

**Guidance Notes on Tree Preservation and Removal Proposal  
for Building Development in Private Projects -  
Compliance with Tree Preservation Clause under Lease**

**Purpose**

This Guidance Notes is to set out the mandatory requirements for preparing Tree Preservation and Removal Proposal (“TPRP”) for building development in private projects under the tree preservation clause under lease. It should be read in conjunction with Lands Department (“LandsD”) Lands Administration Office Practice Note Issue No. 6/2023 “Processing of Tree Preservation and Removal Proposals for Building Development in Private Projects - Compliance with Tree Preservation Clause under Lease” (“the PN”).

2. In the event that approval under lease for General Building Plans (“GBPs”) is still pending, for LandsD’s consideration in giving prior written consent under the tree preservation clause of the lease set out in paragraph 8 of the PN, the following supplementary information or certification from the Authorized Person may be required to satisfy one or more of the following criteria to demonstrate that the existing trees will be unavoidably affected :-

- (a) Building design – existing trees will clash with the building footprints or any other necessary facilities as shown on the latest GBPs, Foundation Plans, and Site Formation Plans, including Excavation and Lateral Support (“ELS”) Plans (if required) submitted to<sup>1</sup> or approved by the BD;
- (b) Site condition – poses a constraint in accommodating the permitted plot ratio (“PR”), site coverage (“SC”) or other provisions required under lease:-
  - topographic condition (e.g. steep profile requiring site formation and excavation works; existing slope to be re-profiled for slope safety purpose; location of existing trees may obstruct the construction of retaining wall for support of building structures)
  - small site area (e.g. around 1,000 sq.m.)
  - irregular shape of the site (e.g. elongated shape adversely affect the disposition of building)
  - level of the site (e.g. site formation works to level out the major difference in site level within lot or with adjoining road may render removal of the affected trees inevitable);

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<sup>1</sup> LandsD will process the TPRP prepared on the basis of the latest set of GBPs submitted right before the relevant TPRP submission to the Buildings Department notwithstanding any concurrent GBP resubmission/amendment submissions unless there is a change of building footprint or such substantial change in these submission which rendered the submitted TPRP obsolete.

- (c) Fulfilment of statutory or lease requirement leading to a clash with existing trees, leaving removal of the affected trees unavoidable :-
- provision of EVA driveway
  - vehicular access points (e.g. existing trees in conflict with the run-in/out stipulated under lease)
  - non-building area (e.g. presence of drainage reserve area imposing constraint in accommodating the carpark)
  - diversion works of existing utilities (e.g. required drainage diversion works under lease involving excavation works)
  - other provisions required under lease (e.g. fulfilling specific level, position & design for providing public vehicle park, public transport interchange render the removal of trees onsite);
- (d) Development density –
- the site is permitted under lease to a comparatively high development intensity i.e. with a permissible PR of 5 or higher or SC of 100% of the developable area, leaving no practical alternative design for disposition of the development except by pruning or removal of the affected trees
  - the need to construct a basement carpark;
- (e) Condition of affected trees – support and justification provided by Registered Landscape Architect (“RLA”)<sup>2</sup> to prove that the poor conditions of existing trees will leave tree pruning or removal inevitable.

### **Submission requirements of TPRP**

3. In applying for the consent under the tree preservation clause, the lot owner shall through his RLA prepare and submit a TPRP (as defined in paragraphs 8, 19-21 of the PN) or Self-Certification of Compliance (“SCC”) of TPRP Submission (as defined in paragraph 10 of the PN) to District Lands Office (“DLO”)<sup>3</sup> or Building Plan Unit (“BPU”) and/or relevant bureau/department (“B/D”) other than LandsD. Except for Deemed Approval Submission for TPRP in connection with the Landscape Submission of a Planning Application, the TPRP should comprise of information as detailed in paragraphs 4 to 19 below<sup>4</sup>. Unless otherwise required, the following shall be submitted for consideration:

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<sup>2</sup> RLA as registered under the Landscape Architects Registration Ordinance (Cap. 516).

<sup>3</sup> DLO includes Railway Development Section and other specialized sections of LandsD. DLO may refer TPRP associated with GBPs to BPU of LandsD for processing as appropriate and hence subsequent submissions may refer to BPU direct for handling.

<sup>4</sup> Both TPRP subject to vetting by LandsD under paragraph 8 of the PN and by way of SCC under paragraph 10 of the PN should be prepared on the basis of the latest GBPs, Foundation Plans, and Site Formation Plans, including ELS Plans (if required to be submitted) submitted to or approved by Buildings Department (“BD”); and no tree removal works under the approved TPRP (either by way of vetting or SCC) shall be commenced and conducted before the approval of Foundation Plans and Site Formation Plans (including ELS Plans), if any, by BD.

- (a) Deemed Approval Submission (detailed in paragraph 4 of the PN) – one copy of TPRP indicated in the approved Landscape Master Plan or Landscape Proposal together with **Form 1** comprising certificate of the RLA that the TPRP submitted is part and parcel of Landscape Submission for compliance with planning conditions and/ or in support of planning application and approved by Town Planning Board (“TPB”) or Planning Department (“PlanD”) shall be submitted to DLO or BPU for processing. Please refer to **Figure A** for Procedure Flow Chart.
- (b) Deemed Compliance Submission (detailed in paragraph 5 of the PN) – one copy of PlanD’s approval of the completion of landscape works under the planning application together with **Form 2** shall be submitted to DLO for processing. Please refer to **Figure B** for Procedure Flow Chart.
- (c) Prior Written Consent (for trees within lot) subject to vetting (detailed in paragraph 8 of the PN) - no less than two copies of TPRP (one for DLO or BPU in considering land administrative aspect and another one for Landscape Advisory Team (“LAT”) of the BPU in considering technical aspect) together with **Form 3** and softcopy of the submission stored in non-rewritable DVD-ROM diskettes (DVD-ROM) shall be submitted. Please refer to **Figure C** for Procedure Flow Chart.
- (d) Prior Written Consent (for trees on coloured areas/Government land to be maintained by the lot owner throughout the lease term or handed back to LandsD) (detailed in paragraphs 21 of the PN) – sufficient copies of TPRP (one for DLO in considering land administrative aspect and one for each relevant B/D in considering technical aspect) together with **Form 3** and softcopy of the submission stored in DVD-ROM shall be submitted to DLO for processing. Please refer to **Figure D** for Procedure Flow Chart.
- (e) Prior Written Consent (for trees on coloured areas/Government land to be handed back to more than one single B/D) (detailed in paragraphs 20 of the PN) – Sufficient copies (one for DLO in considering land administrative aspect and one for each relevant B/D in considering technical aspect) together with **Form 3** and softcopy of the submission stored in DVD-ROM shall be submitted to DLO for processing. Please refer to **Figure D** for Procedure Flow Chart.
- (f) Prior Written Consent (for trees on Government Land outside lot boundary or coloured areas to be handed back to B/D (detailed in paragraphs 19 of the PN) - Separate submission of TPRP should be made direct to the concerned B/D to fulfill their requirements. A consent application for such TPRP in **Form 4**, together with a letter from the concerned B/D confirming its acceptance and agreement to such TPRP, and softcopy of the submission stored in DVD-ROM shall be submitted to DLO for processing. Please refer to **Figure D** for Procedure

Flow Chart.

- (g) SCC of TPRP Submission<sup>5 6</sup> (detailed in paragraphs 10 to 11 of the PN) - one copy of TPRP together with **Form 5** and softcopy of the submission stored in DVD-ROM shall be submitted to DLO or BPU for processing. Please refer to **Figure C** for Procedure Flow Chart.
- (h) SCC of TPRP Completion (detailed in paragraphs 14 to 18, 21 of the PN) - one copy of TPRP together with **Form 6** and softcopy stored in DVD-ROM shall be submitted to DLO for processing. Please refer to **Figure B** for Procedure Flow Chart.

Summary of submission requirements of TPRP

	Form / Procedure Flow Chart	TPRP Hardcopy (no. of copy)	TPRP Softcopy (no. of copy)
(a) Deemed Approval Submission	<b>Form 1 / Figure A</b>	1	-
(b) Deemed Compliance Submission	<b>Form 2 / Figure B</b>	1	-
(c) Prior Written Consent (for trees within lot) subject to vetting	<b>Form 3 / Figure C</b>	2 (Note 1)	1
(d) Prior Written Consent (for trees on coloured areas/Government land to be maintained by the lot owner throughout the lease term or handed back to LandsD)	<b>Form 3 / Figure D</b>	1 + No. of relevant B/Ds (Note 2)	
(e) Prior Written Consent (for trees on coloured areas/Government land to be handed back to more than one single B/D)	<b>Form 3 / Figure D</b>	1 + No. of relevant B/Ds (Note 2)	1
(f) Prior Written Consent (for trees on Government land outside lot boundary or coloured areas to be handed back to B/D)	<b>Form 4 / Figure D</b>	2 (Note 2)	1
(g) SCC of TPRP Submission	<b>Form 5 / Figure C</b>	1	1
(h) SCC of TPRP Completion	<b>Form 6 / Figure B</b>	1	1

<sup>5</sup> SCC of TPRP Submission is not applicable when:

- (i) the existing trees are on areas outside the lot boundary or on areas required under lease to be handed back to Government B/D other than LandsD. For such cases, the concerned B/D will be responsible for compliance checking at the submission stage in accordance with the relevant clauses under lease and DEVB TC(W) No. 6/2015;
- (ii) form part and parcel of a Landscape Submission for compliance with planning conditions and/or in support of planning application. For such cases, please refer to paragraph 4 of PN 6/2023;
- (iii) compensatory trees within lot area to be handed over to and maintained by the Government are involved;
- (iv) compensatory trees or transplanting trees on areas designated as reserve area (e.g. Drainage Reserve Area, Waterworks Reserve Area etc.), non-building area, or other areas where erection of building or structure or feature is subject to specific consent/approval by the Director of Lands or other Government departments under lease conditions are involved.

<sup>6</sup> As per paragraph 13 of the PN, SCC of TPRP Submission is applicable to all new TPRP submitted to LandsD for approval on or after the effective date of the PN, where no formal submission for the development has been submitted to LandsD before the effective date of the PN.

Note 1: 1 no. of copy to DLO or BPU and 1 no. of copy to LAT

Note 2: 1 no. of copy to DLO and 1 no. of copy to each relevant B/D

## **Mandatory information to be provided in the submission of TPRP**

### **(A) Tree survey plans**

4. Tree survey plans (“the plans”) should indicate the accurate locations of all existing trees (each assigned with a serial number for identification – i.e. Tree ID No.) with their spot elevations at trunk bases and an overlay of the latest submitted/approved site formation plan, foundation plan and general building plan showing development layout/proposed works including the extent of excavation works, proposed utilities and vehicular access (preferably in dotted line). The plans should delineate the boundary of the Lot, any area required to be handed back to Government or formed outside the lot boundary designated by colour on the lease plan (“Coloured Areas”). The plans shall be scaled drawings with adequate topographical survey information showing both existing and proposed levels across the site, and above ground features (both existing and proposed).

5. Tree canopy should be drawn proportionally to the spread of the tree with reasonable presentation of its physical form. A tree ID No. shall be clearly marked adjacent to each tree, in bold and legible letters, on the plans correspondingly.

6. Relevant illustrations such as cross-sections should be appropriately provided to demonstrate why any tree is in conflict with the proposed development/works; i.e. genuine unavoidable conflict without other reasonable alternatives, showing the existing and proposed levels of the features that would affect preservation of trees and cannot be shown on the plans. If slope work is involved, supporting drawings and statements from the Geotechnical Engineer shall be provided to demonstrate the extent and scope of interference to the existing trees.

7. For those trees proposed to be retained in situ irrespective of any ground level change within the root-zone/drip-line<sup>7</sup>, existing levels in the vicinity of these trees (i.e. the ground area within the drip-line or surrounding the root collar/flare) and an indication of the future development/works proposal (e.g. formation levels, finished levels, etc.) as well as the extent of temporary works should also be shown, ensuring that there is adequate vertical and horizontal space reserved for tree protection zone (“TPZ”).

8. All the affected trees (including trees to be retained<sup>8</sup>, transplanted or felled) located within and outside the boundary of the Lot should be explicitly highlighted and

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<sup>7</sup> “Drip-line” of a tree means the imaginary vertical plumb line that extends downward from the tips of the outermost tree branches and intersects the ground.

<sup>8</sup> “Retained tree” means an existing tree to be retained in situ. Appropriate protective and/or precautionary measures would be provided during all stages of development to ensure its survival and long term well-being.

differentiated from each other by different colours. Any area required to be handed back to Government or other Coloured Areas shall also be demarcated on the plans. In addition, proper legend shall be used to differentiate the proposed treatment of individual tree to be affected. Whereas appropriate, different colour codes and/or graphics shall be adopted to facilitate comprehension. Tree survey plans should be based on the on-site findings of tree surveys conducted within two years (24 months) prior to the initial submission, provided that there have been no substantial deviations to the quantity and/or conditions of the concerned trees within the same affected area.

**(B) Tree assessment schedule**

9. The tree assessment schedule should be based on the current condition, or on on-site findings conducted within two years prior to the initial submission.

10. Assessment on existing trees in a construction site shall be carried out by a RLA or Qualified Professional<sup>9</sup>. A standard format of tree assessment is suggested as:

<b>Tree Assessment Schedule</b>															
Address _____										*Lot _____ in D.D. _____					
_____ *Prepared by										(1) on		(2)			
Field Survey was conducted/updated on										*					
To be read in conjunction with drawing nos. _____										* rev. _____		*			
_____										* rev. _____		*			
_____										* rev. _____		*			
Tree ID number <sup>(3)</sup>	Species <sup>(4)</sup>		Original location (Loi/ GA/ YA/ GHBA, etc.)	Measurements			Amenity value <sup>(6)</sup>	Form	Health condition	Structural condition	Suitability for transplanting <sup>(7)</sup>	Conservation status <sup>(8)</sup>	Recommendation		Remarks (e.g. justification for proposed tree removal; anticipated root-ball size to be preserved (with Ø, x depth in mm), and any other on-site conditions, etc.)
	Scientific name	Chinese name		Height (m)	DBH <sup>(5)</sup> (mm)	Crown spread (m)							(High/ Medium/ Low)	(Good/ Average/ Poor)	

<sup>9</sup> A service provider or an individual with recognised qualifications and expertise to undertake tree risk assessment and associated arboricultural works/operations as defined in Appendix 1 – “Requirements of Qualified Professionals for Arboricultural Works” of the Handbook on Tree Management promulgated by the Greening, Landscape and Tree Management Section of the Development Bureau.

(use separate sheet, if necessary)

- Notes:
- \* To be filled in as applicable.
  - # To be deleted as appropriate.
- (1) To be stated with the full name of the person, who conducted the assessment, and his/her relevant professional qualification in arboriculture/horticulture with the relevant qualification number.
  - (2) The date of completion of the tree assessment schedule should be within 2 years (24 months) prior to the initial submission.
  - (3) Trees of particular value as designated to be preserved under the lease conditions, and trees in the Register of Old and Valuable Trees with their registration numbers should be highlighted.
  - (4) Guidance on proper use of scientific name of plants is given in the Agriculture, Fisheries and Conservation Department’s Nature Conservation Practice Note No. 3.
  - (5) DBH of a tree refers to its diameter at breast height (i.e. measured at 1.3 m above ground level). Guidance on DBH measurement is given in the Agriculture, Fisheries and Conservation Department’s Nature Conservation Practice Note No. 2.
  - (6) Amenity value of a tree should be assessed by its functional values for shade, seasonal interest, screening, reduction of pollution and noise and also its fung shui significance, and classified into the following categories.
    - High: important trees which should be retained by adjusting the design layout accordingly.
    - Medium: trees that are desirable to be retained in order to create a pleasant environment, which includes healthy specimens of lesser importance than “High” trees.
    - Low: trees that are dead, dying or potentially hazardous and should be removed.
  - (7) Assessment shall take into account conditions of an individual tree at the time of survey (including health, structure, age and root conditions), site conditions (including topography and accessibility), and intrinsic characters of tree species (survival rate after transplanting). Major determining factors for the rating on suitability for transplanting should be included if necessary.
  - (8) State the rarity and protection status of the species.

11. If over 50 existing trees are to be affected, a summary (see below format) and an electronic format in excel file of the Tree Assessment Schedule shall also be provided in the submission package.

Summary of the proposed treatment to existing trees

Existing trees surveyed	within the Lot (Pink Area)	within Green Area	within Yellow Area	within Green Hatched Black Area	within other Coloured Areas (please state)	Sub-total
to be retained	nos.	nos.	nos.	nos.	nos.	nos.
to be transplanted	nos.	nos.	nos.	nos.	nos.	nos.
to be felled	nos.	nos.	nos.	nos.	nos.	nos.
<b>Total of existing trees surveyed</b>						<b>nos.</b>

12. Whilst any means of disturbance to existing trees should be minimised, a realistic assessment of the probable impact of the proposed development/works including the extent of temporary works (such as site office and storage, etc.) on any preserved tree (i.e. to be retained in situ or transplanted) should be undertaken with due consideration of the visual/ecological/cultural values, characteristics and condition of the concerned trees.

13. Relevant recognised standards and/or practices on tree preservation, protection and transplanting shall be specified in a written statement. Submission of a method statement on specific tree preservation measures for retaining or transplanting large mature trees that will be subject to disturbance from construction activities shall be provided if required. Also, any pruning proposals to the retained or transplanted trees should be highlighted in the submission giving the reason and proposed extent of tree surgery, canopy and root pruning.

**(C) Photographic record of existing trees**

14. The photos shall be of reasonable size and quality, in colour and date imprinted

showing the entire tree as far as possible (i.e. the canopy, tree trunk and surrounding ground near the root collar of each tree). Sensible labeling and annotation of the photo is required without blocking the imagery of the canopy, tree trunk and the root collar of the concerned tree. Photos of trees in group at distant view will not be considered unless the tree group will be retained for preservation and will not be affected during all work stages. Caption of each photo shall include information on corresponding Tree ID No. of respective tree and its proposed treatment (i.e. to be retained or transplanted or felled).

**(D) Compensatory planting proposal**

15. Compensatory planting should be realistic, practical and sustainable. The principle of “right tree for the right place” should be adhered to so that trees are selected to match the site, environmental conditions and design intent. As far as practicable, implementation of compensatory tree planting, of a ratio not less than 1:1 in terms of number would be acceptable. That is, the total number of compensatory trees should not be less than that of the lost trees, including dead trees and any transplanted tree that is subsequently deceased, but excluding trees of undesirable species e.g. *Leucaena leucocephala* (銀合歡) which is an undesirable species characterized by its aggressive and invasive growing habits and ability to prevent natural succession of native species. Deviation from this compensatory principle is acceptable for slope works due to site constraint where planting of whips or seedlings in form of woodland mix would be considered more appropriate, and any other situations supported with full justification.

16. Should the requirement of compensatory planting ratio of 1:1 in terms of quantity be satisfactorily met, and sufficient space for planting can be identified, additional tree planting to achieve the compensatory planting ratio of 1:1 in terms of aggregated DBH<sup>10</sup>, i.e. the total DBH of planted trees to have the same total DBH of felled trees should be undertaken as far as practicable.

17. Notwithstanding the minimum ratio of compensatory planting, reasonable amount of compensatory trees should be provided to suit site condition and land use with greening opportunity optimized where feasible. Also, sufficient area should be designated for tree planting taking into account the growing space required by the retained, transplanted and compensatory trees up to their maturity catering for their successful establishment and healthy growth and to avoid planting that would lead to over-congestion in the long run. In general, compensatory trees shall be of good health and in good vitality, each with a well-balanced branching head, or a well-defined straight and upright leader with branches growing out from the stem with good symmetry in a given clear height.

18. The TPRP submission shall be supported by the following:

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<sup>10</sup> DBH means Diameter at Breast Height. It refers to the diameter of tree trunk measured at 1.3 m above ground level. Guidance on measurement of DBH is given in Agriculture Fisheries and Conservation Department’s (AFCD) Nature Conservation Practice Note No. 2, which can be viewed from AFCD’s internet homepage ([www.afcd.gov.hk](http://www.afcd.gov.hk)).



- (a) a building layout plan/floor plans indicating the location of retained trees and individual planting areas and/or tree pits to be reserved for transplanted and/or new compensatory tree planting;
- (b) a written statement to confirm whether there is any rare or endangered flora species, trees in the Register of Old and Valuable Trees (“OVTs”), trees potentially registrable in accordance with the criteria for OVTs as set out in the Development Bureau (“DEVB”) Technical Circular (Works) (“TC (W)”) No. 5/2020 or trees of particular value as designated to be preserved under the lease conditions found within the site and to confirm whether they are on any newly formed slope and/or retaining structure;
- (c) a written statement on the quantity of compensatory new trees and their respective sizes, species mix and proposed spacing;
- (d) an indication of the ground level and surface treatment of each recipient location for the retained/transplanted/compensatory trees;
- (e) a written statement supported with a typical section to demonstrate adequate soil allowance for tree planting (min. 1.2m excluding drainage layer);
- (f) a compensatory planting plan;
- (g) a schedule of compensatory trees in a suggested format as below:

<b>Location</b> (Lot/GA/YA/ GHBA, etc.)	<b>Species</b> (in scientific name)	<b>Chinese Name</b>	<b>DBH</b> (mm)	<b>Crown Spread</b> (m)	<b>Overall Height</b> (m)	<b>Quantity</b> (nos.)

- (h) a written statement explaining the landscape treatment provisions, demonstrated with sections and elevations, if necessary.

19. Formats of a compensatory planting plan are listed as below :

- (a) Compensatory planting plan shall be in a format of a scaled representation with an overlay of the latest submitted/approved site formation/building plan. It shall include information on the species (in scientific and Chinese names), size (DBH, spread and height) and location of individual compensatory trees and any trees to be retained or transplanted, and the finished floor levels of respective planting areas.
- (b) The boundaries of the subject Lot, any area required to be handed back to Government and any “Coloured Areas” associated with the Lot under lease shall also be clearly delineated on plan. To speed up the compliance checking in cases of scenario where trees are to be partially maintained by the lot owner/handed back to LandsD and partially handed back to other B/D, demarcation should also

be clearly delineated to differentiate such areas on the plan.

- (c) Reserve area (e.g. Drainage Reserve Area, Waterworks Reserve Area etc.), non-building area, or other areas where erection of building or structure or feature is subject to specific consent/approval by the Director of Lands or other Government departments under lease conditions shall be clearly delineated on plan.
- (d) In case of any portion of planting areas under cover, the overhead building line shall be clearly indicated in plans with its minimum height clearance specified at each locality.
- (e) Retained and transplanted trees shall also be marked up on the planting plans with corresponding reference number (Tree ID no. in the initial Tree Survey Plan).
- (f) If any tree works are to be handed over to the government upon completion of the development, the applicant should provide adequate information to meet the requirements of the concerned bureaux/departments.

### **Criteria (Hierarchy) for considering TPRP**

20. At planning or early design stage, a tree survey should be carried out within and, if appropriate, adjacent to the site in order to identify trees or tree groups that deserved to be retained, in particular the following types of trees with high value for priority preservation:

- (a) Trees included in the Register of OVTs as mentioned in the DEVB TC (W) No. 5/2020 or any subsequent amendments thereof issued by DEVB; or
- (b) Trees potentially registrable in accordance with the criteria for OVTs as set out in aforementioned DEVB TC (W) No. 5/2020 or any subsequent amendments thereof issued by DEVB; or
- (c) Stonewall trees, trees of particular interest, trees of particular value, trees of rare species and any other trees as designated to be preserved under lease conditions.

21. Apart from paragraph 20(c) where identified stonewall trees, trees of particular interest, trees of particular value, trees of rare species and any other trees as designated to be preserved under lease conditions should not be felled, removed or interfered with, the OVTs or potentially registrable OVTs as mentioned in paragraphs 20(a) and 20(b) should be preserved at their original locations, and their removal should be prohibited except under very special circumstances with full justification.

22. For other trees not covered under paragraph 20, the following criteria (hierarchy) should be adopted for consideration:

- (a) retain the trees at their original locations; or
- (b) if paragraph 22(a) is not practicable having balanced all relevant considerations, transplant the affected trees to other permanent locations within the site, so as to

increase the trees' survival rate after transplantation and minimise the loss of greenery on the local environs; or

- (c) if both paragraphs 22(a) and 22(b) are not practicable, transplant the affected trees to other permanent locations outside the site, which should preferably be nearby locations with subsequent maintenance responsibility identified and agreed in order to maintain their amenity value to the vicinity, or a temporary holding nursery ex situ prior to transplant the affected trees back to the site when the site is ready for planting. Location of the temporary holding nursery should preferably be in proximity to the site for minimising the disturbance to the affected trees during transportation; or
- (d) felling of trees will only be considered as the last option under the following circumstances:
  - if both retaining and transplanting are considered not practicable (with reference to the factors as detailed in paragraph 23 below) and the trees to be felled are not covered under paragraph 20 above; or
  - to strike a balance between cost and benefit, the trees are considered not suitable for transplanting as assessed with reference to paragraph 24 below; or
  - trees have unrecoverable health problems, structural problems or in poor form, or any tree irreparably damaged by inclement weather; or
  - other justification provided by the Lot owner/RLA.

23. For trees that are considered impracticable to be preserved in situ, justification for transplanting the proposed trees should be provided and the following considerations should be taken into account:

- (a) conditions of the trees to be transplanted (including form, health and structure which will affect success of the proposed tree transplanting);
- (b) size, species, survival rate after transplanting;
- (c) amenity value and conservation status of the trees to be transplanted;
- (d) availability and suitability of a permanent receptor site within the site and/or a temporary holding nursery outside the site;
- (e) adequate time for preparation of transplanting operation;
- (f) identification of a long term maintenance party for the transplanted trees;
- (g) access to the existing location and transportation to the permanent receptor site and/or temporary holding nursery (including availability of access to accommodate the tree, topography of the proposed route, engineering/transport limitations, etc.); and

- (h) cost-effectiveness.

24. Although tree transplanting should be considered as far as possible instead of felling if retaining is considered not practicable, trees with the following features should not be considered suitable for transplanting under normal circumstances:

- (a) low amenity/conservation value;
- (b) irrecoverable form after transplanting (e.g. if substantial crown and root pruning are necessary to facilitate the transplanting);
- (c) low survival rate after transplanting;
- (d) very large size (unless the feasibility to transplant has been considered financially reasonable and technically feasible during the feasibility stage);
- (e) with evidence of over-maturity and onset of senescence;
- (f) with poor health, structure or form (e.g. imbalanced form, leaning, with major cavity/cracks/splits); or
- (g) undesirable species (e.g. *Leucaena leucocephala* which is an invasive exotic tree). For removal of *Leucaena leucocephala*, please refer to paragraph 42 below.

25. In the case of tree transplanting, the Lot owner/RLA should submit a method statement detailing the procedures, program, required personnel with their qualifications, equipment and machinery, site safety scheme, tree protection measures, maintenance schedule, etc. for approval by LandsD prior to the commencement of the tree transplanting operation.

26. To avoid willful damage to any existing trees, consideration for removal of trees in poor condition should be assessed on a case-by-case basis. In addition, every practicable opportunity should be explored to restore the conditions of the trees as far as possible, and the trees in question should not be felled unnecessarily. Also, compensatory planting should be implemented wherever tree felling is involved but it is recommended that such planting itself should not be the only justification for removing the trees affected by the development on site.

#### **Amendment or re-submission of TPRP**

27. It is not uncommon that the first set of GBP approved by the Buildings Department will be subsequently amended. Should there be revisions to the approved TPRP due to the amended GBPs, the Lot owner or his RLA is required to submit an updated TPRP and highlight the revisions for approval.

28. All relevant parts of the submission documents (inclusive of drawings, schedule and plans etc.) so amended shall be suitably highlighted (preferably in colour) to indicate the alteration/change/amendment. The revised document shall be clearly shown with a drawing title, number, date and corresponding revision serial number as appropriate. Any amendment

or re-submission failed to comply with this will not be processed.

29. For Deemed Approval/Compliance Submission for the TPRP as part and parcel of the landscape submission in connection with planning application, for changes that are considered as Class A amendments according to the TPB PG-No. 36C *Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposals*, the RLA should indicate these changes in the TPRP and certify that they are Class A amendments. For Class B amendments as detailed in the said TPB PG-No. 36B, the RLA is required to seek further approval from PlanD/TPB prior to LandsD's subsequent processing of Deemed Approval/Compliance Submission.

30. Any re-submission or amendment made to the already-approved TPRP shall not bring on any diminishing effect on tree preservation/transplanting/compensation planting as shown on the already approved plans and/or schedule. Otherwise, good cause and full justification shall be demonstrated.

### **Good practice to note when preparing TPRP**

#### **(A) Existing/retained trees**

31. Tree preservation during different stages of development, in particular identification of TPZ, should be made reference to the *Guidelines on Tree Preservation during Development and Design for Tree Protection Zone* issued by DEVB.

32. In any event, any excessive pruning of the crown, lopping or topping to any existing/retained trees, in particular mature trees, is not acceptable and should be avoided. Improper tree pruning is detrimental to the appearance and healthy growth of trees and may result in irrecoverable damage to trees. During development stage, the Lot owner has to, except in an emergency situation and in the situation of minor pruning works for trees (except trees of particular value as designated and preserved under the lease conditions) within the pruning parameters as specified in paragraph 40 (a) to (d) below, obtain prior written consent from LandsD on the pruning works. Extensive crown, limb or root pruning as unavoidable tree surgery works that might significantly affect the tree form, shall be fully justified with the extent and method statement clearly outlined by a RLA or a Qualified Professional. All tree works shall be conducted according to good arboriculture and horticultural practices. The *Guidelines on Tree Pruning, Do's and Don'ts in Pruning, Guidelines on Tree Preservation during Development*, and other relevant information promulgated by DEVB provide basic information on tree pruning and issues requiring particular attention during execution of works (the guidelines in English and Chinese can be viewed from DEVB's internet website (<http://www.greening.gov.hk/en/home/index.html>)). Tree pruning should be carried out and supervised by qualified and experienced personnel (i.e. Qualified Professional).

**(B) Transplanting trees**

33. To assure reasonable survival rate and long term well-being of the transplanted tree, the *Guidelines on Tree Transplanting* promulgated by DEVB and the following shall be allowed as far as practicable:

- (a) Preparatory works (e.g. root trenching) shall be carried out subject to detailed assessment by a RLA or a Qualified Professional.
- (b) Site planning and sequence of works shall be well thought-out to enable one-off transplant operation within the Lot as far as possible for all affected trees. In other words, temporary transplanting to a transit nursery shall be avoided to minimize the physical disturbance to the canopy/root and to allow early re-establishment of the transplanted tree at its final location.
- (c) Appropriate post transplanting treatment is crucial for the establishment of the newly transplanted tree/palm and its long-term well-being. Recommendation on follow up actions shall be given by a RLA or Qualified Professional. A minimum 12-month establishment period shall be provided for carrying out aftercare actions such as irrigation, application of fertilizer and mulching, staking and re-staking, pest control, etc.
- (d) Under no circumstance the central main leader of the tree shall be pruned or adversely interfered during the transplanting process.

**(C) New tree planting**

34. Adequate allowance and space shall be provided for their long term well-being and future growth with reference to those *Proper Planting Practices* promulgated by DEVB.

35. Planter and/or planting bed shall preferably be continuous in trench with a minimum internal width and depth of 1.2m for new tree planting. For new tree planting inside toe wall planters of slopes, a minimum internal dimension of 1.2m for both width and depth (excluding subsoil drainage layer and finishes) shall be considered. For retained/transplanted trees, adequate space (width and depth) must be allowed to accommodate respective size of the root-balls.

36. In addition, adequate growing space shall be assured to accommodate the anticipated size in maturity of the preserved trees and proposed new trees. Planting densities for different plant species should be properly recommended and stated for healthy growth and long term well-being of the trees. A clear height of not less than 4.5m for planting areas under elevated structures is required for natural sunlight and adequate headroom.

37. Indigenous species shall be selected as far as possible for ecological enhancement and biodiversity to supplement the ornamental planting.

## **Tree maintenance**

38. It is the responsibility of the Lot owner to ensure that the management and maintenance of all trees including the new trees would be undertaken in a sustainable manner. Each planting area with retained/transplanted/new trees shall be provided with reasonable maintenance access, in a functional and financially viable manner, for general upkeep and routine horticultural operations in long-term. The Lot owner shall ensure and adopt good arboricultural practices and follow the *Handbook on Tree Management*, tree management practice notes and guidelines published by the Greening, Landscape and Tree Management Section of DEVB in maintenance of trees within the Lot.

39. The Lot owner should engage Qualified Professionals to advise, supervise and handle all matters related to tree works which include but not limited to regular tree inspection, tree risk assessment, mitigation measures and maintenance works (such as watering, pruning, weeding, mulching, pest and disease control, fertilization and installation/adjustment of tree support system or other arboricultural maintenance as appropriate) in order to upkeep the trees in a healthy and safe condition not affecting public utilities or adjacent Lots. The Lot owner is also required to keep documentation of all the records of tree works, inspection and maintenance records (including maintaining records of emergency tree removal or pruning) in such manner in accordance with the *Handbook on Tree Management*.

40. Tree pruning is a practice of removing specific portions of a tree to achieve long-term maintenance of good tree health, structural integrity, aesthetics and safety of public and properties. The Lot owner should engage Qualified Professionals to determine the appropriate pruning parameters (e.g. the pruning types, pruning time and pruning extent, pruning dose), supervise and conduct proper pruning works in accordance with good arboricultural practices and *Guidelines on Tree Pruning* issued by DEVB and in line with the following pruning parameters:

- (a) not more than 25% of the total live foliage should be removed from a healthy, vigorous tree within an annual growing season and for trees with significant health defects or at senescence stage, the pruning dose should not be more than 10% of the total live foliage;
- (b) the diameter of a branch removed should generally be not more than one-third of the diameter of the remaining branch or parent stem;
- (c) pruning work should adopt the practice of “3-Point Cut” and “Natural target pruning” techniques; and
- (d) the common types of pruning such as “Formative Pruning/Structural Pruning”, “Crown Lifting/Crown Raising”, “Crown Reduction”, “Crown Thinning” and

“Crown Cleaning” and/or “Restorative Pruning” as detailed in the *Handbook on Tree Management* should be adopted for pruning works as appropriate.

41. Upon completion of the development project or issuance of the certificate of compliance, the Lot owner has to, except in an emergency situation and in the situation of regular pruning works for trees (excluding trees of particular value as designated and preserved under the lease conditions) within the pruning parameters as specified in paragraph 40 (a) to (d) above during arboricultural maintenance, make a prior application to the DLO of LandsD and obtain a written consent under tree preservation clause of the lease before removing or pruning trees. To apply for tree removal or pruning operation, the private Lot owner is required to submit a report prepared by a RLA or Qualified Professional, providing sufficient justification and evidence for consideration. In granting a written consent, DLO may impose conditions on transplanting, compensatory landscaping or replanting as deemed appropriate. Trees treated with poor and wrong pruning practices may result in irreversible health decline and structural failure and subject to lease enforcement action as DLO considers appropriate. The Government reserves the right to request the Lot owner to submit records of tree works, inspection and maintenance records for inspection and investigation where appropriate.

42. For removal of *Leucaena leucocephala* which has aggressive and invasive growing habits, the Lot owner shall engage a RLA or Qualified Professional to submit a completed Form 7 as attached in **Appendix VII** (containing the information of lot number, address, tree location plan, quantity of concerned trees to be felled) with photographs of the concerned trees to DLO before commencement of the tree removal work. Removal operation can be carried out upon receipt of a notification letter from DLO and no compensatory planting is required for felling of *Leucaena leucocephala*.

43. For enquiries on the technical requirements of TPRP submissions set out in paragraphs 4 to 42 above, please contact LAT of BPU, LandsD.

44. To enhance communication relating to landscape technical advice of TPRP, comments of LAT of BPU will be sent to RLA direct in advance of consolidated reply from the DLO or BPU.

45. All rights to modify the whole or any part of the Guidance Notes are hereby reserved.



**Building Plan Unit**  
**Development Control Section**  
**Lands Department**

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**Appendices**

- I Form 1** - Deemed Approval Submission for Tree Preservation and Removal Proposal within lot where Landscape Submission is made in connection with Planning Application
- II Form 2** - Deemed Compliance Submission for Tree Preservation and Removal Proposal within lot where Landscape Submission is made in connection with Planning Application
- III Form 3** - Submission of Tree Preservation and Removal Proposal for Prior Written Consent subject to Vetting under Tree Preservation Clause under Lease
- IV Form 4** - Consent Application for Tree Preservation and Removal Proposal for trees on Government land outside lot boundary or Coloured Areas to be handed back to B/D
- V Form 5** - Self-Certification of Compliance for Submission of Tree Preservation and Removal Proposal within lot under Tree Preservation Clause under Lease
- VI Form 6** - Self-Certification of Compliance for Completed Tree Preservation and Removal Proposal under Tree Preservation Clause under Lease
- VII Form 7** - Arboricultural Maintenance Operation: Removal of *Leucaena leucocephala* (銀合歡) upon Completion of Development Project or Issuance of Certificate of Compliance
- VIII Figure A** - Procedure Flow Chart for Deemed Approval Submission of Tree Preservation and Removal Proposal under Lease
- IX Figure B** - Procedure Flow Chart for Compliance Checking of Completed Tree Preservation and Removal Proposal under Lease
- X Figure C** - Procedure Flow Chart for Submission of Tree Preservation and Removal Proposal within Lot under Lease
- XI Figure D** - Procedure Flow Chart for Submission of Tree Preservation and Removal Proposal on Government Land outside lot under Lease