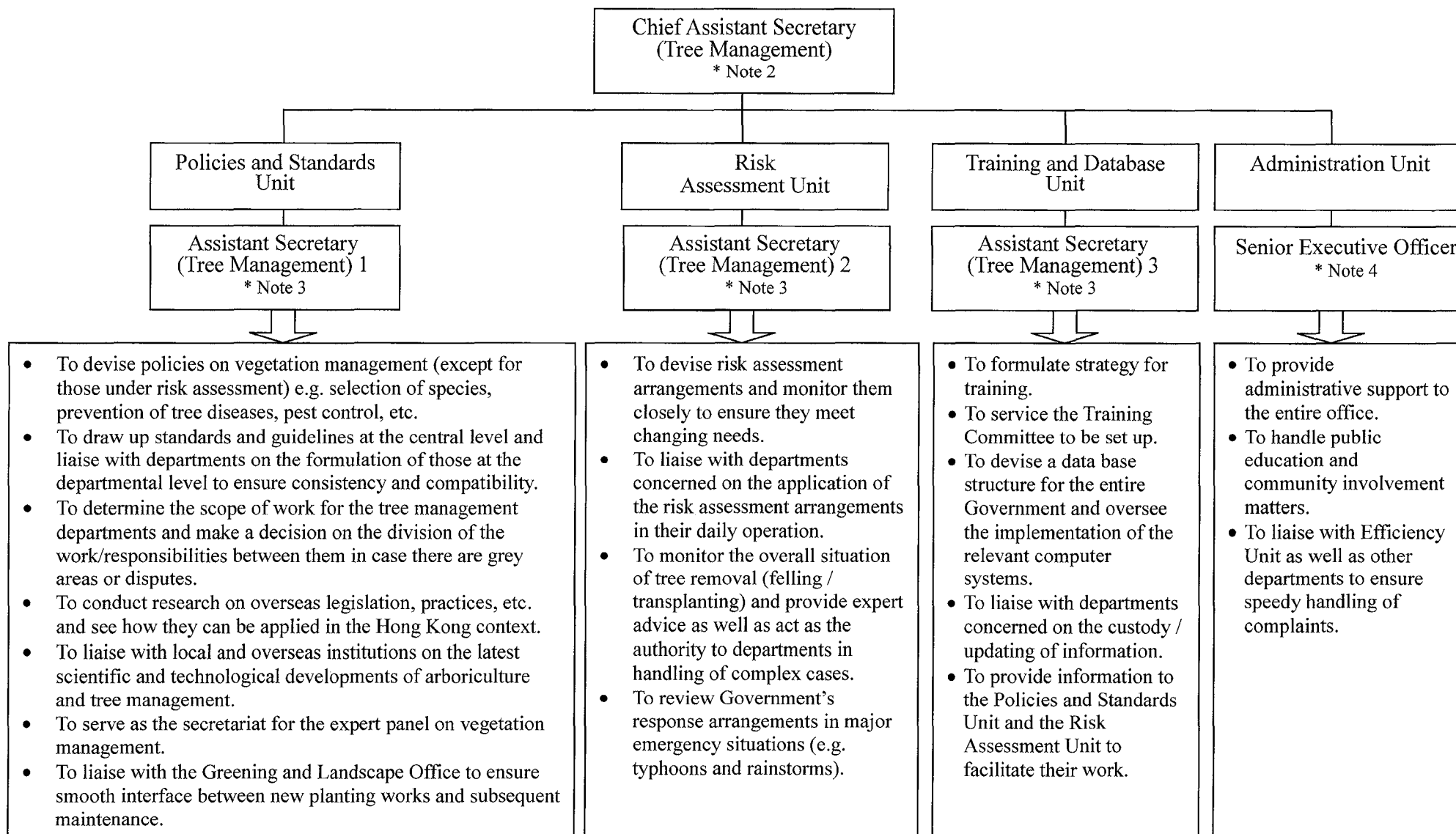
* Note 3 – Chief Assistant Secretary or Chief Landscape Architect post to be redeployed from Architectural Services Department. For details please refer to [Annex 7C](#).

* Note 4 – Chief Assistant Secretary post to be newly created. For details please refer to [Annex 7B](#).

* Note 5 – Details of the setup of the Works Policies and Infrastructural Projects Division and Legal Advisory Division (Works) are not provided in this chart.

PROPOSED ORGANISATION CHART FOR THE TREE MANAGEMENT OFFICE IN THE GREENING, LANDSCAPE AND TREE MANAGEMENT SECTION * Note 1

Annex 7B



* Note 1 – All posts to be newly created. Only heads of units are shown.

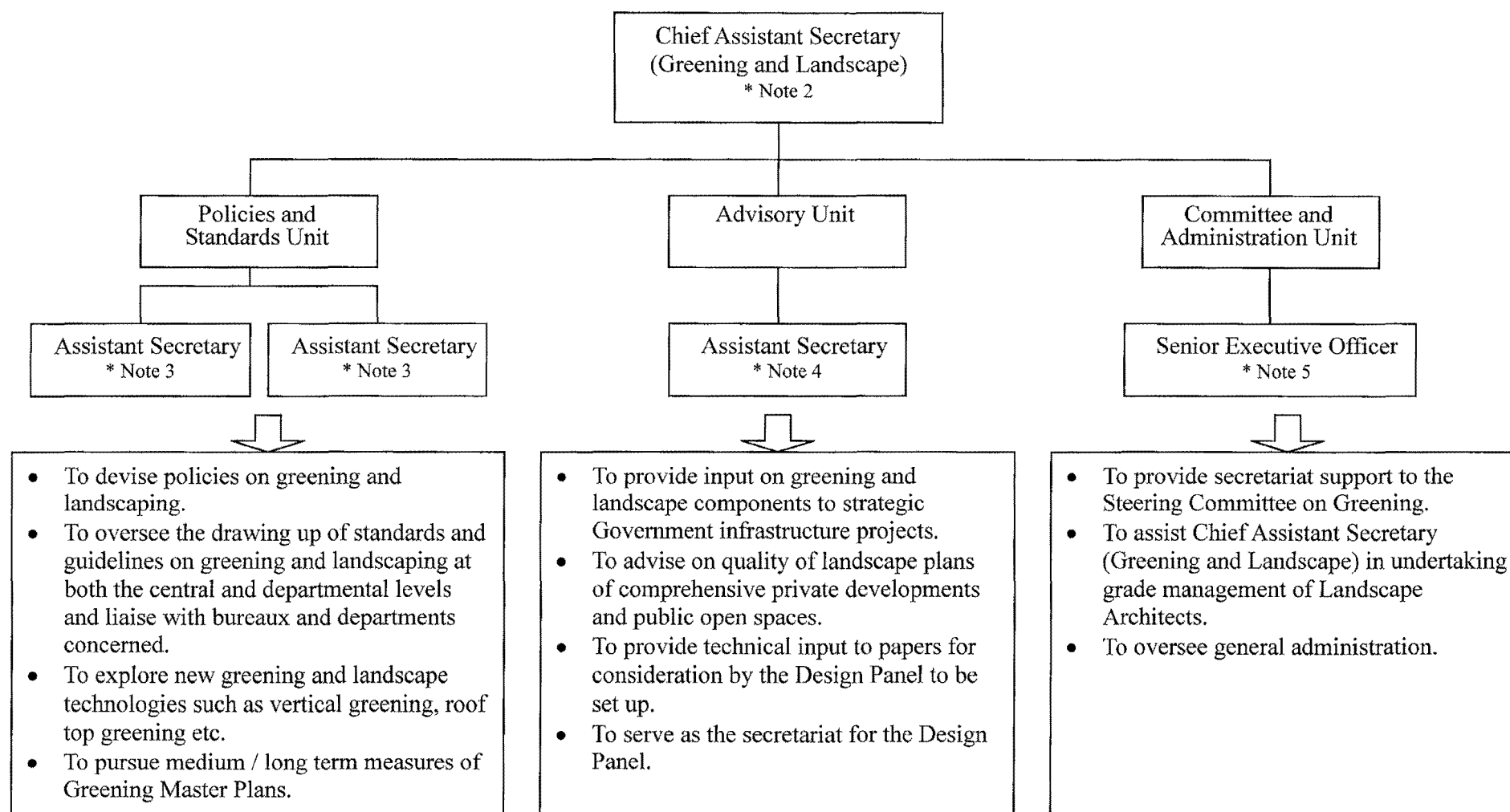
* Note 2 – Chief Assistant Secretary post to be filled by an expert who can either be a civil servant or engaged through external recruitment.

* Note 3 – 3 Assistant Secretary (Tree Management) posts which will be filled by officers from different grades with professional background/experience e.g. Landscape Architect, Forestry Officer, Leisure Services Manager, etc.

* Note 4 – The Senior Executive Officer, assisted by 1 Executive Officer II, will serve both the Greening and Landscape Office and the Tree Management Office.

In addition, while the Tree Management Office will be the authority and coordination body of tree management matters, the existing “integrated approach” will continue and the respective policy bureaux will continue to housekeep those departments under their jurisdiction.

**PROPOSED ORGANISATION CHART FOR THE GREENING AND LANDSCAPE OFFICE
IN THE GREENING, LANDSCAPE AND TREE MANAGEMENT SECTION * Note 1**



* Note 1 – Only heads of units are shown.

* Note 2 – Chief Assistant Secretary or Chief Landscape Architect post to be redeployed from Architectural Services Department.

* Note 3 – 2 Assistant Secretary posts to be redeployed within Works Branch of Development Bureau.

* Note 4 – 1 Assistant Secretary post to be newly created which can be filled by officers from different grades with professional background/experience, e.g. Landscape Architect, Forestry Officer, Leisure Services Manager, etc.

* Note 5 – The Senior Executive Officer, assisted by 1 Executive Officer II, will serve both the Greening and Landscape Office and the Tree Management Office.

ABBREVIATIONS

| | |
|--------|--|
| AA | Antiquities Authority |
| A&MO | Antiquities and Monuments Ordinance |
| ArchSD | Architectural Services Department |
| CAS | Chief Assistant Secretary |
| CE | Chief Executive |
| CEDD | Civil Engineering and Development Department |
| CICG | Community Involvement Committee on Greening |
| CICTA | Construction Industry Council Training Academy |
| CLA | Chief Landscape Architect |
| CPO | Country Parks Ordinance |
| CS | Chief Secretary for Administration |
| DC | District Council |
| DEVB | Development Bureau |
| DPS | Directorate Pay Scale |
| DSD | Drainage Services Department |
| EDB | Education Bureau |
| ENB | Environment Bureau |
| FO | Forestry Officer |
| GMP | Greening Master Plan |
| HAB | Home Affairs Bureau |
| HAD | Home Affairs Department |
| HD | Housing Department |
| HyD | Highways Department |
| ISA | International Society of Arboriculture |
| LA | Landscape Architect |
| LegCo | Legislative Council |
| LCSD | Leisure and Cultural Services Department |
| NGO | Non-Governmental Organisations |
| OVT | Old and Valuable Tree |
| OZP | Outline Zoning Plan |
| PAS | Principal Assistant Secretary |
| SCG | Steering Committee on Greening |
| THB | Transport and Housing Bureau |
| TPB | Town Planning Board |

| | |
|-----|-----------------------------|
| TPO | Town Planning Ordinance |
| VTC | Vocational Training Council |
| WB | Works Branch |
| WSD | Water Supplies Department |