



Ref : ETWB(W) 517/83/02

Group : 12

13 March 2004

**Environment, Transport and Works Bureau**  
**Technical Circular (Works) No. 2/2004**

**Maintenance of Vegetation and Hard Landscape Features**

**Scope**

This Circular sets out the departmental responsibilities for maintenance of vegetation and hard landscape features.

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

**Effective Date**

3. This Circular takes immediate effect.

**Effect on Existing Circulars**

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

Circular No.	Subject
WBTC No. 26/99	Maintenance of Man-made Slopes and Emergency Repair on Stability of Land
WBTC No. 8/2000	Maintenance of Stormwater Drainage Systems and Natural Watercourses
WBTC No. 14/2002	Management and Maintenance of Natural Vegetation and Landscape Works and Tree Preservation

Circular No.	Subject
ETWB TCW No. 55/2002	Village Resite and Expansion Areas Schedule of Maintenance Responsibilities

5. This Circular supersedes paragraphs 4 to 6 and Appendix A of WBTC No. 14/2002 on demarcation of the maintenance responsibilities for vegetation and hard landscape features, and paragraph 10 on resolution of differences on matters related to maintenance responsibilities.

6. This Circular also supersedes item 6 under Appendix A of ETWB TCW No. 55/2002 on the maintenance responsibility of trees and vegetation within village resite areas. In addition, the responsibility of Food and Environmental Hygiene Department (FEHD) under WBTC No. 8/2000 for the removal of dead vegetation floating in nullahs, drainage channels and watercourses is clarified in paragraph 24 of this Circular.

## **Background**

7. WBTC No. 14/2002 sets out the management and maintenance responsibilities of natural vegetation and landscape works, and tree preservation. Since then, there have been disputes between the planting departments and the maintenance departments over the maintenance requirements and responsibilities, and the interpretation of the WBTC. This Circular aims to obviate the grey areas in WBTC No. 14/2002 on matters related to maintenance responsibilities of vegetation and hard landscape features, including the special features such as tree uprights, special street furniture etc. in public areas.

8. Grey areas over maintenance responsibilities of vegetation in stormwater drainage systems and village resite areas under WBTCs No. 8/2000 and 55/2002 respectively are also clarified in this Circular.

## **Definitions**

9. The terms and expressions adopted in this Circular are defined as follows:
- i) “SIMAR slopes” means the man-made slopes registered in the SIMAR database set up by the Lands Department (LandsD) to identify the maintenance responsibility of every sizable man-made slope registered in the Catalogue of Slopes. “SIMAR” refers to the study called the “Systematic Identification of Maintenance Responsibility of Man-made Slopes in Hong Kong” carried out by LandsD in 1996.

- ii) “Public roads” are roads maintained by the Highways Department (HyD), including footpaths, cycle tracks and central medians, and roads within village resite and expansion areas.
- iii) “Country parks” are defined under the Country Park Ordinance, Cap 208.
- iv) “Expressways” are defined under the Road Traffic Ordinance, Cap 374.
- v) “Vegetation” includes both the planting for landscaping purposes or mitigation purposes as recommended by the Environmental Impact Assessment (EIA) studies, and naturally occurring vegetation.
- vi) “Village environs” refer to the area within 300 ft. from a recognised village where small house applications are considered by LandsD. LandsD should be consulted for details on delineation of the boundaries of village environs.
- vii) “Landscaped area” refers to an area where planting or hard landscape features have been undertaken to improve the environment.
- viii) “Initiating department” is the department proposing the provision of the planting or hard landscape features.

### **Maintenance Operations**

10. Maintenance operations for vegetation on landscape areas are required to ensure the healthy establishment and growth of plants, which in general include watering, fertilizing, weeding, pruning, mulching, pest control, replacement etc. as appropriate. The required maintenance operations vary depending on the species, stage of maturity and planting objectives. For natural vegetation, only ad hoc maintenance will be required as and where necessary pursuant to paragraph 25 below.

11. For hard landscape features, the maintenance operations are mainly related to repairing, repainting, refurbishment, replacement due to wear and tear etc.

### **Policy**

12. For projects with landscaped areas or landscape works completed or substantially completed after the effective date of this Circular (hereinafter referred to as “newly completed projects”), the demarcation of maintenance responsibilities for the landscaped areas as set out in the schedules in Appendices A and B of this Circular should be adopted for the vegetation and hard landscape features respectively.

13. Any prior arrangement or agreement between departments on the maintenance responsibility of vegetation or hard landscape features before the effective date of this Circular may continue, with a view to rationalising the arrangement on a case-by-case basis, so that they will eventually dovetail with the schedules in Appendices A and B.

14. Where the proposed landscaped area or landscape works are not covered by Appendices A and B, the initiating department or its agent should identify an appropriate maintenance party based on the principles as set out in paragraphs 15 and 27 to 34 below, and agree with the concerned party on the maintenance responsibilities prior to finalizing the landscape design. If an agreement cannot be reached, the matter should be resolved at an early stage through the mechanism as given in paragraph 40 of this Circular.

### **Demarcation of Maintenance Responsibility for Vegetation**

15. Appendix A sets out the departmental responsibilities for the maintenance of vegetation under different categories of land for newly completed projects, and the basic principle adopted is given below:

<u>Category of Land</u> <sup>1</sup>	<u>Maintenance Department</u>
(a) Allocated Government land	Allocatee department
(b) Along non-expressway public roads (outside country parks)	Leisure and Cultural Services Department (LCSD)
(c) Within the boundary of expressways	HyD
(d) Country parks (outside the boundary of expressways)	Agriculture, Fisheries & Conservation Department (AFCD)
(e) Along footpaths in village environs and access roads maintained by HAD	Home Affairs Department (HAD)
(f) Unallocated/unleased Government land (not maintained by other departments)	LandsD

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<sup>1</sup> Regardless of the land categories, the vegetation on Government SIMAR slopes should be maintained by the slope maintenance department. Departmental responsibilities for the maintenance of SIMAR slopes are given in WBTC No. 26/99.

16. Where the arrangements for maintenance of vegetation on existing roadside landscaped areas differ from that of the above principle, an agreement has been reached among the departments concerned to rationalize these existing arrangements on a case-by-case basis in order to bring them in line with the above principle. Further details on the demarcation of maintenance responsibilities and the arrangement for vegetation on existing landscaped areas are given below in paragraphs 17 to 21.

Public roads outside country parks

17. For landscaped areas along existing non-expressway public roads outside country parks, LCSD is responsible for the trimming of vegetation<sup>2</sup> at an appropriate time to prevent obstruction to the traffic, sightlines to traffic, and traffic light signals/signs.

18. For landscaped areas within the boundary of existing expressways outside country parks and where LCSD is currently responsible for the maintenance of the vegetation, LCSD will continue to maintain the vegetation and liaise with HyD to work out an agreed arrangement/timetable to hand over the vegetation together with the associated resources in stages<sup>3</sup> to HyD for the maintenance.

Public roads within country parks

19. For landscaped areas along existing non-expressway public roads within country parks, AFCD is responsible for the maintenance of the vegetation<sup>2</sup>. For landscaped areas within country parks and currently maintained by HyD/LCSD, HyD/LCSD will liaise with AFCD to work out an agreed arrangement/timetable to hand over the vegetation together with the associated resources in stages to AFCD for the maintenance.

20. For landscaped areas within the boundary of existing expressways within country parks and where AFCD/LCSD is currently responsible for the maintenance of the vegetation<sup>2</sup>, AFCD/LCSD will continue to maintain the vegetation and liaise with HyD to work out an agreed arrangement/timetable to hand over the vegetation to HyD in a similar manner as mentioned in paragraph 19 above.

Toe wall planting

21. Vegetation in existing toe wall planters of man-made slopes should be maintained by the slope maintenance department except for those of man-made slopes (including SIMAR slopes and man-made slopes not registered in the SIMAR database)

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<sup>2</sup> Except where the vegetation is on SIMAR slopes, for which the slope maintenance department is responsible for the maintenance of the vegetation, unless another department has agreed to take up the maintenance responsibility of the vegetation.

<sup>3</sup> For existing landscaped areas along an existing expressway that may be amended due to minor renovation and retrofitting works, the existing arrangement for the maintenance of the vegetation on the areas within the boundary of the expressway should continue until the arrangement to take over the maintenance responsibility of the vegetation for that section of the expressway is settled.

along non-expressway public roads outside country parks, where LCSD will take up the maintenance responsibility of the vegetation in the toe wall planters. Where appropriate, the arrangement for handing over the vegetation to the relevant department for maintenance should be made following the similar manner as described in paragraphs 18 to 20 above.

#### Erosion control planting

22. For newly proposed erosion control planting carried out under the Slope Afforestation Programme managed by Territory Development Department, the planting department should extend the Establishment Period for such planting works to three years under the new contracts, and to adopt appropriate species such that the vegetation will be well established within the contract Establishment Period. Upon expiry of the Establishment Period, the planting department will hand over the vegetation to LandsD for ad hoc maintenance. This arrangement aims to alleviate the need for LandsD to undertake any ensuing regular maintenance works for the planting after the Establishment Period.

#### Planting involving more than one maintenance department

23. For planting involving more than one maintenance department (e.g. a large landscaped area comprising roadside planting and planting on SIMAR slopes), it may be desirable and cost-beneficial to have a single maintenance department to be responsible for the whole landscaped area. As a general principle, the maintenance department concerned may co-ordinate with other maintenance department(s) to establish an agreed arrangement to rationalise the maintenance of planting over the whole area. The arrangement should be considered on a case-by-case basis, and each department should continue to maintain the vegetation under its purview until an agreement is reached.

#### Vegetation in DSD's stormwater drainage systems and facilities

24. For vegetation growing within DSD's stormwater drainage systems and facilities, the vegetation maintenance works including cutting and trimming of the overgrowth should be carried out by DSD unless another department has agreed to undertake the works. In regard to dead vegetation including tree leaves and broken branches found floating or trapped in watercourses, FEHD is responsible for their removal.

#### Ad hoc maintenance for natural vegetation

25. For natural vegetation on unleased and unallocated Government land not maintained by any other departments and not covered by the schedule in Appendix A, LandsD will carry out ad hoc maintenance (e.g. tree felling, trimming and grass cutting) when a requirement is identified or a complaint or referral is received. For existing landscaped areas, the department responsible for the maintenance of the planting should also undertake the necessary ad hoc maintenance works for the natural vegetation within such areas. Demarcation of the maintenance responsibility for the

vegetation on landscaped areas is given in the schedule in Appendix A.

Clearance of vegetation under emergency situation

26. Under emergency situation where fallen trees or overgrown bushes or grass pose an imminent danger to the pedestrian and/or road users, HyD is responsible for removal of the vegetation. Under normal situation, removal of fallen or potentially dangerous trees and overgrowth should be carried out by the respective departments responsible for the maintenance of the vegetation.

**Hard landscape features**

27. For hard landscape features located on allocated Government land, the allocatee department should be responsible for their maintenance. For Government buildings managed by Government Property Agency (GPA), GPA will appoint an agent to maintain the hard landscape features and associated facilities within the building boundary/allocated boundary.

28. The schedule setting out the maintenance responsibilities of hard landscape features in unallocated Government land is given in Appendix B. The basic principle for demarcation of the maintenance responsibility for some special hard landscape features is given below in paragraph 29 to 34.

Features associated with public road safety

29. Where the hard landscape features are on unallocated Government land, HyD is responsible for the maintenance of those features along public roads associated with public road safety, including features that serve dually for public road safety and amenity purposes.

Facilities required for vegetation maintenance

30. The department responsible for the maintenance of the vegetation should also maintain the associated facilities, such as the irrigation system, tree guard, tree guy, tree tie, tree stake, temporary fencing etc. Where considered necessary, maintenance departments may appoint an agent to maintain the associated facilities on their behalf.

Tree grilles/surrounds on public pavements

31. HyD is responsible for the maintenance of tree grilles or tree surrounds on public pavements, while LCSD is responsible for the maintenance of pebble or mulch cover over the tree pit.

### Hangings baskets and portable planters

32. LCSD is responsible for the maintenance of hanging baskets and removable planters including connecting brackets, hangers or bolts and nuts, unless other parties (including private developers) have agreed to maintain the features. Whilst HyD will maintain those connection items welded to street lamp-posts or railings along public roads.

### Special landscape features

33. For special hard landscape features such as tree up-lights, lighting features solely for decorative purposes and architectural features, which are located on unallocated Government land, the initiating department will be responsible for their maintenance unless another department has agreed to take up the responsibility of the maintenance works. Where necessary, the initiating department may request Architectural Services Department (ArchSD) or other departments to carry out the maintenance works. In such cases, the initiating department is responsible for day-to-day management of the facility including reporting of repair needs and provision of funds.

34. If the special feature is donated by the public, the department that the donor approaches will become the initiating department, which should estimate the required operational and maintenance cost before deciding whether or not to accept the donated feature. If accepted, the donor should be advised that the Government reserves the right to remove the feature without prior consent from the donor, especially when the feature is damaged and the damaged part or item is irreplaceable.

### **Maintenance records**

35. To facilitate effective planning and monitoring of maintenance works, maintenance departments should draw up an inventory of landscaped areas (including features, scope and maintenance schedule) for which they are responsible. For newly landscaped areas, the initiating department or its agent should provide the maintenance department with proper records showing the location, features, scope and name of the vegetation at the time of handing over, together with the relevant details.

### **Standards and Maintenance Requirements, and Early Consultation**

36. Departments responsible for the maintenance of vegetation or hard landscape features should establish the standard and maintenance requirements for the landscape works. In order to promote greening, the maintenance department should adopt a flexible approach, taking into account the site constraints when imposing the maintenance requirements for the landscape works under its purview.



37. To ensure the smooth transfer of the completed landscape works from the initiating department (or its work agent) to the maintenance department, early consultation is essential. In this regard, the initiating department or its agent should consult and obtain an in-principle agreement from the maintenance department at the early stage of the landscape design on the maintenance requirements of the proposed landscape works. The maintenance department should be notified of any subsequent major changes to the landscape design. Likewise, the maintenance department should notify all concerned parties promptly of any changes to the departmental requirements for maintenance of landscape works. Impact on existing projects under design or construction due to the changes in maintenance requirements should be minimised as far as possible.

38. Water Supplies Department (WSD) has agreed to provide water supply as far as possible for irrigating purposes, on the condition that the supply may be withdrawn at the time of water shortage or drought. Prior to the planting works, the initiating department or its agent should consult WSD on the connection details of the water supply and provide WSD with the location of the proposed planting works.

39. For projects “designated” under the Environmental Impact Assessment Ordinance (EIAO) and involving mitigation planting, the project proponent should consult the authorities under EIAO and relevant maintenance departments at an early stage on the design and maintenance requirements for the planting recommended by the EIA studies before the EIA report is finalized. LCSD and HyD should also be consulted as early as possible where roadside planting or landscape features are involved.

### **Resolution of differences**

40. In case where there is any difference in opinions amongst departments on matters related to this Circular, the following arrangement should be followed:

- (a) Any unresolved issue should be promptly brought up to the attention of the directorate officers, or if the situation warrants, the Directors of the departments concerned for an early resolution of the issue.
- (b) If the Directors of the concerned departments still cannot reach an agreement for a resolution, the unresolved matter should be raised up to the Policy Secretaries, with supporting documents for a final decision.

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

**Areas of Responsibilities of Departments on Maintenance of Vegetation**

<b>Item</b>	<b>Land category of landscaped areas</b>	<b>Maintenance departments</b>	<b>Remarks</b>
1.	Allocated Government land	Allocatee department	For Government buildings managed by GPA, GPA will manage the vegetation within the building boundary/allocated boundary.  See note (i) below for further guidelines.
2.	Public Housing	HD	Vested land including Temporary Housing Areas and Cottage Areas
3.	Unallocated Government land (UGL)  [See Note (ii) for wetland planting and other plantings recommended by the EIA Ecological Impact Assessment (EcoIA).]		
(a)	SIMAR Slopes	Slope maintenance departments (see WBTC No. 26/99)	The department responsible for maintenance of SIMAR slopes should also maintain the vegetation on the slopes, unless another department agrees to take up the maintenance responsibility of the vegetation.
(b)	Along non-expressway public roads outside country park	LCSD <sup>4</sup>	To maintain vegetation on landscaped areas, including planting on roadside toe wall planters of SIMAR slopes and man-made slopes not registered in the SIMAR database.
(c)	Along non-expressway public roads within country park	AFCD <sup>4</sup>	
(d)	Within the boundary of expressways	HyD	See Note (iii) below for further guidelines for vegetation planted under an elevated expressway.
(e)	Landscaped deck/ noise enclosure of public roads without pedestrian or vehicular access.	HyD	To maintain both the vegetation and hard landscape features.

<sup>4</sup> HyD is responsible for clearance of vegetation that poses an imminent danger to the pedestrian and road users.

<b>Item</b>	<b>Land category of landscaped areas</b>	<b>Maintenance departments</b>	<b>Remarks</b>
	(f) Public road-structures with pedestrian or vehicular access (e.g. planting on the roof or inside of footbridges, covered walkways, landscaped deck or noise enclosure cum open space)	LCSD	(i) To maintain vegetation and the removable planters attached to the parapet or railing of footbridges or elevated roads/flyovers.  (ii) To maintain vegetation on the roof of road-structures, e.g. footbridge and covered walkways etc.  See Note (iv) below for further guidelines.
	(g) DSD's stormwater drainage systems and facilities, etc.	DSD	To maintain vegetation in DSD's nullahs, drainage channels and engineered watercourses, including cutting and trimming of the overgrowth, unless another maintenance party has agreed to take up the maintenance responsibility of the vegetation.  See Note (v) and (vi) below for further guidelines.
	(h) Drainage Reserve on UGL	DSD	To maintain vegetation on the Drainage Reserve if the drainage installations are above ground.  See notes (vii) below for further guidelines.
	(i) Waterworks Reserve on UGL	WSD	To maintain vegetation on Waterworks Reserve if the waterworks installations are above ground.  See note (vii) below for further guidelines.
	(j) Along footpaths within village environs and access roads maintained by HAD	HAD	To carry out ad hoc maintenance, mainly in the form of grass cutting when a requirement is identified or a complaint/referral is received.  See note (viii) for further guidelines.

<b>Item</b>	<b>Land category of landscaped areas</b>	<b>Maintenance departments</b>	<b>Remarks</b>
	(k) Along access roads or footpaths which are solely used by a department (e.g. DSD, WSD etc)	The user department	The user department to maintain the vegetation, unless another department has agreed to take up the maintenance responsibility of the vegetation.
	(l) All other unleased and unallocated Government land not covered by the above.	LandsD	To carry out ad hoc maintenance. See Note (iii) for further guidelines.

**Notes :**

- (i) For Government accommodations in private developments in which the Government is a co-owner, the building management will manage the vegetation in the common areas and arrangements will be made by GPA to manage those areas, where necessary, within the boundary of the premises.
- (ii) AFCD will maintain mitigation planting as recommended by the EIA Ecological Impact Assessment (EcoIA), including wetland planting or other specialized planting, except for woodland planting on SIMAR slopes and roadside landscaped areas where the maintenance responsibility should follow items 3(a)-3(d), 3(j) and 3(k) in this Appendix. In general, AFCD will maintain the ecological planting as recommended by EIA till the vegetation is fully established (which normally takes about 9 years). Thereafter, LandsD will undertake ad-hoc maintenance for the vegetation as and when the need arises.
- (iii) Where the proposed landscaped area is on unallocated/unleased Government land and not maintained by any other departments, the initiating department or its agent should adopt appropriate species such that the vegetation on the area will be well established within the contract Establishment Period. Such landscaped area will be handed back to LandsD upon completion of the works for ad hoc maintenance (e.g. tree felling, trimming and grass cutting) when a requirement is identified or a complaint/referral is received.
- (iv) The works agent (e.g. HyD) will provide LCSD with water points, irrigation system where feasible, as well as proper access and safe working conditions for maintenance of the vegetation. LCSD is responsible for the maintenance of the vegetation as well as facilities required for the vegetation maintenance, e.g. the water points and irrigation system, unless another department has agreed to take up the maintenance responsibility of these facilities.
- (v) FEHD is responsible for the removal of dead vegetation including tree leaves and broken branches found floating in the watercourses.

- (vi) Vegetation within DSD's flood storage ponds and drainage channels (e.g. grasscrete) is maintained by DSD unless the vegetation forms part of the mitigation requirements recommended by the EcoIA, in which case AFCD is responsible for the maintenance.
- (vii) For underground installations, the maintenance responsibility of the vegetation on the Drainage Reserve or Waterworks Reserve should be determined in accordance with the principles as set out in the rest of the schedule of this Appendix, e.g. vegetation on the Reserve should be maintained by AFCD if it falls within the boundary of country parks; by LCSD if it is along public roads; by the slope maintenance department if it falls on a SIMAR slope; or by LandsD if no other maintenance department can be identified. WSD or DSD as appropriate are responsible for reinstating the landscape works on the Reserve that have been disturbed due to the requirement for maintenance of the underground installations and the associated works.
- (viii) Where the vegetation is along footpaths in village environs or access roads maintained by HAD, HAD is responsible for ad hoc maintenance of the planting, mainly in the form of grass cutting, when a requirement is identified or a compliant/referral is received.

**Maintenance Responsibility for Hard Landscape Features  
on Unallocated Government Land**

<b>Category</b>	<b>Item</b>	<b>Maintenance departments</b>	<b>Remarks</b>
(A) Amenity	(i) Ground Surface Treatment i.e. paving, tree grilles or tree surrounds	HyD	Associated with public roads
	(ii) Dwarf walls/planter walls along public roads	HyD	Associated with public roads
	(iii) Movable planters/ pots	LCSD	LCSD to maintain the movable planters/pots unless another department has agreed to take up the maintenance responsibility.
	(iv) Hanging baskets	LCSD	HyD to maintain the connection items (e.g. brackets) that are welded to street lamp-posts or railings along public roads.
	(v) Seating facilities (e.g. benches)	Initiating department	See Notes (i) to (iii) for further details.
	(vi) Directional Signage (with or without display panels)	HyD	(i) Associated with public roads (ii) The Hong Kong Tourism Board (HKTB) is responsible for updating the content of the signage.
	(vii) Information Boards, e.g. mapboards portraying major attractions in the vicinity and identification signage depicting stories about the destination.	ArchSD	HKTB is responsible for updating the contents of the signage.  The District Offices of HAD will report known repair needs to ArchSD.

<b>Category</b>	<b>Item</b>	<b>Maintenance departments</b>	<b>Remarks</b>
(A) Amenity (Cont'd)	(viii) Pergolas/shelters	Initiating department	Where the pergolas/shelters are also used for planting purposes, LCS&D will be the initiating department unless another department has been identified.  See Notes (i) to (iii) for further details.
	(ix) Fountain	Initiating department	See Notes (i) to (iii) for further details.
	(x) Architectural or decorative features e.g. gateway features		
	(xi) Banners & commemorative plaques		
(B) Illumination	(i) Street lighting, including the associated electricity meter box	HyD	Associated with public roads
	(ii) Amenity lighting, uplights & decorative lighting features	Initiating department	The initiating department is responsible for the maintenance of the features unless another department has agreed to take up the maintenance responsibility.  See Note (iv) for further details.
(C) Others	(i) Other features not covered by items above	Initiating department	The initiating department is responsible for maintenance of the features unless another department has agreed to take up the maintenance responsibility.  See Notes (i) to (iii) for further details.

**Notes:**

- (i) The initiating department may request ArchSD or other departments to carry out the maintenance works. In such cases, the initiating department is responsible for day-to-day management of the facility including reporting repair needs and provision of funds.

- (ii) FEHD will carry out street cleaning, including removal of rubbish and cleansing of public seating facilities (e.g. benches) and roadside planting areas.
- (iii) For hard landscape features constructed by HAD, HAD should be responsible for their maintenance unless another department has agreed to take up the maintenance responsibility.
- (iv) Where the street lighting also serves amenity purposes, HyD will be responsible for its maintenance.