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4 April 2018

Panel on Development
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Ms Doris LO)

Dear Ms LO,

**Legislative Council Panel on Development
Meeting on 27 February 2018**

Landscape and Tree Management Work in Hong Kong

Thank you for your e-mail of 27 February 2018, enclosing the written enquiries from the Honourable Ms Tanya CHAN tabled at the meeting of the Panel on Development on 27 February 2018. The requisite information is set out in the following paragraphs.

(1) Legislation on Tree Management

The Government is cautiously open-minded on the proposal to introduce legislation on tree management. We have undertaken a preliminary review of the tree management regimes in six overseas and Mainland cities. Amongst them, New York City in the United States, London in the United Kingdom, and Melbourne in Australia do not have dedicated legislation on tree management. Instead, trees are managed through a combination of statutes and administrative measures such as policies, guidelines, and urban forestry strategies; while Guangzhou in China, Singapore, and Vancouver in Canada have specific legislation governing trees and greening. Of the six cities, only Vancouver regulates the removal of trees on private land through tree legislation with the objective of maintaining the canopy coverage of the city.

The current practice in Hong Kong is similar to that of New York City, London, and Melbourne, where Government departments follow the requirements and regulations for tree management and maintenance promulgated through policies, relevant ordinances, technical circulars, guidelines, codes of practice, etc. For trees on private land, the Government imposes tree protection clauses through other legal binding instruments such as land leases.

As tree management legislation may have implications on private property management. Private property owners might have concerns about additional financial burden and insufficient capacity within the industry for tree inspection and maintenance work, etc. As a result, they may not choose trees for new planting, which defeats the legislative intention. Further deliberation is therefore necessary. Of key concern at present is the insufficient capacity of tree management practitioners. The Greening, Landscape and Tree Management Section (GLTMS) under the Development Bureau is actively working with the industry to enhance the knowledge and professionalism of practitioners, to train tree managers at different levels and to increase the number of qualified personnel to meet the demand through a systematic approach. The GLTMS will continue to provide various types of activities to enhance the awareness of property owners and property management companies on tree management, and review the effectiveness of the current tree management requirements and arrangements put in place primarily through technical circulars, guidelines, codes of practice, lease conditions and promotion.

(2) Tree Register

The Tree Register was set up in 2010 to provide information to the public on trees that require regular monitoring. These include Old and Valuable Trees, stonewall trees, trees infected with Brown Root Rot disease and problematic trees identified in the annual Tree Risk Assessments (TRAs). The Tree Register can be viewed as an electronic map showing various tree information and conditions, such as location, species, health and structural conditions, along with mitigation measures undertaken and tree photos, etc. For details, please refer to the link below:

https://www.greening.gov.hk/en/community_outreach/tree_register.html.

During the TRAs or routine tree maintenance undertaken by tree management departments, trees assessed to be of imminent danger to the public will be removed as soon as possible to protect public safety. Removed trees are not recorded in the Tree Register.

(3) Tree Inspection

The time required for tree inspection depends on a host of factors including the geographical location of the trees, the complexity of the inspections, and occupational safety, etc. In the TRAs conducted in 2017, staff from core tree management departments inspected 10 to 64 trees per day, with an average of 30 trees per day, in tree group inspection.

(4) Survey on Human Resources

The GLTMS commissioned a Human Resources and Competences Study (“the Study”) in 2015 to assess the workforce supply for the arboriculture, horticulture and landscape management and maintenance industry (“greening industry”) in Hong Kong. The Study covered private companies involved in or related to the greening industry in Hong Kong. The Study was completed in early 2017. Its results showed that there was an estimated workforce of approximately 7 310 in 2015, and projected that there would be a shortage of about 2 530 in 2018. The shortage is particularly serious for frontline workers. Key reasons include unattractive remuneration, unpleasant working conditions and low social image. To address these issues, it is necessary to establish the competency standards of the workers to uplift standards and raise the profile and professionalism of the industry. In this connection, the Study made the following five recommendations —

- (a) establishing competency standards for the industry;
- (b) providing more training opportunities;
- (c) uplifting the quality of training;
- (d) developing a Code of Conduct for the industry; and
- (e) stepping up promotion and publicity.

In the light of these recommendations, the GLTMS has embarked on the following measures with a view to uplifting and standardising the training and operation of the industry as well as enhancing the professional standing and career prospects of practitioners in the long run:

- (a) ***Establishing competency standards for the industry:*** An Arboriculture and Horticulture Industry Training Advisory Committee has been set up by the Education Bureau and one of its tasks is to develop a set of Specification of Competency Standards (SCS) for the arboriculture and horticulture industry in Hong Kong. The SCS will set out the skills, knowledge and outcome standards required for practitioners to effectively perform various tasks of different complexity in a work context up to workplace requirements. Training courses developed and accredited with reference to the SCS will be recognised under the Qualifications

Framework. Learners taking the SCS-based training courses will clearly know the competences they will acquire on graduation, and enterprises providing such training for their employees will be able to attract new blood to join the industry;

- (b) ***Providing more training opportunities:*** The GLTMS has strengthened collaboration with tertiary education and training institutions to organise more training programmes on arboriculture, including tree identification, proper pruning, use of chainsaws and machinery, pest and disease, and occupational safety and health courses for tree work to raise the knowledge and skill level of frontline staff in arboriculture;
- (c) ***Uplifting the quality of training:*** The SCS will provide a basis for developing measures to uplift industry standards and enhance the quality of training. The GLTMS has also been working with training institutes on continuous enhancement. For instance, under the requirement of the Arboriculture Vocational Assessment, all tree workers undertaking tree pruning works involving the use of chainsaw operations and tree pruning must have passed the “Vocational Assessment in Safety Use and Maintenance of Chainsaw Operation and Basic Tree Pruning for the Arboriculture Industry” to ensure the professionalism and standardisation of the local arboricultural industry;
- (d) ***Developing a Code of Conduct for the industry:*** The GLTMS facilitated the creation of the Horticultural and Arboricultural Trade Confederation, which comprises industry professional bodies, associations and labour unions to streamline communication, support the roll-out of the SCS, and develop a common code of conduct, with a view to promoting safety awareness in frontline operations and practices, upholding quality standards and encouraging continuous professional development. It is part of the GLTMS’s positive capacity building efforts to align training and practice of the industry, to raise the professional standing of the industry, and to promote quality performance and the career prospects of practitioners in the long run; and
- (e) ***Stepping up promotion and publicity:*** The GLTMS has been disseminating information and conducting seminars, on-site demonstrations, and field tours to raise public awareness, and deepen stakeholder understanding of sustainable urban forestry principles, tree asset management, life-cycle planning of trees, proper tree care, Tree Risk Assessment and Management,

vegetation health, Brown Root Rot disease, and the regeneration of our tree assets in an urban environment. In collaboration with educational and training institutions, a number of events have also been organised to promote the industry to a wider audience.

(5) Landscape Design and Planning

The Government is committed to providing a quality living environment, and our urban landscape is an integral element of the town planning and development process. Landscape design is much more than aesthetic appeal. It improves our cityscape through enriching biodiversity and shaping open spaces to enhance our city's liveability.

At the early land use planning stage, landscape planning has been widely adopted at new towns and new development areas, where the overall landscape frameworks are prepared to guide subsequent detailed planning and design work. In detailed studies of new development areas, urban design studies are formulated to develop the detailed landscape master plans and design guidelines to create local character and identity, amongst others. Furthermore, landscape assessment is required in the town planning process with an aim to retaining existing landscape resources, minimising negative impacts from development, and exploring possible means to provide better landscape environments.

For development projects at planning stage, landscape requirements have to be considered at the early stages of the project in accordance with existing technical circulars and guidelines, e.g. evaluation and planning of existing tree assets having regard to the site and development context for proper tree protection; allowing sufficient space for proper and sustainable planting provisions; requiring minimum site coverage of greenery for Government building projects to achieve a sustainable landscape design for our built environment.

Landscape planning and design are valued and integral elements from the early land use planning stage to the detailed design and construction stage of project development. In view of its growing importance, the Government will seek to enhance landscape services for different work stages in relevant departments as and when necessary.

(6) Scope of Work and Qualifications of Contractor Staff

The contractors engaged by tree management departments are mainly responsible for undertaking TRAs, tree risk mitigation measures (e.g. pruning and tree removal) and tree maintenance works.

In formulating horticultural and tree management contracts, tree management departments clearly stipulate the professional qualifications and training requirements on arboriculture as promulgated in relevant tree management guidelines. Contractors will be engaged in accordance with the requirements specified in the contracts.

The number of contractor staff employed by the core tree management departments is set out below —

	Number of Contractor Staff ^(Note 1)	Ratio with Professional Qualification and Training in Arboriculture
	2017-18 (As at 31 December 2017)	
Architectural Services Department	183 (128)	70%
Civil Engineering and Development Department	4 (4)	100%
Drainage Services Department	63 (37)	59%
Housing Department	61 (61)	100%
Highways Department (HyD)	78 (55)	71%
Lands Department	37 (17)	46%
Leisure and Cultural Services Department (LCSD) ^(Note 2)	44 (44)	100%
Water Supplies Department	8 (8)	100%

Note 1: The number of contractor staff in individual departments includes frontline and supporting staff. The figures in brackets indicate the number of contractor staff with professional qualifications and training in arboriculture.

Note 2: LCSD staff is responsible for the majority of tree management and maintenance works, while the contractors are responsible for only a portion of the works. In those horticultural maintenance contracts, there are no requirements on a fixed number of staff. The figures in the table include only a portion of contractor staff involved in tree management work on a full-time basis.

(7) Expenditure on Vegetation Maintenance

The difference in expenditure between the HyD and the LCSD on vegetation maintenance contracts is due to their significant differences in vegetation coverage, as well as scope and nature of works. The HyD is responsible for the management of about 110 hectares of vegetated areas on man-made slopes and retaining walls along roadsides and expressways. In addition to TRAs and routine tree care, contractors are also responsible for other tasks including removal of weeds and grass cutting as part of their vegetation maintenance. On the other hand, the LCSD is responsible for the management of about 1 200 hectares of vegetated areas in parks and recreational venues which includes planting and maintenance of various types of vegetation.

(8) Penalties on Contractors' Non-Compliance

In the past five years from 2013-14 to 2017-18 (up to 31 December 2017), the core tree management departments had undertaken enforcement measures including issuance of warning letters, default notices and deduction of contract payments against contractors for non-compliance of contract requirements. Details are as follows —

	2013-14	2014-15	2015-16	2016-17	2017-18 (Up to 31.12.2017)
Number of Contractors with more than one non-compliance	4	5	4	4	4
Number of Enforcement Actions	15	21	21	45	40

(9) Penalties on Contractors' Persistent Non-Compliance

For persistent non-compliance of contract requirements, the core tree management departments had taken further actions in accordance with the terms of the contracts, including deducting a higher contract payment, and suspension of the contractor from bidding for new Government contracts. The enforcement actions would be recorded in the contractor's performance report. Departments will take into account the past performance records of a contractor in tender evaluation. The existing mechanisms are effective in managing contractors' performance. The GLTMS will review as and when necessary.

(10) Tai Po Tree Pruning Incident

Regarding the Tai Po tree pruning incident, the LCSD has taken appropriate actions against the staff concerned according to the guidelines. In line with established practices, the Department will not disclose or comment on individual cases.

(11) Tree Risk Assessment and Management

Due to the large quantity of trees in the territory of Hong Kong, the Government adopts an "integrated approach", under which departments are responsible for managing the trees in the facilities and lands under their purview, with the GLTMS providing overall coordination.

Every year before the wet season, tree management departments are required to complete TRAs and implement necessary mitigation measures in accordance with the Guidelines on Tree Risk Assessment and Management promulgated by the GLTMS in areas with high pedestrian and vehicular flows to reduce the risk of tree failure and protect public safety. The GLTMS champions a professional approach to tree management, and provides professional advice and assistance to tree management departments where necessary. The GLTMS regularly organises seminars and experience sharing sessions on the TRAs, and monitors the implementation of TRAs among departments. Before the onset of the wet season, the GLTMS will remind the departments of necessary precautionary measures, as well as the emergency procedures for tree failure incidents. After severe storm events such as typhoons, the GLTMS will also ask departments to expedite tree inspections and mitigation measures, and complete the clean-up work to reduce tree risks.

(12) Trees Growing in Tree Pits

The risk of trees is contributed by various interdependent factors, including growing environment. Tree management departments will review the health and structural conditions of trees including trees growing in restricted environment such as tree pits, and undertake necessary mitigation measures including crown pruning and removing dead branches as part of the TRAs. Where imminent danger is anticipated, tree removal will be arranged to minimise the risk to public safety.

(13) New Roadside Tree Planting Arrangement

Hong Kong is a compact and dense metropolis with numerous site limitations such as underground utilities, competing land-use, narrow footpaths; shop fronts etc. Identifying suitable space for tree planting is challenging. In order to provide more space for tree growth, the Government has promulgated a technical circular on “Allocation of Space for Quality Greening on Roads” to mandate the provision of adequate space for greening on at-grade public roads to promote quality planting to enhance our street environment.

The GLTMS has commissioned a consultancy study on strategic street tree planting and urban forest management in line with the principle of “Right Tree, Right Place”. This study will help enrich our vegetation diversity and avoid significant loss or the premature decline of trees, which are important in achieving a healthy and resilient urban forest. The study will formulate a practical guide for reference and provide suitable tree species recommendations for Hong Kong streetscape typologies.

Besides making reference to the practical guide, Landscape Architects will holistically consider the site context and design objectives in the design process, and seek multi-disciplinary views from other professionals in the landscape sector as required.

Please do not hesitate to contact me if you require further information. I can be reached by phone on 3509-8272, or by e-mail at joeylam@devb.gov.hk.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Joey Lam', written in a cursive style.

(Joey LAM)
for Secretary for Development