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Panel on Development

Meeting on 25 May 2021

Background brief on urban forestry management work in Hong Kong

Purpose

This paper provides background information on urban forestry management work in Hong Kong and summarizes the major views and concerns expressed by Members on the subject at the meetings of the Legislative Council ("LegCo") and the Panel on Development ("the DEV Panel").

Background

Urban forestry strategies of Hong Kong

2. At present, there are about 1.7 million trees¹ in Hong Kong under the regular care of the Government and among them, about 1 million are in areas of high pedestrian and vehicular traffic flows.² Given the various benefits to living environment and social health brought about by urban forestry, the Administration has formulated urban forestry strategies, covering promotion of quality greening, integration of blue-green infrastructure³,

According to the Administration, trees in remote areas of country parks and trees on unallocated and unleased government land cannot be counted owing to their large quantity. Respective government departments are responsible for the non-routine maintenance of these trees.

² Source: LC Paper No. CB(1)864/19-20(01)

Through comprehensive planning and enhancement of green assets (e.g. vegetation and leisure spaces) and blue assets (e.g. water bodies and river channels), these resources are designed with the natural ecosystem to form infrastructure network so as to promote biodiversity and prepare for climate change.

preservation of landscape resources and trees, life cycle management of trees, nurturing expertise and encouragement of public participation.⁴

Establishment of the Greening, Landscape and Tree Management Section

3. recommended in the Report of Task the Tree Management ("the Task Force")⁵, the Development Bureau ("DEVB") has taken up the overall policy responsibility for greening, landscape and tree management. March 2010, Greening, the Landscape In Section ("GLTMS") was established Tree Management under the Works Branch of DEVB. GLTMS is underpinned by the Tree Management Office ("TMO") and the Greening and Landscape Office ("GLO"). tasked with advocating the adoption of a professional approach to tree management among tree management departments and in the community at large, whereas GLO is responsible for the central coordination of the Government's greening and landscaping planning and design efforts. two offices also work in close cooperation to promote a holistic greening approach, embracing adequate space allocation for new planting, proper selection of planting species, as well as quality landscape design and planting practices in the upstream and proper vegetation maintenance in the downstream, with protection of public safety as a priority consideration.

Tree management approach and urban forestry initiatives

4. In view of the large quantity and the wide distribution of trees in the territory, the Administration adopts an "integrated approach" for tree management on government land, under which government departments are responsible for managing the trees in the facilities and land within their purview, with GLTMS providing overall coordination. On the other hand, trees located on private land are under the care of respective private lots and property owners. The major urban forestry strategies implemented by the Administration are summarized in the ensuing paragraphs.

⁴ Please refer to the <u>Urban Forestry Pamphlet</u> issued by the Greening, Landscape and Tree Management Section of the Development Bureau for details of the urban forestry strategies.

Following a fatal incident in August 2008 caused by the collapse of an old tree in Stanley, the Administration announced in March 2009 that the Chief Secretary for Administration would lead a Task Force on Tree Management 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 the fatal tree collapse case and the Jury's specific recommendations. In its Report published in June 2009, the Task Force has made a number of recommendations on improving tree management in Hong Kong. A summary of the recommendations is given in **Appendix I**.

Tree risk assessment and management

5. According to the Guidelines for Tree Risk Assessment and Management Arrangement ("the Guidelines")⁶ promulgated by GLMTS for compliance by tree management departments, tree risk assessment ("TRA") is conducted step-by-step in two stages, i.e. Area Basis Assessment and Tree Basis Assessment. ⁷ Before the onset of wet season every year, tree management departments are required to complete TRAs and implement necessary mitigation measures (removal of dead branches, pruning, pest and disease control, etc.) in areas of high pedestrian and vehicular traffic flows to reduce the risk of tree failure and protect public safety. For Old and Valuable Trees ("OVTs"), ⁸ stonewall trees and other high risk trees, tree management departments have to undertake TRAs twice a year to safeguard public safety.

Tree management on private properties

- 6. Since the 1970s and mid-1980s respectively, the Administration has included "tree preservation clauses" and "landscape clauses" in land leases. In the case of redevelopment of land, the Administration may impose new requirement in regard to tree preservation via the planning regime or through lease modification.
- 7. In addition, GLTMS has reminded property managers and private property owners to undertake TRAs for the trees on their properties before the onset of wet season and implement mitigation measures in a timely manner, with the assistance of qualified arborists as necessary. In April 2016, GLTMS issued the Handbook on Tree Management ("the Handbook")⁹ to provide property managers and private property owners with guidelines and standards for the proper care of trees on their properties. The Handbook has

The latest edition of the Guidelines (English version only) is available at:

https://www.greening.gov.hk/filemanager/content/pdf/tree_care/9th_Edition_of_TRAM

Guideline rev 2A(20.4.2021).pdf.

Areas with intensive use where the public will be affected in the event of a tree failure are first identified in an Area Basis Assessment and then, within the identified areas, the

interest) and high risk trees are individually assessed in a Tree Basis Assessment.

conditions of valuable (i.e. Old and Valuable Trees, stonewall trees and trees of particular

⁸ A Register of OVTs was established in 2004 to strengthen the protection of trees with special value on unleased government land within built-up areas and tourist attraction spots in village areas. A <u>full list</u> with information and status of OVTs is available online for public access.

The latest version of the Handbook is available at: https://www.greening.gov.hk/en/tree_care/Handbook_on_Tree_Management.html

been incorporated into the Code of Practice on Procurement of Supplies, Goods and Services and Code of Practice on Building Management and Safety issued under the Building Management Ordinance (Cap. 344) since September 2018.

Urban Forestry Support Fund

Administration established 8. 2020, the the \$200 million Urban Forestry Support Fund ("the Fund") to support DEVB to implement the four initiatives: (a) the Study Sponsorship Scheme to provide financial to encourage young people to undertake arboriculture. tree management and tree works programmes offered by local institutions; (b) the Trainee Programme to enable graduates of arboriculture and tree management to receive on-the-job training in order to acquire practical working experience; (c) the International Urban Forestry Conferences to foster international exchange on the topics of urban forestry for future development; and (d) the Public Education and Promotion Campaigns to enhance public appreciation of trees and understanding of proper tree care to raise youngsters' interest in arboriculture. 10

Registration Scheme for Tree Management Personnel

9. In December 2020, DEVB launched the Registration Scheme for Tree Management Personnel ("the Registration Scheme") for five types of tree management personnel, i.e. arborists, tree risk assessors, tree work To minimize possible supervisors, tree climbers and chainsaw operators. practitioners impact the in-service and the industry, Registration Scheme was first rolled out on a voluntary basis. A set of code of conduct has been developed to provide guidance on proper practices of the industry and professionalism of the tree management personnel. to complement the Registration Scheme in standardizing the professional standard of the industry, DEVB has commissioned the Vocational Training Council to conduct studies to develop local professional assessments and trade tests for various registered tree management personnel.

Major views and concerns expressed by Members

Suggestion of introducing legislation on tree management

10. There was a view that the Administration should introduce legislation on tree management for effective regulation of the planning, planting, maintenance and removal of trees on both government land and private

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¹⁰ Sources: LC Paper No. CB(1)1086/18-19(05) and the Urban Forestry Pamphlet

Some Members expressed concern about the effectiveness of tree management on government land in the absence of such legislation as it was doubtful whether relevant tree management departments would strictly comply with the requirements of the Guidelines and relevant technical circulars.

11. The Administration advised that it had adopted a prudent and open attitude towards the introduction of legislation on tree management. that such legislation would have significant impact (e.g. compliance costs) on property managers and private property owners, some of them might choose to remove the trees under their purview, hence defeating the intent of promoting proper tree management and enhancing tree protection. Another key consideration was the shortage of qualified personnel with relevant experience to implement the required tree inspection and maintenance works. 11 The Administration had focused on working with the industry in enhancing the knowledge, skills and standards of tree management personnel so as to raise the level of professionalism of tree management work in Hong Kong.

Supply and registration of tree management personnel

- 12. Some Members expressed concern about whether the supply of personnel with professional qualifications and experience in tree management would be adequate to meet the increasing demand for tree inspection and maintenance works. They pointed out that it was difficult to attract new entrants to the industry due to unattractive remuneration. Members urged the Administration to promulgate a regulatory regime for the arboriculture and horticulture industry and implement a registration regime for arborists and horticulturists.
- The Administration advised that the Study Sponsorship Scheme and 13. the Trainee Programme under the Fund would help address the issue of manpower shortage within the arboriculture and horticulture industry. The Administration also intended to conduct a manpower survey regularly to keep abreast of the latest situation as a basis for long-term manpower planning for the industry. Moreover, the Registration Scheme was established in December 2020 to enhance the quality of tree management personnel, professional standard of the industry and practice of tree management work.

¹¹ According to the GLTMS-commissioned Human Resources and Competences Study

completed in early 2017, the arboriculture, horticulture and landscape management and maintenance industry had an estimated workforce of approximately 7 310 in 2015 and there would be a projected shortage of about 2 530 in 2018.

Tree risk assessment and management arrangement

- 14. Noting that the Ombudsman had conducted a direct investigation into the Government's tree management regime and practices and made 11 relevant recommendations in its Report issued in June 2016 (**Appendix II**), Members enquired about the progress of the follow-up work taken by the Administration on these recommendations. The Administration advised that except the recommendation on tree legislation, GLTMS had been carrying out and making progress on the 10 recommendations relating to manpower resources and management of trees on both government land and private land.
- 15. Expressing concern that TRAs conducted by some outsourced service contractors were sloppy, Members considered that the Administration should review the system of outsourcing tree management work and put in place improvement measures to ensure the quality of tree management work.
- 16. The Administration advised that under the Guidelines, a triage system had been implemented to identify trees with the greatest need for priority care. This system streamlined the risk assessment workflow and allowed tree management departments to prioritize and undertake tree risk mitigation measures in an effective manner. DEVB had also set up a dedicated Inspection Squad to randomly check and audit the tree inspection reports completed by tree management departments, and proactively inspect trees in areas of high pedestrian and vehicular traffic flows to ensure that the departments concerned adhere to the Guidelines. Moreover, only qualified personnel could be deployed to carry out tree-related works in accordance with the requirements specified in the service contract. Tree management departments had undertaken enforcement measures including issuance of warning letters, default notices and deduction of contract payments against service contractors for non-compliance of contract requirements. The system of outsourcing tree management work was subject to review from time to time with a view to bringing in the latest good practices.

Tree management on private land

17. In August 2014, a tree in a private residential estate on Robinson Road collapsed and killed a pregnant woman. This tragic incident aroused Members' concerns about the Administration's measures to assist private property owners in tree management on private land. Some Members enquired whether a list of qualified tree management personnel was available to assist owners' corporations and property management companies in engaging contractors for undertaking tree management work.

- 18. The Administration advised that while private property owners were responsible for the maintenance and management of trees on their properties, it had reminded property managers and private property owners to undertake TRAs and implement mitigation measures before the onset of wet season. A list of approved suppliers of materials and specialist contractors for public landscaping works, together with information about tree maintenance for private properties, was also available on DEVB's dedicated greening website. ¹² In addition, the Handbook had highlighted the owners' responsibilities in respect of engaging qualified professionals to undertake tree-related works, following standards and best practices, performing routine tree inspection and purchasing third party risk insurance to reduce their risks in times of tree accidents.
- 19. In response to the enquiry of some Members about the measures to be taken to enhance the awareness of private property owners on preservation of valuable trees within their premises, the Administration advised that according to the tree preservation clauses introduced since the 1970s in land leases as a lease condition, the lessee was required to apply to the Lands Department for consent before felling of and interfering with any trees on his lot. Further, since the mid-1980s, the Administration had included landscape clauses in land leases to encourage landscaping of private lots and proper management of plants located thereon. For cases of redevelopment requiring planning approval or lease modification, there would be opportunities to impose conditions for tree preservation purposes. Tree management workshops had also been organized for private property management personnel to strengthen their awareness on proper care of trees.

Staffing issues relating to tree management and landscape work

- 20. At the Council meeting of 3 April 2019, Members expressed concern that the posts of Head of GLTMS and Head of TMO were vacant on a number of occasions in the past few years and some post holders lacked the professional qualifications in tree management or landscape, resulting in the problem of non-professionals leading the professionals.
- 21. The Administration advised that the Head of GLTMS should have recognized academic and professional qualifications in a relevant discipline with design or vegetation-related background¹³ whereas the Head of TMO

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¹² https://www.greening.gov.hk/en/tree_care/info_private.html

Examples include Arboriculture, Architecture, Biology, Botany, Forestry, Horticulture, Landscape Architecture, Landscape Management, Landscape Science, Town Planning or Urban Design.

should hold a degree in a relevant discipline ¹⁴ along with a recognized qualification or certification on arboriculture. The duties, organization structure and staffing establishment of GLTMS as well as the recruitment and appointment arrangements for the above two posts were under review. Upon completion of the review, DEVB would formulate an implementation plan and proceed with recruitment.

Council questions

22. At the Council meetings between December 2015 and April 2021, Members raised a number of questions on matters relating to urban forestry. The hyperlinks to the questions and the Administration's replies are provided in **Appendix III**.

Latest development

23. At the DEV Panel meeting to be held on 25 May 2021, the Administration will brief members on the urban forestry management work and the proposed regrading of two one-rank grade directorate posts to multi-disciplinary directorate posts in GLTMS of DEVB.

Relevant papers

24. A list of relevant papers on the LegCo website is in **Appendix III**.

Council Business Division 1 <u>Legislative Council Secretariat</u> 21 May 2021

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¹⁴ Such as Arboriculture, Biology, Botany, Forestry, Landscape Architecture or Landscape Management.

Summary of the recommendations of the Task Force on Tree Management

- (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 scrutinize the landscape and greening proposals;
- (d) new tree risk assessment arrangements based on a dual approach, viz, "Area Basis Assessment" and "Tree Basis Assessment", 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 recognized as landscape contractors should be reviewed and enhanced;
- (h) there is no need to introduce any legislative change at this stage. However, the 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.

(Source: Extracts from the Executive Summary of the <u>Report of the Task Force on Tree Management</u>)

Recommendations of the Ombudsman

The Ombudsman urges the Development Bureau/Tree Management Office ("TMO") to:

Manpower Resources

- (a) consider setting up a registration or certification system for arborists;
- (b) raise the professional knowledge and work experience requirements of arboricultural practitioners, especially those responsible for inspection and review inspections;
- (c) step up technical training for frontline staff;
- (d) speed up manpower resources planning;

Management of Trees on Government Land

- (e) review the current deployment and training arrangements for staff with tree management duties, or even consider central deployment of dedicated tree management officers to various departments;
- (f) step up the monitoring of tree planting arrangements of government departments;
- (g) supplement the criteria for tree risk assessment;
- (h) set up a mechanism to strengthen the monitoring of government departments' handling of public complaints/reports;
- (i) enhance the transparency and accountability of the opinions offered by the Expert Panel on Tree Management ("the Expert Panel")¹ under TMO, record the opinions of the Expert Panel/Panel members and make such records available to the public;

The Expert Panel was formed in March 2011 to advise the Administration on policy and operational issues concerning tree management and maintenance. After the term of the Expert Panel expired in December 2016, a new Urban Forestry Advisory Panel was established in January 2017 to advise the Administration on a wide range of urban forestry matters beyond tree management.

Management of Trees on Private Land

(j) continue to step up publicity and education on tree maintenance for owners of private land; and

Legislation on Trees

(k) clearly and firmly promulgate its intention to legislate and complete the necessary preparations as soon as possible to form a basis for such legislation for comprehensive and more effective regulation of tree management and preservation in Hong Kong.

(Source: Extracts from the Executive Summary of the <u>Report on Direct Investigation</u> into the <u>Government's Tree Management Regime and Practices</u>)

Appendix III

Urban forestry management work in Hong Kong

List of relevant papers

Committee	Date of meeting	Paper
Panel on Development		Letter from Dr Hon Kenneth CHAN dated 23 July 2015 on management of trees growing on slopes or retaining walls [LC Paper No. CB(1)1150/14-15(01)] (Chinese version only) Administration's response to the letter from
		Dr Hon Kenneth CHAN dated 23 July 2015 [LC Paper No. CB(1)1176/14-15(01)] (Chinese version only)
		Letter from Dr Hon Kenneth CHAN dated 10 August 2015 on removal of the stonewall trees on Bonham Road on 7 August 2015 [LC Paper No. CB(1)1181/14-15(01)] (Chinese version only)
		Administration's response to the letter from Dr Hon Kenneth CHAN dated 10 August 2015 [LC Paper No. CB(1)1222/14-15(01)]
	24 November 2015	Administration's paper on "Tree Management on Private Properties and Revamp of the Guidelines for Tree Risk Assessment and Management Arrangement" [LC Paper No. CB(1)163/15-16(06)]
		Administration's follow-up paper [LC Paper No. CB(1)314/15-16(01)] Minutes of meeting [LC Paper No. CB(1)453/15-16]

Committee	Date of meeting	Paper
		Letter from Hon Mrs Regina IP dated 8 December 2017 on tree management [LC Paper No. CB(1)339/17-18(01)] (Chinese version only)
		Administration's response to the letter from Hon Mrs Regina IP dated 8 December 2017 [LC Paper No. CB(1)422/17-18(01)]
		Letter from Hon Tanya CHAN dated 27 February 2018 on landscape and tree management work in Hong Kong [LC Paper No. CB(1)642/17-18(01)] (Chinese version only)
		Administration's response to the letter from Hon Tanya CHAN dated 27 February 2018 [LC Paper No. CB(1)776/17-18(01)]
	27 February 2018	Administration's paper on "Landscape and Tree Management Work in Hong Kong" [LC Paper No. CB(1)608/17-18(04)]
		Administration's follow-up paper [LC Paper No. CB(1)777/17-18(01)]
		Minutes of meeting [LC Paper No. CB(1)997/17-18]
		Letter from Hon Wilson OR dated 13 September 2018 on reviewing the tree management system [LC Paper No. CB(1)1416/17-18(01)] (Chinese version only)
		Administration's response to the letter from Hon Wilson OR dated 13 September 2018 [LC Paper No. CB(1)74/18-19(01)]

Committee	Date of meeting	Paper
	28 May 2019	Administration's paper on "Urban Forestry Support Fund" [LC Paper No. CB(1)1086/18-19(05)]
		Administration's follow-up paper [LC Paper No. CB(1)1194/18-19(01)]
		Minutes of meeting [LC Paper No. CB(1)1353/18-19]
		Letter from Hon Tanya CHAN dated 24 June 2019 on, among others, PWP Item No. 43CG — Greening Master Plans for the New Territories [LC Paper No. CB(1)1264/18-19(01)] (Chinese version only)
		Administration's response to the letter from Hon Tanya CHAN dated 24 June 2019 [LC Paper No. CB(1)1288/18-19(01)]
	25 June 2019	Administration's paper on "PWP Item No. 43CG — Greening Master Plans for the New Territories" [LC Paper No. CB(1)1181/18-19(06)]
		Administration's follow-up paper [LC Paper No. CB(1)18/19-20(01)]
		Minutes of meeting [LC Paper No. CB(1)1356/18-19]
	14 July 2020 (Issue date)	Administration's paper on "Progress Report on Proposed Registration Scheme for Tree Management Personnel" [LC Paper No. CB(1)864/19-20(01)]

Committee	Date of meeting	Paper
		Letter from Hon Tony TSE dated 29 October 2020 on, among others, progress report on proposed registration scheme for tree management personnel [LC Paper No. CB(1)83/20-21(01)] (Chinese version only) Administration's response to the letter from Hon Tony TSE dated 29 October 2020 [LC Paper No. CB(1)368/20-21(01)]

Hyperlinks to relevant Council questions and the Administration's replies:

Date	Council question
16 December 2015	Question No. 23 on "Management and Maintenance of Trees"
6 July 2016	Question No. 10 on "Establishment and Strength of Landscape Architect Grade"
13 July 2016	Question No. 14 on "Planting of Trees"
17 January 2018	Question No. 8 on "Tree Management"
27 June 2018	Question No. 9 on "Tree Management"
11 July 2018	Question No. 19 on "Development of the Horticulture Industry"
3 April 2019	Question No. 18 on "Staffing Issues Relating to Tree Management and Landscape Work"
15 May 2019	Question No. 8 on "The Government's Greening Efforts"
22 April 2020	Question No. 13 on "Road Safety involving Roadside Trees"
28 April 2021	Question No. 9 on "Growing of Plants of Ornamental Value"