

19. AUSTRIA

19.1 Water Resources Management Policies and Actions

Implementation of EU Water Framework Directive

In Austria, as a EU member, it will implement the EU Water Framework Directive, for which the Austrian Water Act (Wasserrechtsgesetz (WRG)) was amended in line with the requirements stipulated by the EU Water Framework Directive (WFD) in late 2003 (Federal Legal Gazette No 82/2003).³⁰⁵ The principles of the Directive are:

- to set specific environmental objectives regarding surface waters and groundwater
- undertake comprehensive analyses of the characteristics of river basins and the impacts of human activity and their consequences
- to establish river basin management plans by 2009
- to apply economic instruments in order to ensure an efficient and economic use of aquatic resources
- to prevent further deterioration of the status of aquatic ecosystems (non-deterioration clause)
- to encourage active involvement of all interested parties in the implementation of this Directive (public participation)

The policies of water resources management aim to:³⁰⁶

- secure a sustainable use of water resources by adjusting any kind of use to the water reserves presently available or to the renewable capability of the quantitative and qualitative water balance.
- assure a stable water balance at regional level by striking a balance between water use and the natural renewal capacity of certain regions (catchment areas).
- maintain or restore a near-natural state of water bodies while safeguarding the right to water of future generations.
- protect the human living space against damages or threats caused by water. Natural extreme events are a feature of the hydrological cycle. The living space and the economic environment of the societies need to be protected against the related dangers, such as floods, debris flows, or avalanches. Water use must be adapted to potential dangers.
- prevent contamination of all waters that guarantees that neither human beings nor animals are exposed to health hazards and that allows the use of ground and spring water as drinking water, and to use surface water for public or commercial purposes, to preserve the integrity of fish waters, as well as to avoid impairment of nature or landscapes and occurrences of any other observable damage. In this respect, water pollution prevention is the conservation of natural water conditions in terms of physical, chemical and biological parameters.

³⁰⁵ Extracted from the "Seventh State of the Environment Report – 3.3 Water Resource Management", http://www.umweltbundesamt.at/fileadmin/site/umweltkontrolle/2004/E0303_wasserw.pdf, page 82

³⁰⁶ Extracted from the "Seventh State of the Environment Report – 3.3 Water Resource Management", http://www.umweltbundesamt.at/fileadmin/site/umweltkontrolle/2004/E0303_wasserw.pdf, page 81, 82

19.2 Environmental Evaluation/SEA in Austria

Since 2004, Austria has been transposing the requirements of the SEA Directive 2001/42/EC into its legal system. The requirements have also been implemented within the framework of various material laws at federal and provincial levels.

At federal level, SEA implementation for waste management, air, noise and water has been concerned by amendment of relevant acts, e.g. Federal Water Management Act, Federal Act on Waste Management, Federal Act on strategic assessment into the transport sector, Federal Act on Environmental Noise and Federal Act on Air Quality.

At provincial level depending on the type of programme the fields of waste, hunting/fisheries, provincial roads, agriculture, noise, nature conservation, land-use planning, regional subsidisation, water supply and waste-water disposal are concerned, either through amendment of their planning acts or through SEA Acts. These SEA Acts cover not only planning, but also other sectors.^{307 308 309} Until mid 2006, Austria had transposed partly, with national legislation in place for certain sectors at federal level and with all the nine Austrian provinces, except Burgenland, having transposed the Directive.³¹⁰

Various aid tools (e.g. manuals) on the application of the SEA have been worked out at federal and provincial levels, with regard to the content requirements and proposals for practical works from scoping to monitoring, and the assessment of the significance of environmental effects.³¹¹

A number of pilot applications of SEA have been undertaken since 1995. SEA pilot studies have been undertaken in Austria covering different geographical areas and planning sectors. All of these applications have improved the planning process, e.g. through considering alternatives, analyzing environmental consequences and documenting the likely environmental effects. Some of the pilots also contributed to the adoption of better quality plans and programmes in which environmental concerns were taken into account in decision-making. Not all of the measures recommended have been implemented and the effectiveness of SEA remains to be seen. In this case, a round table process was used to facilitate effective stakeholder involvement.³¹²

³⁰⁷ Extracted from the "The Relationship between the EIA and SEA Directives - Final Report to the European Commission" by the Imperial College London Consultants, under the section of Austria, http://ec.europa.eu/environment/eia/pdf/final_report_0508.pdf, page 25

³⁰⁸ Details of SEA implementation for the nine provinces in Austria can be refer to "SEA in spatial/land use planning in the 25 EU member states - a July 2006 update", <http://www.laum.uni-hannover.de/uvp/aktuell/SEAINMS2006.pdf>, page 5

³⁰⁹ <http://www.umwelt.net.at/article/articleview/56917/1/7404/>

³¹⁰ Reference to "SEA in spatial/land use planning in the 25 EU member states - a July 2006 update", <http://www.laum.uni-hannover.de/uvp/aktuell/SEAINMS2006.pdf>, page 5

³¹¹ <http://www.umwelt.net.at/article/articleview/56917/1/7404/>, SEA manuals can be found in the following links: <http://www.umwelt.net.at/filemanager/download/14143/>, <http://www.umwelt.net.at/filemanager/download/8357/> & <http://www.umwelt.net.at/filemanager/download/8358/>

³¹² Extracted from "Strategic Environmental Assessment: A sourcebook and reference guide to international experience" by Barry Dalal-Clayton and Barry Sadler, 2004, http://www.iied.org/Gov/spa/documents/SEAbok/Chapter3_Oct04.pdf, section 3.3.2

In Austria, there is a special SEA model, the 'SEA Round Table', which the SEA is carried out by an SEA team consisting of representatives of local and national authorities, external experts and representatives of interest groups. All members of the SEA team participate in the whole SEA process, from defining objectives to preparing the environmental report. The SEA team tries to find a consensual plan/programme solution with integrated environmental aspects. The SEA Round Table goes beyond the requirements of the SEA Directive. It means more pro-active participation than information and consultation.³¹³

SEA activities in Austria also include reviews of international and national approaches and experience, for example in relation to policies and legislation, plans and programmes that will be subject to the SEA Directive and screening procedure and criteria.³¹⁴

When carrying out SEA in Austria, it involves the following steps:

- defining the scope;
- preparing the environmental report;
- taking into account the results and decision-making;
- monitoring.³¹⁵

³¹³ Extracted from a seminar report on "Strategic Environmental Assessment - making a Difference" by Brussels published by the European Environmental Bureau, under the section of "The Development of SEA in Austria", <http://www.eeb.org/activities/SEA/SEA-report.pdf>, page 36

³¹⁴ Extracted from "Strategic Environmental Assessment: A sourcebook and reference guide to international experience" by Barry Dalal-Clayton and Barry Sadler, 2004,

http://www.iied.org/Gov/spa/documents/SEAbook/Chapter3_Oct04.pdf, section 3.3.2

³¹⁵ <http://www.umwelt.net.at/filemanager/download/14143/>

19.3 Environmental Evaluation/SEA on Water Resources Management in Austria

As mentioned in section 19.2, the EU SEA Directive has not yet been fully implemented into Austrian laws. Current status of SEA in Austria has been summarised below:³¹⁶

- Federal level – plans and programmes in the field of waste, noise, air transport and water are concerned.
- Provincial level – programme in the fields of waste, hunting/fisheries, provincial roads, agriculture, noise, nature conservation, land-use planning, regional subsidization, water supply and waste-water disposal are concerned.

Information of the process and requirements on SEA can be referred to section 19.2.

A summary table for both the water resources management policies and actions and SEA status in Austria is presented in **Exhibit AT-1**:

Exhibit AT-1 Summary of Water Resources Management (WRM) Policies and Actions and SEA status in Austria	
(a) WRM Policies and Actions	
WRM Policies and Actions	Policies <ul style="list-style-type: none"> • Implementation of EU Water Framework Directive Actions <ul style="list-style-type: none"> • N/A
Guidance/Legislations in WRM	Austrian Water Act
(b) Environmental Evaluations / SEA Status in WRM Policies and Actions	
Type of Assessment	SEA
Requirement Mechanisms	Statutory
Legislation for Environmental Evaluation / SEA	The requirements in SEA Directive have been implemented in Austria within the framework of various material laws at federal and provincial levels.
Applications	Plans and Programmes

³¹⁶ Extracted from the website of the Federal Ministry of Agricultural, Forestry, Environment and Water Management, <http://umwelt.lebensministerium.at/article/articleview/56917/1/7404/>

19.4 Analysis and Conclusions

WRM Policies

The Austrian Water policy is traditionally based on a general protection of all waterbodies, surface waters and groundwater, irrespectively of their use. This was already laid down in the Austrian Water Act of 1959. The last amendment of the water Act of 2003, takes into account the European water policy of the *EU Water Framework Directive*.

Compared to Austria, Hong Kong is not within the EU Directive regime and the scope of water resources need to be managed is restrained to the two main sources of water – rainfall from natural catchment and supply from Guangdong. It is Water Supplies Department's (WSD) scope of work to cover the whole process from the collection of natural yield from rainfall, the reception of raw water from Guangdong to the provision of a supply with a quality of accepted international standards to the users' taps. WSD also supplies sea water for flushing purposes to over 80% of the population. For protection against flooding, sewage collection, treatment and disposal, it is under Drainage Services Department's (DSD) jurisdiction.

For the sustainable development of Hong Kong, WSD has initiated a *Total Water Management programme* comprising key elements of new water resources, water reclamation, water conservation and water resources protection and management was initiated for better utilization of the different water resources.

Similar to Austria, Hong Kong, while is part of Guangdong province, has a neighbour city, Shenzhen, to the north. Effective transboundary cooperation is considered to be essential for the protection of inland water bodies.

EE/SEA

As an EU Member State, Austria is obliged to adopt the requirements of the EU Directive 2001/42/EC by bringing into force the laws, regulations and administrative provisions necessary to comply with the Directive.

Since 2004, Austria has been transposing the requirements of the SEA Directive 2001/42/EC into its legal system. The requirements have also been implemented within the framework of various material laws at federal and provincial levels. Until mid 2006, Austria had transposed partly, with national legislation in place for certain sectors at federal level and with all the nine Austrian provinces, except Burgenland, having transposed the SEA Directive.

Hong Kong is not an EU Member. Hong Kong's SEA/EE is under Environmental Protection Department's (EPD) jurisdiction. Similar to the EU Member counterparts, there are both statutory and administrative systems for PPP projects in Hong Kong. While the statutory requirements govern primarily large scale development projects (i.e. over 20 ha of area or population over 100,000), the administrative counterpart has been applied to land use planning, transportation and sectoral PPP.

In most EU Member States' practices, a statutory system is put in operation for WRM related plans and programmes. Hong Kong may adopt a similar approach by expanding the scope of the current statutory system to cover other sectors such as WRM.

Also, the SEA Directive sets out the requirements for undertaking environmental assessments for plans and programmes in various sectors, namely, agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, etc. A similar scope or categorisation of sectors is recommended for setting up within Hong Kong's next generation SEA management framework.



Foto: BMLFUW/AMA-Bioarchiv/ÖW³¹⁷



Fischkutter auf dem Lake Kariba³¹⁸

³¹⁷ Source: <http://land.lebensministerium.at/article/archive/13752>

³¹⁸ Source:

http://www.8goals4future.at/newdesign1.php?kthid=7115&s=1&no_sub_kats=1&activate_noaddline=1&suchtext=&artikelid=98336

19.5 Examples of Water Resources Management Policies / Actions or their Environmental Evaluation/SEA

Owing to limited information available from the internet, there are no suitable examples for Austria.