

Sub-regional workshop on land-use planning and industrial safety (Eastern Europe and the Caucasus)

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Republic of Moldova



Exchange of experiences and good practices: implementation of and integration between land-use planning and industrial safety in the framework of the SDGs – the case of Georgia

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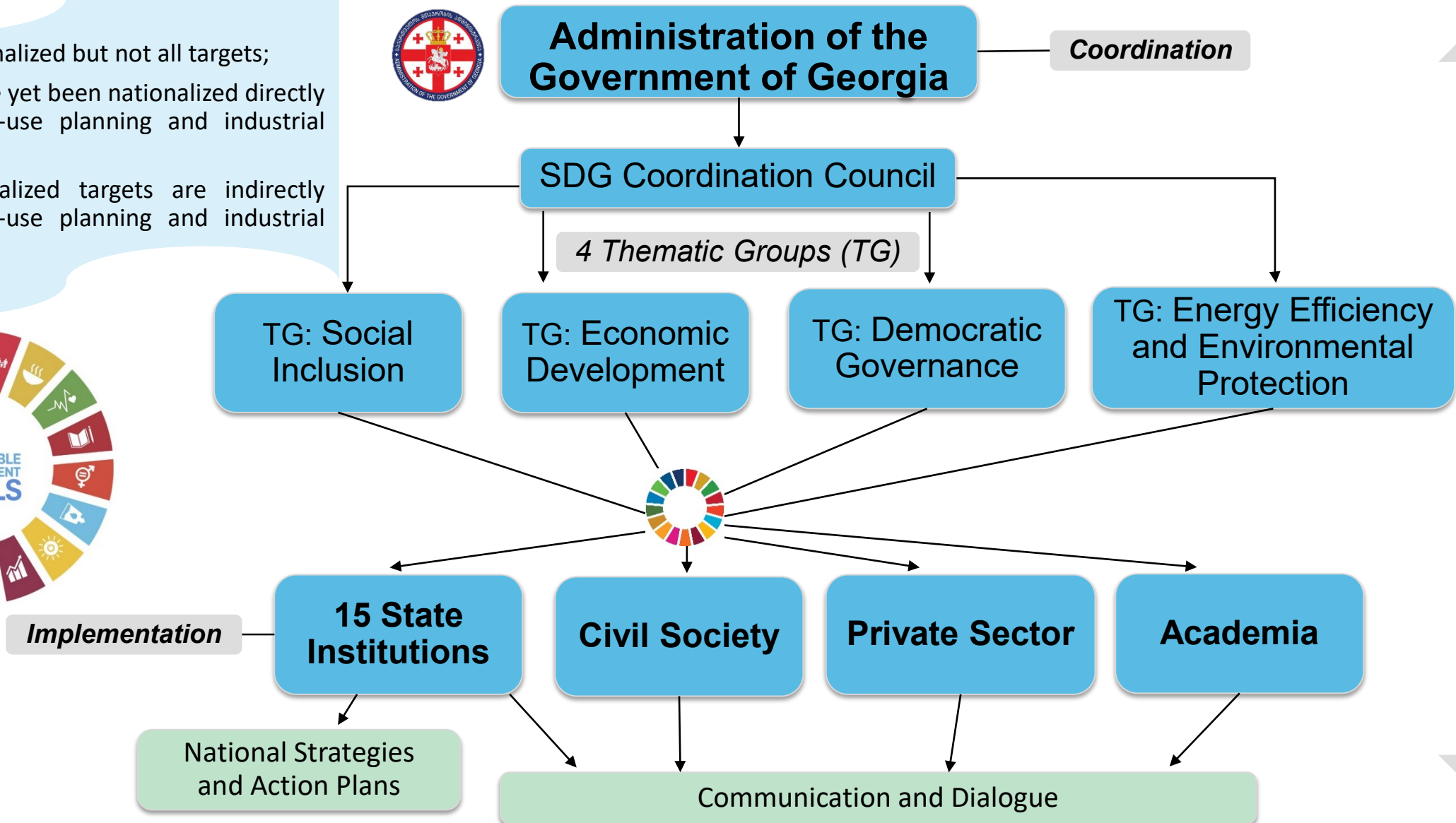
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SDG implementation

- All Goals Nationalized but not all targets;
- No targets have yet been nationalized directly linked to land-use planning and industrial safety;
- Some nationalized targets are indirectly linked to land-use planning and industrial safety.



Overview of legislation on industrial safety in relation to land-use planning/siting of hazardous activities

Environmental Assessment Code (2017)

Environmental Assessment code regulates the procedures related to **EIA, SEA and Transboundary EIA/SEA**.

The Code introduces the principles of the **EIA and SEA directives** as well as the approaches of the **Espoo Convention and its protocol on SEA**, and the **Aarhus Convention**.

Environmental Assessment Code considers industrial accidents safety in both SEA and EIA instruments.

Potential impacts are described under the EIA or SEA with sufficient detail necessary for siting or land-use plan decision-making. All reasonable preventive measures to reduce any environmental impacts are addressed.

Georgia is obliged to harmonize its legislation and organizational structure on industrial pollution (**IED: Industrial Pollution EU-Directive**) and industrial hazards (**SEVESO III EU-Directive**).



Application of EIA/SEA when implementing industrial safety and land-use planning measures in Georgia

EIA (came into effect after 1st January, 2018)

Projects listed in the Annex 1 are subject to mandatory EIA, while projects listed in the Annex 2 require screening procedure based on which the decision on necessity of the EIA will be made.

SEA (came into effect after 1st July, 2018)

Strategic documents which set framework for future development projects listed in Annex 1 and Annex 2 of the Environmental Assessment Code and are prepared for following sectors: **Agriculture; Forestry; Fishery; Energy; Industry; Transport; Waste management; Water resources management; Electronic Communications; Tourism; Spatial planning.**

Both EIA and SEA cover the **Transboundary Environmental Impact Assessment**.

Together with ratification of the Espoo convention and its protocol the Transboundary EIA/SEA will come into effect.

Overview of legislation and institutional structures on land-use planning and the siting of hazardous activities

Land-use Legislation:

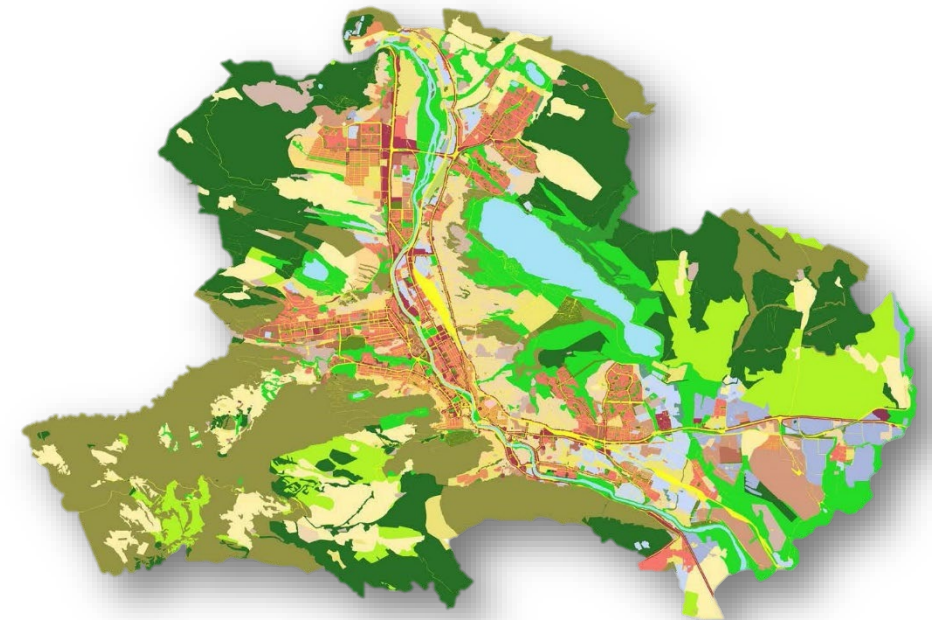
Code on Spatial Planning, Architectural and Construction Activities and by-laws
entry into force 2018-2020

The Code regulates:

- land use and spatial planning;
- urban planning;
- urban zoning, **including industrial zones**;
- architectural and construction activities;
- basic requirements for buildings and construction materials;
- terms and conditions for issuing building permits;
- construction supervision and control.

Land use planning in practice:

- Land-use plans for 11 settlements approved, including master plan of the capital Tbilisi;
- Land use plans for 4 municipalities under discussion;
- Construction and development plans for 32 villages under discussion;
- Deadline for all municipalities 2028.



Tbilisi Land Use Master Plan

Overview of legislation and institutional structures on land-use planning and the siting of hazardous activities

Land-use competent Authorities:

Ministry of Regional Development and Infrastructure:

- Spatial planning policy and legislation;
- Elaboration of National Land-use Master Plan;

Ministry of Economy and Sustainable Development:

- Construction policy and legislation;
- Construction permitting (special classes of buildings);
- Oversee State lands;

Ministry of Environmental Protection and Agriculture:

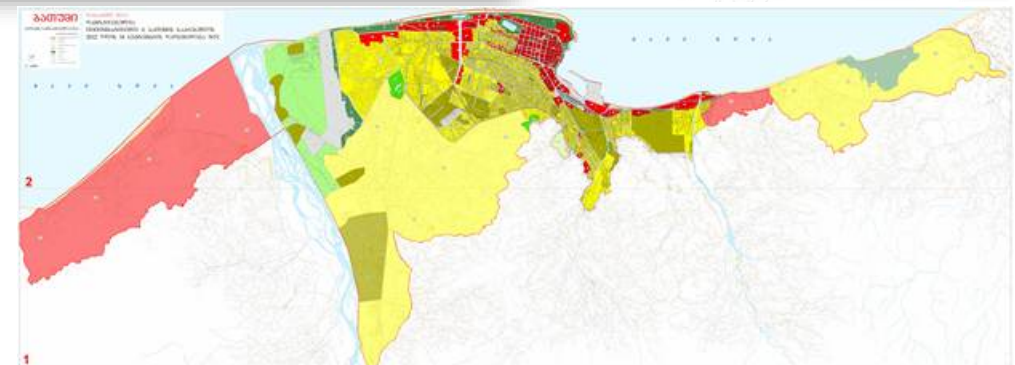
- EIA/SEA procedures, permitting, legislation;
- Agricultural land-use policy and legislation;
- Land protection policy, legislation, monitoring, control;
- Land-use balance.

Ministry of Justice:

- Land registration;
- Changing land categories.

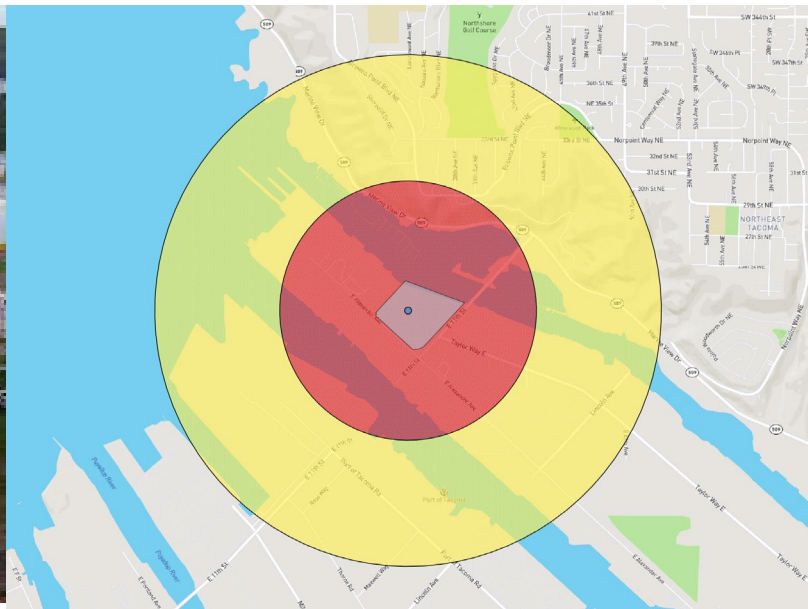
Local Municipalities:

- Elaboration and implementation of land use plans;
- Construction permitting and supervision (other classes of buildings);
- Oversee municipal lands.



Linkages between the industrial safety and land-use planning procedures

- Law on “Civil Safety” 29.09. 2014 – MoIA
- Presidential Decree -National Response Plan on emergency situation management (Responding to chemical and radiological emergencies) – coordination of all the stakeholders in the case of emergency situation;
- Draft Law “Control of the Major Accident Hazards” (Seveso III directive) – includes the article on land-use planning issues, safety reporting requirements, emergency planning and etc.



Cooperation between land-use planning authorities and industrial safety authorities

Case: Tbilisi Land-use Master Plan

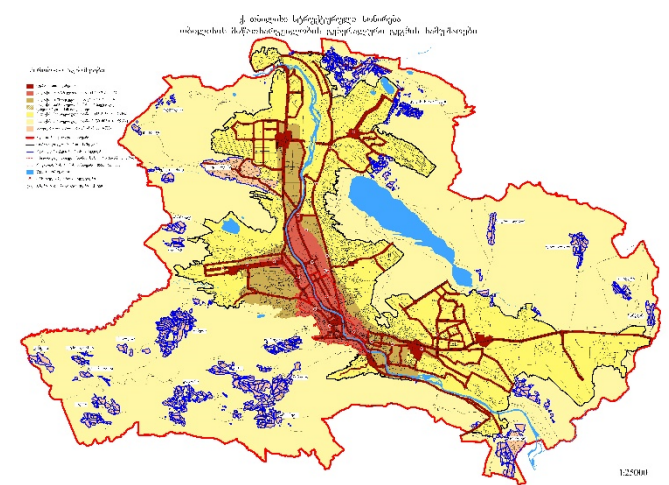
approved 15.03.2019

- Compared to previous master plan number industrial facilities decreased;
- The aim of the master plan - further reduction of industrial facilities.

Tbilisi Land-use Master Plan considers two types of industrial zones:

Industrial Zone 1 – with sustainable, clean, environmental and climate friendly and energy-efficient enterprises which can be placed inside living or business areas;

Industrial Zone 2 – with the enterprises and facilities that will stay in the city because of several subjective or objective reasons and maintain their functions. Enterprises with increased environmental requirements.



Challenges in the implementation of and coordination between land-use planning and industrial safety



- New land-use planning legislation;
- Gaps in industrial safety legislation;
- Gaps in institutional setting (both in terms of land-use planning and industrial safety);
- Low rate of land-use planning on national or regional level (only 10% of Municipalities with land-use plans, lack of country national land-use master plan);
- Lack of experience and expertise (mostly on regional level) in land-use planning;
- Lack of financial resources and human capacity;
- Lack of data and land use information system;
- Lack of well-shaped and explicit cooperation patterns and platform between land-use planning and industrial safety;
- Old legacy.

Opportunities/ideas for overcoming challenges in Georgia

- Facilitate implementation of the Law on Spatial Planning, Architectural and Construction Activities;
- Adopt industrial safety legislation harmonized with EU directives and designate competent authorities;
- Allocate financial resources from national budget and mobilize donor support;
- Facilitate preparation of land-use plans for all municipalities by 2028;
- Prepare and adopt National Land-use Master Plan;
- Strengthen human capacity and expertise;
- Initiate regional project on industrial safety to support:
 - Creation of common standards and approaches;
 - Capacity building of national competent authorities for the development transboundary cooperation on industrial prevention and response.



Thank you for your attention!

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