For discussion on 28 July 2009

Legislative Council Panel on Development

Report of the Task Force on Tree Management – People, Trees, Harmony

PURPOSE

This paper informs Members about the recommendations of the "Report of the Task Force on Tree Management – People, Trees, Harmony" and seeks Members' views on the way forward in particular the funding proposals to take forward the recommendations of the Task Force Report.

REPORT OF THE TASK FORCE ON TREE MANAGEMENT

Task Force on Tree Management

- 2. 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 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 coordination; 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.
- 3. The Task Force has completed the review and released the Report on 29 June 2009. A copy of the report has been dispatched to Members immediately upon the release of the Report on 29 June 2009. The recommendations have also been discussed at the debate on the motion for the adjournment of the Legislative Council (LegCo) held on 8 July 2009.

- 4. The Executive Summary of the Report is at **Enclosure 1**. Key recommendations of the Report are set out below
 - (a) A proper concept of tree management Trees are living organisms which can age and die. In particular, their potential to fall may put people at risk of being injured or have property damaged. We need to manage trees so as to keep risks within acceptable limits, as the benefits from trees generally outweigh such risks. In case there is conflict between retaining a problematic tree and public safety, the latter should always prevail;
 - (b) The need to have proper balance There is a need to establish a practice which best balances different considerations (e.g. importance of tree preservation versus financial cost to Government or the community, development needs in the public interest, interests of different sectors of the community and respect for private property rights) to make a decision in the best interest of the community;
 - (c) Improvement in institutional framework the Development Bureau (DEVB) should take up the overall policy responsibility for greening, landscape and tree management and a new section called "Greening, Landscape and Tree Management (GLTM) Section" will be set up. A new post of Principal Assistant Secretary (GLTM) (PAS(GLTM)) (at Directorate Pay Scale (DPS) Point 2) should be created to head this section to facilitate the adoption of a holistic approach in greening, landscape and tree management. The new section will oversee two offices
 - (i) a new Tree Management Office (TMO) to serve 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 (Tree Management) (CAS(TM)) (at DPS 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; and

- (ii) a new Greening and Landscape Office (GLO) to spearhead Government's greening and landscaping efforts. It will be established mainly by redeploying the existing staff in the Works Branch (WB) as well as the Architectural Services Department (ArchSD), including the existing post of Chief Landscape Architect (CLA) (at DPS Point 1). To provide expert input to urban design elements in Government and private sector projects as appropriate, consideration will be given to setting up a Design Panel to help scrutinise the landscape and greening proposals;
- (d) **An enhanced risk assessment approach** Government will adopt a new and enhanced two-leg tree risk assessment approach (on an "Area Basis" and "Tree Basis") with a view to building up a comprehensive database of important/problematic trees over time;
- (e) **Staff training** We will strengthen training to ensure that we have adequate quality staff with both academic and professional/trade qualifications as well as frontline experience. The proposed TMO will set up a Training Committee with the aim to plan training for staff in a strategic manner;
- (f) Enhance public education and community involvement We will strengthen public education and community involvement in greening and tree management. In particular, we will cooperate with District Councils through various channels like enhancement of volunteer schemes, public education activities, etc.;
- (g) **Improve the complaint handling mechanism** We will enhance the existing complaint handling mechanism to provide for more speedy and effective response; and
- (h) **Resource support** We will assess the resource requirements of departments with tree management responsibilities under the "integrated approach" to enable them to implement the recommendations of the Task Force as appropriate.
- 5. In order to implement the recommendations of the Report, in particular the setting up of the new dedicated offices in DEVB, we need

additional staffing resources. Details are set out in the ensuing paragraphs.

JUSTIFICATION FOR FUNDING PROPOSAL

Additional Staff at Directorate Level

- Before the Review, WB of DEVB coordinates the efforts of 6. Government on greening. The Permanent Secretary for Development (Works) (PS(W)) chairs the Steering Committee on Greening (SCG), a high-level committee established in 2002 with members drawn from various bureaux and departments which sets the strategic direction and oversees the implementation of major greening programmes. However, while WB of DEVB coordinates effort on greening, it did not have a mandate on other aspects of tree management such as developing relevant expertise, addressing safety concerns or training staff involved. Except for PS(W), Deputy Secretary (Works)1 (DS(W)1) and Principal Assistant Secretary (Works)1 (PAS(W)1), who take up a wide range of duties other than greening, there are only two non-directorate officers working full-time on coordination of greening. Details of the current setup of WB as well as the existing job descriptions of PS(W), DS(W)1 and PAS(W)1 are set out at Enclosures 2 and 3 respectively.
- 7. Obviously, the existing level of manpower resources will not be sufficient and viable to take forward the recommendations of the Task Force on a sustainable basis due to the following reasons
 - The workload arising from adopting holistic approach in (a) greening, landscape and tree management and taking forward a range of recommendations of the Task Force is very The implementation of various improvement measures such as new tree risk assessment arrangements, training, community involvement and public education, etc. requires intensive coordination with a range of bureaux and departments. In particular, the implementation of new tree risk assessment arrangements across different executive departments and the setting up of a database covering important/problematic trees in Hong Kong are by no means an easy and straightforward task. The training of staff will also require a lot of input from organisational management. There is a significant need for directorate inputs for coordinating cross-departmental efforts, mobilising

resources, and liaison both within and outside Government. Without considerable enhancement in staff resources, it will be difficult, if not impossible to deliver the desired outcome within a reasonable time-frame; and

(b) There is at present no dedicated officer at the directorate level in WB taking charge of greening, landscape and tree management duties. Officers are undertaking these duties among their existing portfolios. While they have tried their best to cope, it is undeniable that effort is not sufficient as desired. To take forward the recommendations of the Report in a focused manner, there is a need for dedicated staffing at the directorate level in WB to undertake the duties.

Proposal

Greening, Landscape and Tree Management Section (GLTMS)

- 8. In the light of the above, we propose to create a new post of PAS(GLTM) (at DPS Point 2) to oversee the two new Offices (i.e. Tree Management Office and Greening and Landscape Office) with a view to facilitating the adoption of a holistic approach in greening, landscape and tree management. The proposed structure of the GLTMS is at **Enclosure 4**. The new post of PAS(GLTM) will report to DS(W)1 who will continue to oversee the "Heritage, Programme and Resources Division"
- 9. The PAS(GLTM) post will be responsible for formulating, implementing and monitoring policy on greening, landscape and tree management including those improvement measures as recommended by the Task Force. In the light of the anticipated workload as well as the importance and complexity of duties, we consider it appropriate to create a directorate post at DPS Point 2 to head the GLTMS. This will be similar to the Commissioner for Heritage in WB of DEVB (at DPS Point 2) and the PAS post in the Planning and Lands Branch of DEVB undertaking harbourfront enhancement initiatives. The job description of the proposed PAS(GLTM) post is at **Enclosure 5**.
- 10. Given the nature of the work, it would be preferable for the post to be filled by an officer with relevant professional background (e.g. architect, town planner, landscape architect, tree expert, etc.) as well as high level of analytical, managerial and organisational capability. We

hope that we will be able to identify an officer from within the civil service to fill the post. However, if we are unable to do so, we may also look for candidates from outside the Government (which may include talents from local and overseas).

Tree Management Office (TMO)

- 11. The proposed TMO will serve 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. Details of the scope of work of the three units of the TMO are set out in **Enclosure 6**.
- 12. We propose that TMO should be headed by a CAS (at DPS Point 1). The job description of the CAS(TM) is at **Enclosure 7**. The post should be filled by an expert on tree management with three elements
 - (a) academic background relevant degree (e.g. degree in Arboriculture, Biology, Botany, Forestry, Landscape Architecture, Environmental Science, etc.), preferably with post-graduate qualification;
 - (b) trade qualification relevant recognised professional qualifications (e.g. Certified Arborist/ Certified Tree Worker of the International Society on Arboriculture); and
 - (c) relevant experience acquaintance with frontline operation on tree works.

We hope that we are able to identify an officer from within the civil service to fill the post. However, if we are unable to identify an officer from within the civil service, we may also look for candidates from outside the Government (which may include talents from local and overseas).

Greening and Landscape Office (GLO)

13. The proposed GLO will be responsible for central coordination of greening and landscaping efforts. It will assume the current policy role in respect of formulating Greening Master Plans and support the current SCG 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). Subject to further discussion with the statutory authorities overseeing development and buildings (i.e. Town Planning Board and the Building Authority), we intend to involve the new office particularly through an Expert Panel in comprehensive private developments which are subject to landscape master plans or public open space requirements to enhance quality. Details of the scope of work of the two units of the GLO are set out in **Enclosure 6**.

14. We propose that GLO should also be established at the bureau level mainly by redeploying existing staff from WB of DEVB and ArchSD, including the post of CLA (at DPS Point 1). The CLA post will be renamed as CAS(GL). The job description of the CAS(GL) is at **Enclosure 8**.

Changes in the Non-directorate Establishment

- 15. The GLTMS and the two Offices under it will be supported by the following staff
 - (a) TMO 12 supporting staff which are all new posts, including ten civil service posts, namely three Assistant Secretaries (ASs), five Tree Management Officers, one Senior Field Officer and one Field Officer I as well as two Arborists on non-civil service contract terms since there is currently no Arborist grade within the Government;
 - (b) GLO three supporting staff, of which two are existing AS posts redeployed from within WB and one new AS post; and
 - (c) Administrative support staff within GLTMS six staff including one Senior Executive Officer, one Executive Officer II, one Personal Secretary I, one Clerical Officer and two Assistant Clerical Officers, which are all new posts.

Relationship with Executive Departments

16. 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 TMO 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.

The executive departments will be required to implement the 17. various recommendations of the Task Force Report for the facilities under their management under the "integrated approach". We will assess their resource requirements for implementing the recommendations of the Task Force (in particular the new tree risk assessment arrangements) as appropriate. In particular, it is worth mentioning that at present the Lands Department (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. DEVB will coordinate the acquisition of necessary resources of various departments under the established mechanism in the normal manner.

Alternatives Considered

- We have critically examined whether PAS(W)1 can continue to work on a part-time basis on the greening portfolio and also take up the tree management portfolio and the greening, landscape and tree management policy matters in a holistic manner. We have also critically examined whether the other existing directorate staff in DEVB have spare capacity to absorb the duties of the proposed posts. As they are already fully committed to their existing workload, it is operationally not possible for them to take up a whole range of duties which are highly demanding as well as requiring substantial efforts in coordination and improvement to build up authority and expertise. Furthermore, due to the need to implement a wide range of equally, if not, more important initiatives (such as various major infrastructure projects such as Kai Tak Development which are strategic to Hong Kong's economic development, Reconstruction of the Sichuan Earthquake Stricken Area, etc.), the workload of WB is expected to be extremely heavy in the coming years.
- 19. With the proposal of transferring the existing duty of PAS(W)1 on greening to the new PAS(GLTM), some capacity of PAS(W)1 can be released to take over certain duties from PAS(W)4 so that the latter can better cope with the huge workload arising from the Sichuan Reconstruction. Members may recall that the Finance Committee has

approved vide FCR(2008-09)40 dated 18 July 2008, FCR(2008-09)66 dated 20 February 2009 and FCR(2009-10)32 dated 3 July 2009 a total non-recurrent commitment of \$9 billion for injection into a Trust Fund for the reconstruction work. All along, WB has been absorbing the management responsibility required at the directorate level from existing resources and PAS(W)4 has provided essential inputs as the key liaison officer with the Sichuan authorities on top of his own duties. As all the three batches of projects funded by the Hong Kong Special Administrative Region Government have been identified and will proceed to design and construction, the commitment and time spent by PAS(W)4 has grown tremendously. To alleviate the pressure on him and to enable him to focus more on Sichuan Reconstruction, we propose that he should hand over his existing duties pertaining to Construction Workers Registration Authority and manpower resource policies to PAS(W)1.

20. Following the creation of the above directorate posts, there will be consequential changes in the duties of other officers in WB. The proposed organisation of WB is at **Enclosure 9** (as compared to the existing organisation of WB at **Enclosure 2**). The revised job descriptions of the directorate officers who will be affected by the current exercise are at **Enclosure 10**.

FINANCIAL IMPLICATIONS

21. The proposed creation of the directorate posts will require an additional notional annual salary cost at mid-point of not exceeding \$2,794,800 as follows –

	Rank		NAMS (\$)	No. of post
	Creation of permanent	directorate		
	posts			
	Head 159 GS: DEVB(WB)			
	PAS(GLTM) (D2)		1,518,000	+1
	CAS(TM) (D1)		1,276,800	+1
	CAS(GL) (D1)		1,276,800	+1
Less	Deletion of permanent	directorate		
	post			
	Head 25 ArchSD			
	CLA (D1)		-1,276,800	-1
		·	2,794,800	+2

The additional full annual average staff cost, including salaries and oncost, is estimated to be around \$4,536,300.

- 22. PAS(GLTM), CAS(TM) and CAS(GL) will be underpinned by a total of 21 supporting staff at non-directorate level. Out of the 21 posts, 17 posts will be new civil service posts. The total additional notional annual salary cost at mid-point for these 17 new non-directorate civil service posts will be within \$11,489,220 and the full annual average staff cost, including salaries and on-cost, will be within \$16,435,400. We propose to increase the ceiling placed on the NAMS value of non-directorate posts in the permanent establishment of Head 159 Development Bureau (Works Branch) from \$90,414,000 to \$101,903,220 in 2009-10.
- 23. In addition, two non-civil service contract staff will be employed for providing technical support on arboriculture and the new tree risk assessment arrangement. The staff costs involved are around \$1,393,000.

Need for a Preparatory Team

- 24. To create the above directorate posts and effect the non-directorate changes, we need to obtain endorsement of the Establishment Subcommittee (ESC) and the Finance Committee's (FC) approval. Taking account of the LegCo summer recess, the earliest for these posts to be created will be by early 2010. In order to follow up on some of the Task Force's recommendations immediately, we plan to create a supernumerary D2 post for a period of no more than six months to undertake the following tasks
 - (a) set up the new Offices including kicking off the recruitment exercises for certain new posts in particular those that may require open recruitment locally and overseas, identifying suitable officers from different departments to fill those multi-disciplinary posts, e.g. Tree Management Officers;
 - (b) assess the resource requirements of departments for implementing the recommendations of the Task Force and acquire the necessary resources under the established mechanism;
 - (c) identify suitable personalities for establishment of the Expert Panel and the Design Panel; and

(d) undertake preparatory work to implement various recommendations of the Task Force, e.g. in relation to public education and community involvement, drawing up of detailed risk assessment arrangements, etc.

ADVICE SOUGHT

25. Members are requested to comment on the proposal. Subject to Members' support, we will proceed to seek the approval of ESC/FC.

Development Bureau July 2009

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. 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 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

- 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 new Tree Management Office should be set up at the bureau (a) 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. 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 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

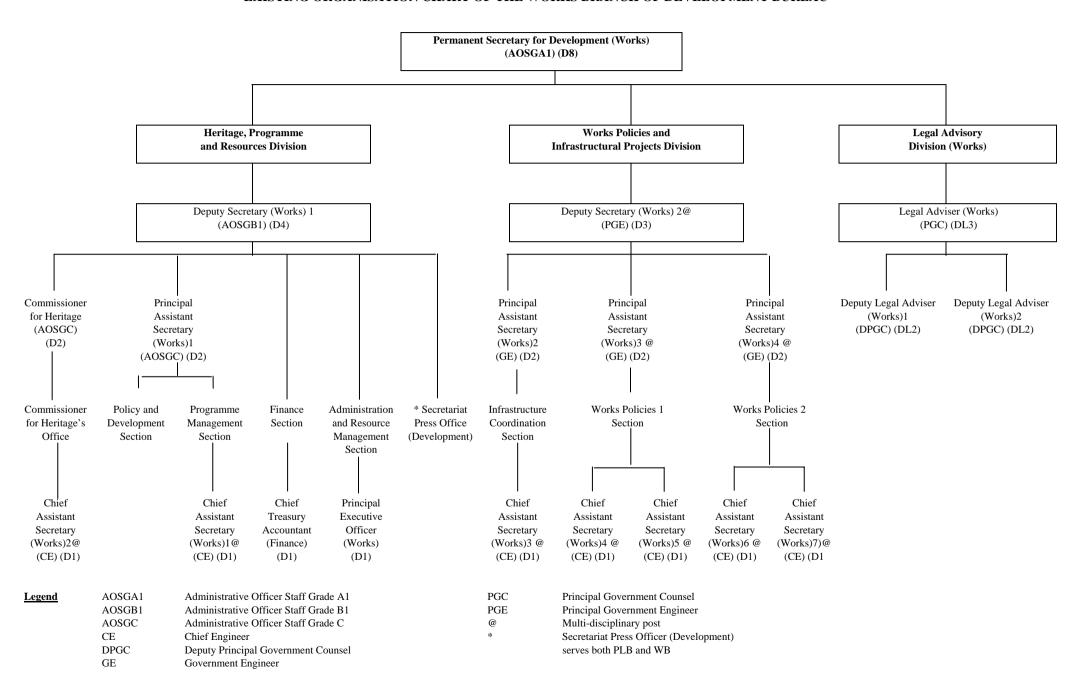
- 29. The recommendations of the Task Force are summarised as follows
 - (a) the Development Bureau should take up the overall policy responsibility for greening, landscape and tree management. A new post of Principal Assistant Secretary (Greening, Landscape and Tree Management) (at Directorate Pay Scale 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.

EXISTING ORGANISATION CHART OF THE WORKS BRANCH OF DEVELOPMENT BUREAU



Existing Job Description Permanent Secretary for Development (Works)

Rank : Administrative Officer Staff Grade A1 (D8)

Responsible to : Secretary for Development (SDEV)

Main Duties and Responsibilities –

- 1. To assist SDEV in formulating policies in regard to slope safety, flood prevention, water supply, greening and the delivery of the Public Works Programme; and to ensure the efficient implementation of such policies.
- 2. To assist SDEV in securing support of the public and LegCo; and in dealing with LegCo businesses.
- 3. To housekeep Architectural Services Department, Civil Engineering and Development Department, Drainage Services Department, Electrical and Mechanical Services Department and Water Supplies Department.
- 4. To provide strategic input to directorate succession planning and leadership development in respect of Works Group of Departments and to steer and implement re-organisation plans where necessary.
- 5. To serve as Controlling Officer for resources allocated to Works Branch and to ensure their proper deployment.
- 6. To oversee liaison with the construction industry, in particular in regard to co-operation with the Construction Industry Council and the Construction Workers Registration Authority.
- 7. To explore opportunities for co-operation between stakeholders of the local construction industry and their Mainland counterparts and to promote local professional services outside Hong Kong.
- 8. To assist SDEV in formulating policies in regard to development-related heritage conservation so as to enable a close interface between development and heritage conservation.

9.	To manage	staff resources	in th	e bureau
----	-----------	-----------------	-------	----------

Existing Job Description Deputy Secretary for Development (Works) 1

Rank : Administrative Officer Staff Grade B1 (D4)

Responsible to: Permanent Secretary for Development (Works) (PS(W))

Main Duties and Responsibilities –

- 1. To assist PS(W) in the formulation of policies on heritage conservation, devise new initiatives on heritage conservation, oversee the work of the Commissioner for Heritage's Office as well as provide policy support and guidance to the Antiquities and Monuments Office of the Leisure and Cultural Services Department.
- 2. To assist PS(W) in overseeing the implementation of the Public Works Programme by reviewing and updating procedures and practices; as well as monitoring the overall spending on public works projects.
- 3. To oversee the provision of support to and liaison with the statutory Construction Industry Council (CIC), in particular in regard to the amalgamation of the Construction Industry Training Authority with CIC.
- 4. To draw up an overall strategy on greening and oversee its implementation.
- 5. To oversee branch administration, resource planning, media relations and publicity matters as well as financial management of bureau resources.
- 6. To monitor the overall financial management, manpower and public relations matters of the Works Group of Departments.

Existing Job Description Principal Assistant Secretary for Development (Works) 1

Rank: Administrative Officer Staff Grade C (D2)

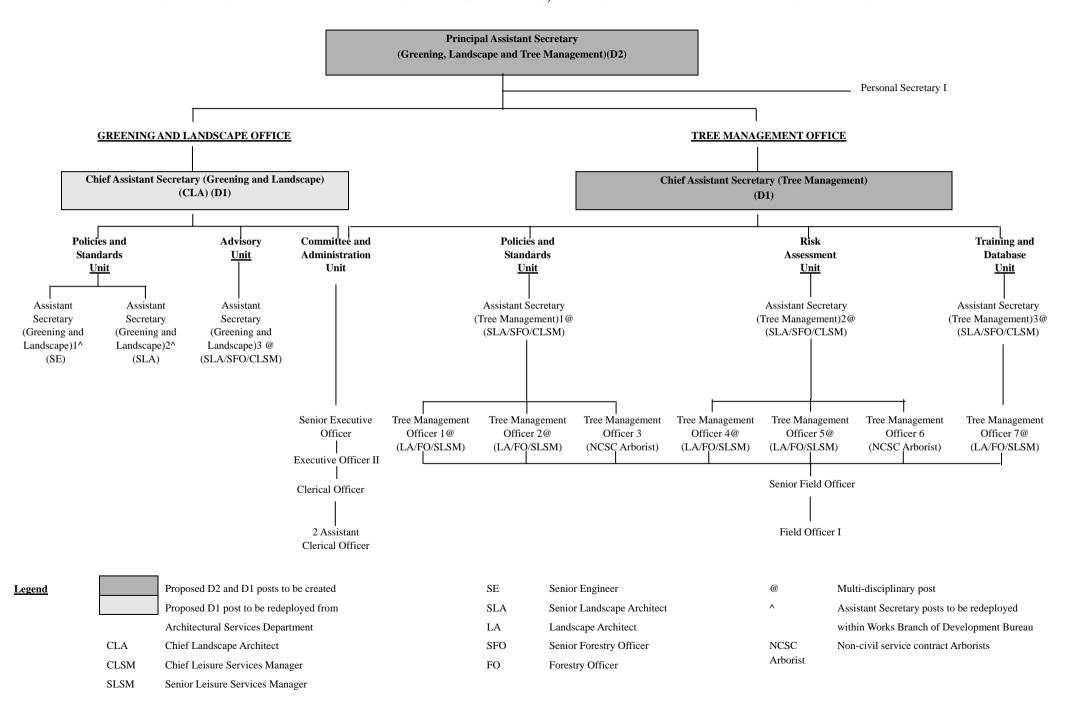
Responsible to: Deputy Secretary for Development (Works) 1 (DS(W)1)

Main Duties and Responsibilities –

- 1. To liaise and provide support to the operation of the statutory Construction Industry Council.
- 2. To assist DS(W)1 in handling matters relating to the implementation of the recommendations of the Report of the Construction Industry Review Committee.
- 3. To provide support to the Construction Industry Training Board (CITB) upon its formation and act as a coordinator between CITB and Government.
- 4. To assist DS(W)1 in overseeing the implementation of the Public Works Programme by reviewing and updating procedures and practices.
- 5. To monitor the overall spending on public works projects.
- 6. To assist in formulating an overall strategy on greening and overseeing its implementation. To provide secretarial support to Steering Committee on Greening.
- 7. To act as the overall co-ordinator within the Works Branch (e.g. in the preparation of the Policy Address, Budget, Estimates, etc.) as well as be responsible for handling cross-bureaux/departmental matters.

.____

PRPOSED ORGANISATION CHART FOR THE GREENING, LANDSCAPE AND TREE MANAGEMENT SECTION



Proposed Job Description Principal Assistant Secretary (Greening, Landscape and Tree Management)

Rank : D2

Responsible to: Deputy Secretary for Development (Works)1 (DS(W)1)

Main Duties and Responsibilities –

- 1. To assist DS(W)1 in formulating policies and strategies on greening, landscape and tree management to ensure seamless integration from landscape design and planting in the upstream to tree maintenance in the downstream.
- 2. To oversee the work of the Greening and Landscape Office, including implementation of annual greening programme in Government; overall formulation and implementation of Greening Master Plans; research on new greening and landscape policies, practices and technologies; and development of standards and guidelines on greening, landscape planning and design.
- 3. To oversee the work of the Tree Management Office, including research on new vegetation management policies, practices and technologies; development of standards and guidelines on vegetation management; and tree risk assessment arrangements.
- 4. To oversee the coordination of greening, landscape and tree management matters with relevant bureaux and departments and sort out cross-bureaux and cross-departmental issues.
- 5. To serve as the focal point of contact on greening, landscape and tree management matters both locally and overseas.
- 6. To oversee community involvement; public education programmes; handling of enquiries and complaints; and suggestions from the public and media on greening, landscape and tree management matters.
- 7. To act as the Chairman of a Design Panel to scrutinise and provide input to landscape and greening design proposals for large scale government infrastructure projects and comprehensive private developments.

Scope of work of the various units of the Tree Management Office (TMO) and the Greening and Landscape Office (GLO)

Scope of work of the three units of the TMO

(a) Policies and Standards Unit

- (i) devising policies on vegetation management (except for those under risk assessment), e.g. selection of species, prevention of tree diseases, pest control, etc.;
- (ii) drawing up standards and guidelines at the central level and liaising with departments on the formulation of those at the departmental level to ensure consistency and compatibility;
- (iii) determining the scope of work for the tree management departments and make a decision on the division of the work/responsibilities between them in case there are grey areas or disputes;
- (iv) conducting research on overseas legislation, practices, etc. and see how they can be applied in the Hong Kong context;
- (v) liaising with local and overseas institutions on the latest scientific and technological developments of arboriculture and tree management;
- (vi) serving as the secretariat for the expert panel on vegetation management; and
- (vii) liaising with GLO to ensure smooth interface between new planting works and subsequent maintenance.

(b) Risk Assessment Unit

- (i) devising risk assessment arrangements and monitoring them closely to ensure they meet changing needs;
- (ii) liaising with departments concerned on the application of the risk assessment arrangements in their daily operation;
- (iii) monitoring the overall situation of tree removal (felling/transplanting) and providing expert advice as well as act as the authority to departments in handling of complex cases; and
- (iv) reviewing Government's response arrangements in major emergency situations (e.g. typhoons and rainstorms).

(c) Training and Database Unit

- (i) formulating strategy for training;
- (ii) servicing the Training Committee to be set up;
- (iii) devising a database structure for the entire Government and overseeing the implementation of the relevant computer systems; and
- (iv) liaising with departments concerned on the custody/updating of information.

Scope of work of the two units of the GLO

(a) Policies and Standards Unit

- (i) devising policies on greening and landscaping;
- (ii) overseeing the drawing up of standards and guidelines on greening and landscaping at both the central and departmental levels and liaising with bureaux and departments concerned;
- (iii) exploring new greening and landscape technologies such as vertical greening, roof top greening, etc.; and
- (iv) pursuing medium/long term measures of Greening Master Plans.

(b) Advisory Unit

- (i) providing input on greening and landscape components to strategic Government infrastructure projects;
- (ii) advising on quality of landscape plans of comprehensive private developments and public open spaces;
- (iii) providing technical input to papers for consideration by the Design Panel to be set up; and
- (iv) serving as the secretariat for the Design Panel.

Proposed Job Description Chief Assistant Secretary (Tree Management)

Rank : D1

Responsible to: Principal Assistant Secretary (Greening, Landscape and

Tree Management) (PAS(GLTM))

Main Duties and Responsibilities -

- 1. To provide professional/technical input in the formulation of policies and strategies on tree management.
- 2. To ensure effective implementation of the "integrated approach" on tree management.
- 3. To provide expert advice as well as act as the authority to departments in the handling of complex cases.
- 4. To monitor the development, implementation and review, as appropriate, of tree risk assessment arrangements for departments to follow.
- 5. To serve as the Chairman to the Expert Panel comprising experts from both locally and outside Hong Kong to provide expert input in policy and operational aspects of tree management.
- 6. To serve as the Chairman to the Training Committee to plan tree management training for staff.
- 7. To assist in research into vegetation management policies, practices and technologies.
- 8. To assist in setting up a systematic database for the purpose of tree management as well as in the administration and housekeeping of the database.
- 9. To assist in handling matters relating to community involvement, public education programme and complaint handling on vegetation management matters.

Proposed Job Description Chief Assistant Secretary (Greening and Landscape)

Rank : Chief Landscape Architect (D1)

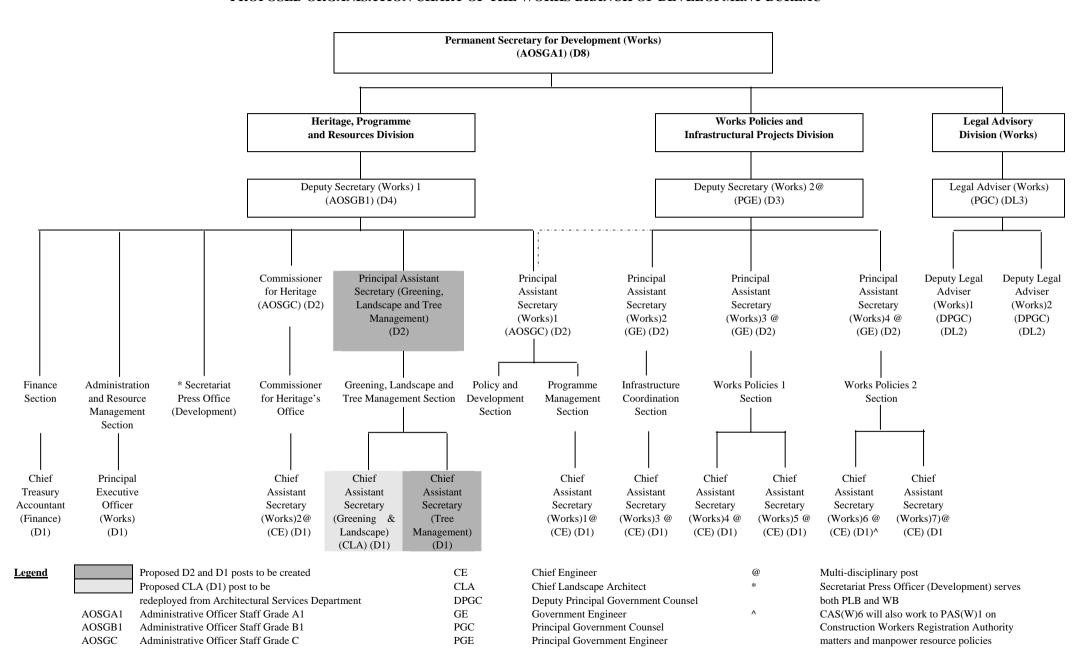
Responsible to: Principal Assistant Secretary (Greening, Landscape and

Tree Management) (PAS(GLTM))

Main Duties and Responsibilities -

- 1. To provide professional/technical input in the formulation of policies and strategies on greening and landscape planning/design, including developing strategic plans to take forward greening and landscape initiatives in an integrated and innovative manner, setting standards and guidelines as well as identifying possible areas and measures for improvement among bureaux and departments.
- 2. To assist in overseeing the annual greening programme in Government as well as formulation and implementation of and pursuing medium/long term measures of Greening Master Plans.
- 3. To oversee the provision of secretarial support to the Design Panel and the Steering Committee on Greening.
- 4. To assist in research into new greening and landscape polices, practices and technologies such as vertical greening, roof greening, etc. having regard to overseas experience and local situation, and formulate guidelines for implementation of new methods in capital works projects.
- 5. To monitor the overall quality of landscape architectural service delivered by Landscape Architects in Government through monitoring of landscape architectural design, contract management and project implementation etc., to promote best practices and to provide landscape architectural advice to bureaux and departments.
- 6. To assist in the management of Landscape Architects grade.
- 7. To liaise with various government bureaux/departments, academia, non-governmental organisations and other relevant parties on landscape planning and greening matters.
- 8. To assist in handling matters relating to complaint handling mechanism, public relations and public education on greening and landscape matters.

PROPOSED ORGANISATION CHART OF THE WORKS BRANCH OF DEVELOPMENT BUREAU



Revised Job Description Permanent Secretary for Development (Works)

Rank : Administrative Officer Staff Grade A1 (D8)

Responsible to: Secretary for Development (SDEV)

Main Duties and Responsibilities -

- 1. To assist SDEV in formulating policies in regard to slope safety, flood prevention, water supply, greening, landscape, tree management and the delivery of the Public Works Programme; and to ensure the efficient implementation of such policies.
- 2. To assist SDEV in securing support of the public and LegCo; and in dealing with LegCo businesses.
- 3. To housekeep Architectural Services Department, Civil Engineering and Development Department, Drainage Services Department, Electrical and Mechanical Services Department and Water Supplies Department.
- 4. To provide strategic input to directorate succession planning and leadership development in respect of Works group of Departments and to steer and implement re-organisation plans where necessary.
- 5. To serve as Controlling Officer for resources allocated to Works Branch and to ensure their proper deployment.
- 6. To oversee liaison with the construction industry, in particular in regard to co-operation with the Construction Industry Council and the Construction Workers Registration Authority.
- 7. To explore opportunities for co-operation between stakeholders of the local construction industry and their Mainland counterparts and to promote local professional services outside Hong Kong.
- 8. To assist SDEV in formulating policies in regard to development-related heritage conservation so as to enable a close interface between development and heritage conservation.
- 9. To manage staff resources in the bureau.
- 10. To oversee the implementation of post-quake reconstruction work in Sichuan from the Development Bureau's angle.

Revised Job Description Deputy Secretary for Development (Works) 1

Rank : Administrative Officer Staff Grade B1 (D4)

Responsible to: Permanent Secretary for Development (Works) (PS(W))

Main Duties and Responsibilities –

- 1. To assist PS(W) in the formulation of policies on heritage conservation, devise new initiatives on heritage conservation, oversee the work of the Commissioner for Heritage's Office as well as provide policy support and guidance to the Antiquities and Monuments Office of the Leisure and Cultural Services Department.
- 2. To assist PS(W) in overseeing the implementation of the Public Works Programme by reviewing and updating procedures and practices; as well as monitoring the overall spending on public works projects.
- 3. To oversee the provision of support to and liaison with the statutory Construction Industry Council (CIC), in particular in regard to the amalgamation of the Construction Industry Training Authority with CIC.
- 4. To oversee the formulation of policy and strategy on greening, landscape and tree management.
- 5. To oversee branch administration, resource planning, media relations and publicity matters as well as financial management of bureau resources.
- 6. To monitor the overall financial management, manpower and public relations matters of the Works Group of Departments.

Revised Job Description Principal Assistant Secretary for Development (Works) 1

Rank: Administrative Officer Staff Grade C (D2)

Responsible to: Deputy Secretary for Development (Works) 1 (DS(W)1)

Main Duties and Responsibilities –

- 1. To liaise and provide support to the operation of the statutory Construction Industry Council (CIC) and to act as the focal point of liaison between the Administration and CIC.
- 2. To assist DS(W)1 in handling matters relating to the implementation of the recommendations of the Report of the Construction Industry Review Committee.
- 3. To assist the Construction Workers Registration Authority in implementing the Construction Workers Registration Ordinance including providing support to its committees and coordination with relevant bureaux/departments, training institutes and other stakeholders.
- 4. To assist in formulating and implementing manpower resource policies including education and training of staff in professional and technical grades in the Works Group of Departments.
- 5. To assist DS(W)1 in overseeing the implementation of the Public Works Programme by reviewing and updating procedures and practices.
- 6. To monitor the overall spending on public works projects.
- 7. To act as the overall co-ordinator within the Works Branch (e.g. in the preparation of the Policy Address, Budget, Estimates, etc.) as well as be responsible for handling cross-bureaux/departmental matters.

Revised Job Description Principal Assistant Secretary for Development (Works) 4

Rank : Government Engineer (D2), Multi-disciplinary

Responsible to: Deputy Secretary for Development (Works) 2 (DS(W)2)

Main Duties and Responsibilities -

- 1. To assist in implementing post-quake reconstruction work in Sichuan including project and funding management; technical audit co-ordination; and providing technical support to other policy bureaux.
- 2. To assist in handling matters relating to Mainland/Hong Kong Closer Economic Partnership Arrangement consultations/implementation and promotion of local professional services in the Mainland and overseas construction and engineering related markets.
- 3. To assist in formulating and implementing policies on management of contractors and consultants including administration and performance monitoring.
- 4. To assist in housekeeping the Architectural Services Department and the Electrical and Mechanical Services Department.