



REPUBLIC OF SLOVENIA
**MINISTRY OF THE ENVIRONMENT
AND SPATIAL PLANNING**

SPATIAL PLANNING, CONSTRUCTION AND HOUSING DIRECTORATE

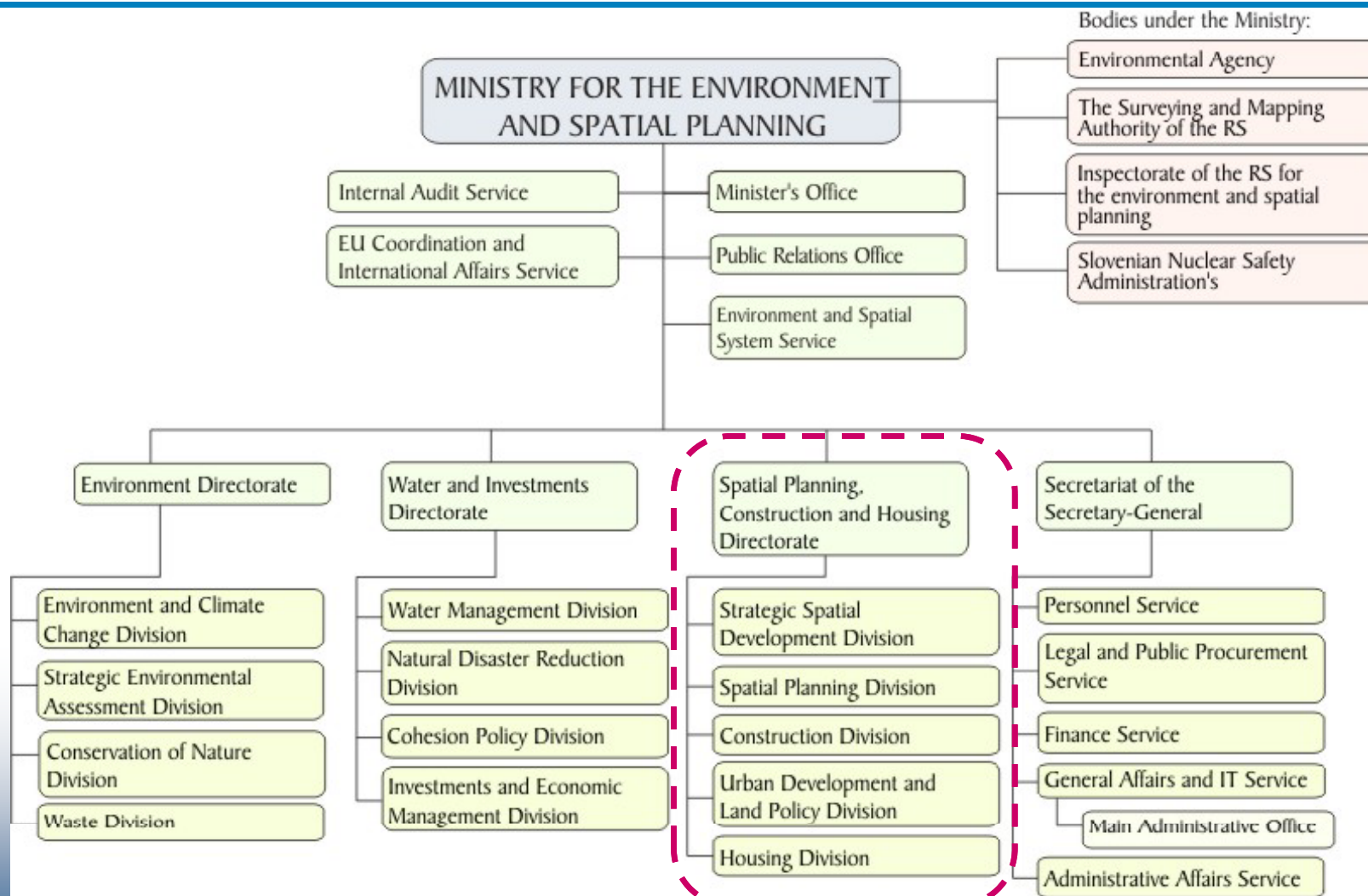
SEA and EIA in Spatial planning system

*Training strategy for Strategic Environmental
Assessment and Environmental Impact Assessment for
the implementation of ex-ante conditionality on SEA/EIA*

**MODUL 3
FRAMEWORK SEMINAR ON
SEA/EIA/Appropriate assessment**

Ministry of Environment and Spatial Planning of the Republic of Slovenia,
Dunajska 48, Ljubljana, Slovenia

Organization



Content of the presentation

- Spatial planning in Slovenia
- Administrative Competences for Planning
- Framework for Preparation of Spatial Plans
- The National Spatial Plan (NSP)
 - Spatial Arrangements of National Significance
 - The NSP Preparation Procedure
- NSP Statistics
- The Municipal Spatial Plan (MSP)
- Municipal Detailed Spatial Plan

Spatial planning in Slovenia

- Long tradition: legal basis in 1967, 1984, 2002, 2007, 2010...;
- Levels: national, local, no formal regions;
- Approach, in general: integral approach to spatial development at all levels;
- System of spatial planning documents:
 - Spatial Development Strategy of Slovenia and Spatial Order of Slovenia (2004),
 - National spatial plans (NSP) for spatial arrangements of national significance,
 - Municipal Spatial Plans (MSP),
 - Municipal Detailed Spatial Plans,
 - Inter-municipal spatial plans (not obligatory);

Administrative Competences for Planning

- The state has the authority:
 - to monitor the legality of spatial planning activities at lower levels,
 - to conduct and implement land policy,
 - maintain the spatial data system,
 - develop and encourage professional work in spatial planning and
 - participate in matters of spatial planning and management at the international level.
- The Ministry of the Environment and Spatial Planning of RS (among others):
 - oversees the preparation of Municipal Spatial Plans and determines references and guidelines for planning local spatial arrangements;
 - coordinates the preparation of National Spatial Plans (NSP) for spatial arrangements of national significance;
 - issues building permits for structures of national importance;

Framework for Preparation of Spatial Plans

- National Level:
 - The Act Regarding the Siting of Spatial Arrangements of National Significance in Physical Space (ZUPUDPP), October 2010;
 - Main difference from ZPNačrt: inclusion of EIA in NSP preparation;
 - Spatial Arrangements of National Significance;
 - National Spatial Plan (NSP);
- Local Level:
 - Spatial Planning Act (ZPNačrt), April 2007;
 - Spatial Arrangements of Local Importance;
 - Municipal Spatial Plans (MSP), Municipal Detailed Spatial Plans;

The National Spatial Plan (NSP)

- The NSP is a spatial planning document with which the spatial arrangements of national significance are planned;
- The NSP is the basis for the preparation of designs for the obtaining of a building permit (in accordance with Building Construction and Civil Engineering Act – ZGO-1);
- SEA and EIA procedures (if necessary) shall be carried out together with the NSP (Regular Preparation Procedure);
- SEA and EIA procedures, if not specified otherwise by ZUPUDPP, shall be carried out in accordance with Environmental Protection Act (ZVO-1) and Nature Conservation Act (ZON);

The National Spatial Plan (NSP)

- The EIA procedure shall not be carried out with the NSP (Preparation Procedure without EIA) when:
 - it is not known whether for arrangements, planned by the NSP, the EIA should be carried out, or
 - it is not possible to provide all contents necessary for the EIA, or
 - the preparation of the NSP has already been very close to its ending when ZUPUDPP came into force;

In this cases the EIA (if necessary) should be carried out after the adoption of NSP.

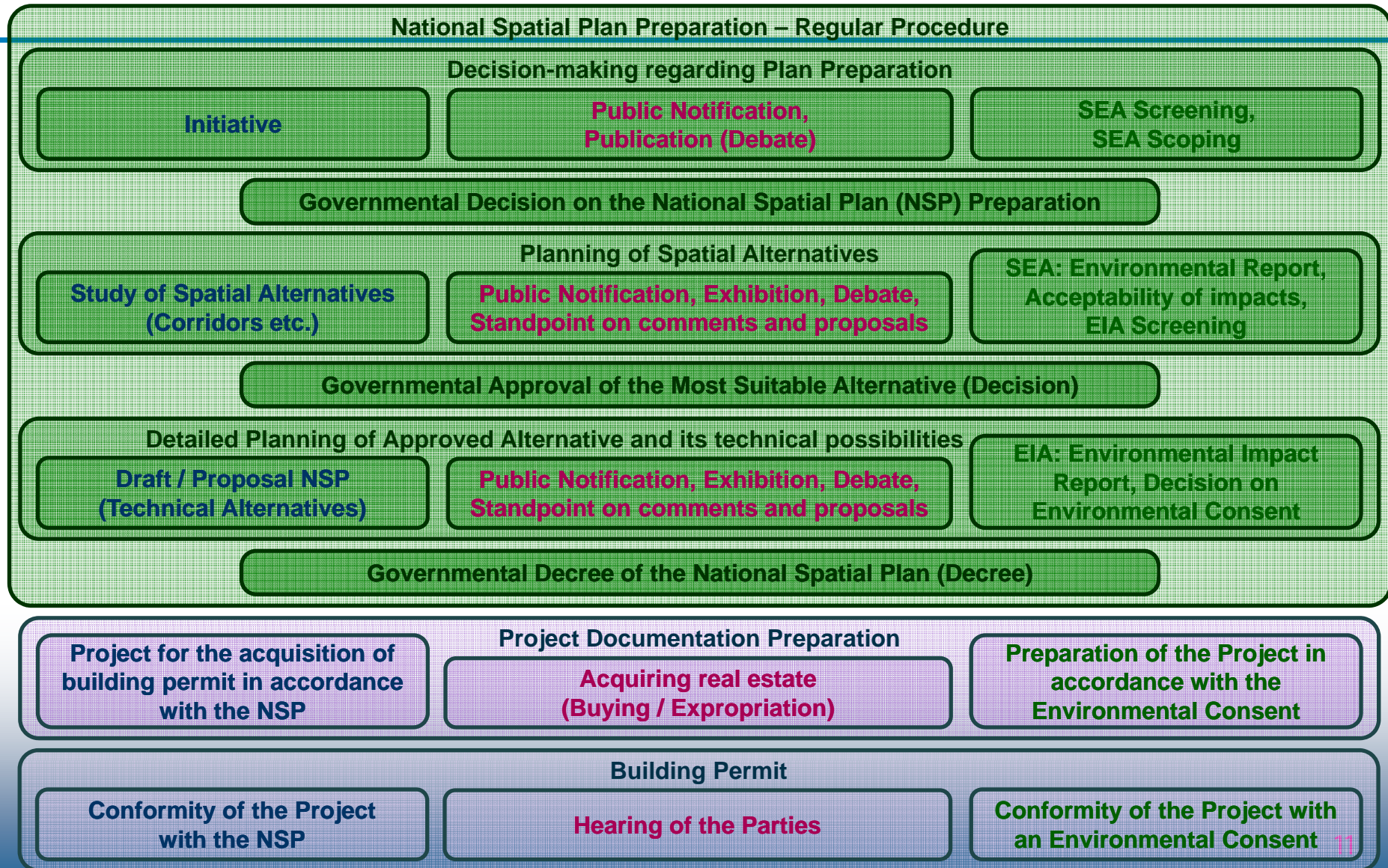
Spatial Arrangements of National Significance

- Road, Railway, Air Transport, Maritime and River Transport Infrastructure,
- Border Crossings and Transport Terminals,
- Energy Industry Infrastructure for Electricity, Natural Gas and Oil Supply, Nuclear Facilities and Mining;
- Public and State authorities' Communication Network,
- Environment Protection, Meteorology and Water Infrastructure,
- Defense of the State and Protection Against Natural and Other Disasters;
- Spatial Arrangements in the Area of Marine Water Land;
- Spatial Arrangements in the Protected Areas for Nature Conservation and of Cultural Monuments.

The NSP Preparation Procedure (Regular)

- 3 Phases:
 - Decision-making regarding Plan Preparation;
 - Planning of Spatial Alternatives;
 - Detailed Planning of Approved Alternative and its technical possibilities;
- In Every Phase:
 - Participation of Spatial Planning Stakeholders;
 - Public Participation;
 - Environmental Analysis;

The NSP Preparation Procedure (Regular)



Decision-making regarding Plan Preparation

- Initiator prepares an Initiative for preparing a NSP;
- A Coordinator submits the Initiative to all National and Local Spatial Planning Stakeholders → Guidelines for the Planning of Spatial Arrangements;
- Ministry responsible for SEA decides whether the SEA should be carried out for the NSP (SEA screening, scoping);
- A Coordinator publishes the Initiative on its web pages; the public has the possibility to give proposals, recommendations, directions, opinions; the Coordinator and Initiator may also organize a consultation with the aim of a more detailed notification;
- Analysis of Guidelines, Data and Proposals of the Public;
- Spatial Planning Conference;
- Decision on the Plan Preparation, adopted by the Government; a Coordinator publishes the Decision on its web pages;

Planning of Alternatives

- Investor prepares an Study of Alternatives and environmental report;
- Alternatives shall be evaluated and compared from the spatial planning, protection, functional and economic point of view and assessed from the point of aspect of acceptability in the local environment;
- A Coordinator and Initiator must provide a notification to the public with a Study of Alternatives and a proposal of the most suitable Alternative and Environmental Report → Public Notification of Public Exhibition and Debate; 30 days min.;
- During the Exhibition the public has the right to give comments and proposals about the Study of Alternatives with a proposal of the most suitable Alternative and the environmental report;
- Ministry responsible for SEA decides whether the Environmental Report is adequate;

Planning of Alternatives

- Examination of comments and proposals of the public and Municipalities: a Coordinator and Initiator shall take a standpoint on comments and proposals, and a Coordinator publishes such a standpoint on its web pages and submit it to Municipalities;
- Upon the publication of standpoints a Study of Alternatives and Environmental Report is supplemented and concluded;
- A Coordinator submits a Study of Alternatives to National Spatial Planning Stakeholders → (1st) Opinions on Proposal of the most suitable Alternative of Spatial Arrangements;
- Ministry responsible for SEA decides whether environmental impacts of a proposal of the most suitable Alternative are acceptable;
- Agency responsible for EIA decides whether the EIA should be carried out for the NSP (EIA screening);
- Approval of the Proposal of the Most Suitable Alternative, adopted by the Government; A Coordinator publishes the Decision on its web pages;
- The assessment of spatial alternatives is concluded;

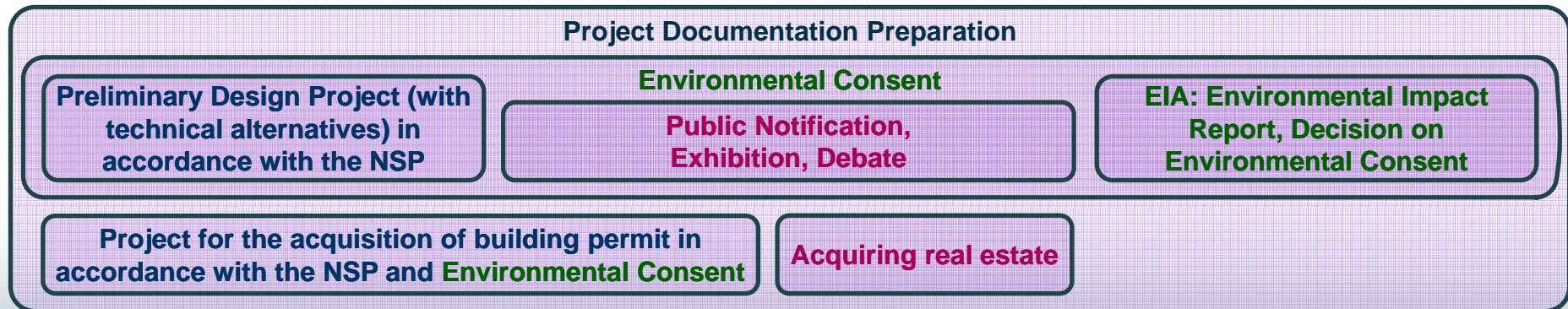
Detailed Planning of Approved Alternative

- Investor prepares Detailed technical solutions and its alternatives, a draft NSP and environmental impact report;
- Agency responsible for EIA issue draft decision on environmental consent;
- A Coordinator and Initiator must provide a notification to the public with a Draft NSP, Environmental Impact Report and draft decision on Environmental Consent → Public Notification of Public Exhibition and Debate; 30 days min.;
- During the Exhibition the public has the right to give comments and proposals about the Draft NSP, Environmental Impact Report and draft decision on Environmental Consent;
- Examination of comments and proposals of the public and Municipalities: a Coordinator and Initiator shall take a standpoint; a Coordinator publishes such a standpoint on its web pages and submit it to Municipalities;

Detailed Planning of Approved Alternative

- Solutions of the planned spatial arrangements may be amended on the basis of standpoints → Proposal of the NSP; Solutions must still be located within the zone of the Approved Alternative; It is necessary to verify whether an environmental impact report needs to be supplemented;
- A Coordinator submits a Proposal of the NSP and Environmental Impact Report to National Spatial Planning Stakeholders → (2st) Opinions on Proposal of the NSP;
- Agency responsible for EIA decides whether environmental impacts of a proposal of the NSP are acceptable → decision on Environmental Consent;
- The assessment of technical alternatives is concluded;
- Adoption of the NSP by the Government by means of a Decree;

The NSP Preparation Procedure without EIA



The NSP Preparation Procedure without EIA

- Two-phase procedure;
- Most Suitable Alternative is not adopted separately;
- SEA is carried out not only for alternatives, but also for NSP, made for most suitable one;
- NSP should be less detailed;
- A Coordinator and Initiator must provide a public exhibition of the Study of Alternatives with a proposal of the most suitable Alternative and NSP made for that alternative, and Environmental Report;
- Ministry responsible for SEA decides whether environmental impacts of a proposal of the most suitable Alternative planned by NSP are acceptable;
- A EIA (if necessary) is carried out after adoption of the NSP;

NSP Statistics

- Since October 2010 (the entry into force of ZUPUDPP) government adopted 34 NSP prepared by procedure without EIA, since all those NSP's were already in detailed planning phase of proposal of most suitable Alternative (preparation of draft NSP or later);
- Ministry is still coordinating the preparation of 10 such NSP;
- We are expecting to finish the preparation of first two NSP prepared by Regular Preparation Procedure in November 2015.

The Municipal Spatial Plan (MSP)

- A municipal spatial plan (MSP) is a spatial planning document which determines the objectives and references of spatial development of a municipality, plans spatial arrangements of local importance and determines the conditions for the placement of structures into physical space; it contains the strategic and operational part;
- A MSP is a basis for the preparation of a project for the acquisition of a building permit under regulations on construction (ZGO-1).
- Only SEA procedure (if necessary) shall be carried out together with the MSP;
- EIA procedure (if needed) shall be carried out after adoption of the MSP;

The Municipal Detailed Spatial Plan (MDSP)

- A municipal detailed spatial plan (MDSP) is a detailed spatial plan with which spatial arrangements in the areas of settlement, including areas of dispersed construction spatially related to them are planned in more detail; also in other areas if so required after the adoption of a MSP;
- A MDSP is a basis for the drafting of a project for the acquisition of a building permit under regulations on construction (ZGO-1);
- SEA procedure (if necessary) shall be carried out together with the MDSP;
- EIA procedure (if needed) shall be carried out after adoption of the MDSP;

The MSP and MDSP Procedure

Municipal Spatial Plan / Municipal Detailed Spatial Plan Preparation

Mayor's Decision on the Plan (MSP / MDSP) Preparation

Drafting of the Plan

Draft Plan

National Spatial Planning Stakeholders:
Guidelines / Opinions on Draft Plan

SEA Screening,
SEA Scoping

Planning of Alternatives / Proposal Plan

Supplemented Draft Plan
(Alternatives), Proposal Plan

Public Notification, Exhibition, Debate,
Standpoint on comments and proposals

SEA: Environmental Report,
Acceptability of impacts

Adoption of Plan by a Municipal Council (Decree)

Project Documentation Preparation

Preliminary Design Project (with
technical alternatives) in
accordance with the Plan

Environmental Consent (if needed)

Public Notification,
Exhibition, Debate

EIA: Environmental Impact
Report, Decision on
Environmental Consent

Project for the acquisition of building permit in
accordance with the Plan and Environmental Consent

Acquiring real estate

Building Permit

Conformity of the Project
with the Plan

Hearing of the Parties

Conformity of the Project with
an Environmental Consent

Thank you!