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SEA and land use planning in Hungary: Current practices and lessons for practical application of the EC SEA Directive

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Outline

• The system of planning and administration in Hungary
• Environment in the planning process
• SEA experience – case study of the National Development Plan
• Transposition of the SEA Directive
• Conclusions
### Policy context – administrative setting

<table>
<thead>
<tr>
<th>Local government types</th>
<th>Number</th>
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<tbody>
<tr>
<td>Municipality</td>
<td>3157</td>
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<tr>
<td>Districts of the Capital</td>
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<tr>
<td>Cities with County Rights</td>
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<tr>
<td>Towns</td>
<td>199</td>
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<tr>
<td>Villages</td>
<td>2913</td>
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<tr>
<td>Capital</td>
<td>1</td>
</tr>
<tr>
<td>Counties</td>
<td>19</td>
</tr>
</tbody>
</table>

**TOTAL all levels of LG:** 3177

- Many small municipalities:
  - 91% with pop.<5 000, 75% with pop. <1 000,
  - Only 9 cities with pop. >100 000

### Other levels of planning

- 7 statistical regions *(NUTS 2)*
- Over 150 micro-regions *(NUTS 4)*
Spatial planning in Hungary – 1.

- New regime introduced in 1996 by the *Act XXI on Regional Development and Spatial Planning*
- Two main types of plans
  1. *Strategic development plans*
     - ‘development concept’
     - ‘development programme’
  2. *Regulatory plans*
     - ‘spatial plan’, land-use plan with building code

Spatial planning in Hungary – 2.

<table>
<thead>
<tr>
<th>Level of administration</th>
<th>Development concept &amp; programme</th>
<th>Spatial (land-use) plan</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Preparation</td>
<td>Approval by</td>
</tr>
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<td>National</td>
<td>Mandatory</td>
<td>Parliament</td>
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<tr>
<td>Regional</td>
<td>Mandatory</td>
<td>Regional Development Council</td>
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<td>County</td>
<td>Mandatory</td>
<td>County Development Council</td>
</tr>
<tr>
<td>Micro-region</td>
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<td>Micro-regional Development Council</td>
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<tr>
<td>Municipality</td>
<td>Optional</td>
<td>Local Assembly</td>
</tr>
</tbody>
</table>


Planning & environment in legislation

• No existing provisions for SEA

• EC SEA Directive is still to be adopted – as in all EU Member States by July 21, 2004

• Regional Development and Planning legislation
  – Requires environmental considerations in goal setting and action planning
  – Requires a description of socio-economic and environmental effects to be included in all plans

• 1995 framework Environmental Act
  – Requires environmental assessment of all national policies
  – Requires local governments to prepare ‘environmental programmes’

Planning & environment in practice

• No research information on the implementation of the environmental provisions of the regional development regulations

• Selected examples show significant differences
  – In several municipal plans environmental chapter is limited to a one page description of current conditions
  – In a few plans of larger local governments (counties, larger cities) environmental sections are elaborated and include detailed environmental improvement objectives (e.g. wastewater infrastructure), as well as provisions for environmentally cautious land use and building codifications
  – No formal impact assessments
SEA in Hungary

• Existing SEA experiences:
  – Several environmental assessments of transport plans and policies
  – SEA of the Operational Programme on Regional Development of the National Development Plan (REC – VÁTI - MoE&W)

• No formal SEA of a land use plans

• Planning system provides for a good systemic basis for introducing a formal SEA system
  – Initial assessment of baseline conditions
  – Objective setting and problem analysis
  – Consultation and public participation

SEA of the Operational Programme on Regional Development of the NDP

• A comprehensive and formal assessment process, parallel with the drafting of the NDP during April 2002 – August 2003

• A team of experts coordinated by the REC, in consultation with the Ministry of Environment and the Institute for Regional Development

• Two main phases:
  – Drafting the ROP – extensive consultation between the planners and the SEA team
  – A formal assessment of the ROP – preparation of the SEA report
SEA of ROP (NDP) – key lessons

• The ROP should lead to no major environmental problems as a result of the SEA

• Yet, the ROP was only a sub-element of the NDP, other OPs were not subject of an SEA

• Different levels of stakeholder involvement
  – Limited cooperation with strategic decision-makers
  – Most active were the NGOs (some 20 organisations with over 3000 comments)

• Main merits:
  – First formal SEA process conducted
  – A comprehensive methodology developed and tested
  – Significant publicity and stakeholder involvement

Transposition of the SEA Directive (1)

• Amendment to the Environment Act, & a dedicated Government Decree outlining the scope and details of the SEA procedures

• PPs subject to SEA:
  – If preparation of the PP required by legislation and created by government/state authority
  – Mandatory SEA for several PPs listed in Annex I of the proposed Decree
  – Others under descretion of the relevant environmental authorities
Transposition of the SEA Directive (2)

• Process is very much in line with the text of the Directive
  – Ministry of Environment and the regional environmental authorities are assumed main responsibility in deciding on the need for SEA and approving the SEA reports
  – The SEA report must be made public
  – The scope of SEA must cover both direct and indirect impacts (*special emphasis in the Hungarian proposal*)

Transposition of the SEA Directive (3)

Implementation may be problematic in the context of land-use plans:

• The proposal requires SEA for all types of development and spatial plans at all levels of government
  – Thousands of plans across the country
  – No differentiation in SEA scope by levels and types of PPs – ‘one size fits all’?
  – Large number of small local authorities with limited resources
  – Limited number of SEA expertise
Opportunities for effective implementation

- Former SEA cases supported the development of SEA expertise:
  - Methodology have been adopted
  - A small number of guidances prepared
  - SEA experts are emerging
  - Awareness of key stakeholders have been raised

- Current discussions on the proposed legislation potentially lead to its improvement

Conclusions

- There is only very limited experience available in Hungary regarding SEA
- The existing planning regulations provide for only limited integration of environmental considerations
- Former SEA experience with the ROP supported the strengthening of local capacities
- The transposition of the EC SEA Directive create great opportunities but also pose challenges for an effective SEA system to be developed
- The solid planning system provides a good foundation
- The main bottle-neck is the limited capacity of local governments and other state organisations
Thank you for your attention!

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