



Republic of Serbia  
Ministry of Environmental Protection  
Department for Major Chemical Accident Protection

# **National approach to integration of major accident hazards considerations into the spatial planning**

Seminar on the implementation of EU Directive on the Integrated Environmental  
Impact Assessment and SEVESO III

Ljubljana, Slovenija

14 March 2019

# Legal framework

Republic of Serbia is the Party to

- Convention on the Transboundary Effects of Industrial Accidents
- Convention on Environmental Impact Assessment in a Transboundary Context (the Espoo Convention) and
- Protocol on Strategic Environmental Assessment (SEA)
- Amendments to ESPOO Convention, Decision II/14 and Decision III/7, ratified 2016

## **EU legislation – partially transposed**

- Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU
- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment
- Seveso III Directive (2012/18/EU of 4 July 2012) on the control of major-accident hazards involving dangerous substances

# National legislation

Main legal acts:

- Law on Environmental Protection
- Law on Strategic Environmental Impact Assessment
- Law on Planning and Construction

# Law on Environmental Protection

- Integration of major accident hazards considerations into the spatial planning is done via SEIA or separate assessment of major accident hazards.

## General obligations

- Law on Environmental Protection defines that planning authority must take into account data, measures and conditions of prevention of major accidents when developing spatial and urban plans.
- LEP prescribes that spatial and urban plans shall ensure measures and conditions of environmental protection and in particular: defining areas to maintain appropriate distances between establishments and residential areas, public areas and areas of particular sensitivity or interest for protection of human life and health and the environment.

# Law on SEIA

- Law on SEIA prescribes that authority responsible for plan and programme preparation cannot continue further procedure of adoption of plans or programs without having obtained the approval from the competent environmental protection authority for the SEIA report.
- Decision-making procedure – authority responsible for the preparation of plans and programs shall submit to the authority responsible for environmental protection SEIA report for opinion and for approval – possible intervention regarding major accident hazards by safety authority.

# Law on Planning and Construction - Spatial and Urban Planning

Planning documents are spatial and urban plans.

- Spatial plans are:

- 1) Spatial plan of the Republic of Serbia;
- 2) Regional spatial plan;
- 3) Spatial plan of the local self-government unit;
- 4) Spatial plan of the special purpose area.

- Urban plans are:

- 1) General urban plan;
- 2) Plan of general regulation ;
- 3) Plan of detail regulation.

# Spatial and urban plans

- Law on Planning and Construction prescribes that Report on strategic environmental impact assessment is an integral part of the documentation basis of the planning document (spatial plans).
- An integral part of spatial plans of the local self-government units, spatial plans of the special purpose area and of urban plans are:
  - rules of regulation – contain conditions and measures of environmental and human health protection,
  - construction rules,
  - graphics.

# Decision on the preparation of planning documents

- The decision on the preparation of the planning document is made by the authority responsible for its adoption.
- Authorities, organizations and public companies that are authorized to determine the conditions for protection and landscaping and construction of facilities at the stage of preparation or modification of planning documents shall, at the request of developer of the plan, submit the requested data – possible intervention regarding major accident hazards by safety authority, general data at this stage.
- Prior to making a decision on the drafting of the planning document, the planner shall obtain the opinion of the competent authority for environmental protection regarding the need to develop a strategic environmental impact assessment.

# Early public insight

- After making a decision on the development of a spatial or urban plan, the planner organize an early public insight, i.e. informing the public with the overall objectives and purpose of the development of the plan, possible solutions for urban renewal, as well as the effects of planning.
- During the early public insight conditions and other important data for the preparation of the planning document are obtained from the authorities, special organizations, holders of public authority and other institutions - *intervention regarding major accident hazards by safety authority.*

# Draft of planning document

- After publishing the decision on the preparation of the planning document, developer of the plan start with drafting of the planning document.
- For the needs of the drafting of the plan, the developer shall collect data, in particular: the existing planning documentation, backgrounds, special conditions for the protection and spatial planning, other documentation relevant for the development of the plan, the condition and capacity of the infrastructure, other data necessary for the preparation of the plan, as well as the data from the report on public complaints received at the stage of early public insight – possible intervention, additional data, if needed.
- Public insight of the planning document.



**THANK YOU FOR YOUR ATTENTION!**