

UNECE

Guidance on Land-Use Planning, the Siting of Hazardous Activities and related Safety Aspects



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Background and acknowledgements

In response to the need to improve cooperation and coordination between land-use planning and industrial safety procedures, the United Nations Economic Commission for Europe (UNECE) decided to develop a guidance on land-use planning, the siting of hazardous activities and related safety aspects under three UNECE instruments — the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention), the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment (Protocol on SEA).

In 2014, the Conference of the Parties to the Industrial Accidents Convention adopted a workplan for 2015–2016, which included an activity on the sharing of good practices and development of guidance on safety and land-use planning. It was agreed to carry out this activity in cooperation with the Protocol on SEA to the Espoo Convention and the UNECE Committee on Housing and Land Management, with the support of the European Investment Bank, the EU bank. The guidance was expected to explain how the notion of land-use plans and programmes used in other relevant legal instruments applied to the Industrial Accidents Convention's provisions on the siting of hazardous activities. In 2015, the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment (Working Group on EIA and SEA) under the Espoo Convention and its Protocol on SEA agreed to include the activity in the workplan for 2014–2016, with a view to promoting synergies with the Industrial Accidents Convention.

Three UNECE instruments — Industrial Accidents Convention, Espoo Convention and its Protocol on SEA — address issues related to land-use planning, the siting and modification of hazardous activities from different perspectives.



Parties to the Industrial Accidents Convention are obliged to ensure that operators of hazardous facilities reduce risks and demonstrate the safe performance of these facilities, and competent authorities shall carry out regular inspections and issue licences or bans. Parties shall seek the establishment of policies for the siting and significant modification of hazardous activities and land-use planning in the broader context, taking account of transboundary risks. The Espoo Convention is a key instrument to bring together all stakeholders to prevent transboundary environmental damage before it occurs, through environmental impact assessment of planned activities, including industrial and chemical installations and thermal and nuclear plants. The Protocol on SEA augments the Espoo Convention by ensuring that individual Parties integrate environmental and health considerations into their economic development or land-use plans and programmes at the earliest stages, providing for extensive public participation in the governmental decision-making process. While negotiated in the framework of UNECE, the Protocol on SEA is open for accession by non-UNECE States and the Espoo Convention in the process of becoming a global instrument.

In accordance with the respective mandates, the guidance was developed jointly under the Industrial Accidents Convention, the Espoo Convention and the Protocol on SEA, in cooperation with the UNECE Committee on Housing and Land Management, with the support of the European Investment Bank, the EU bank. It is comprised of two parts — general guidance (Part A) and technical guidance (Part B). The guidance was drafted by consultants to the UNECE secretariat: Mr. Lorenzo van Wijk, expert on land-use planning and the siting of hazardous activities, Mr. Jerzy Jendroska, legal expert, and Mr. Jiri Dusik, environmental assessment expert.

A draft version of the guidance was considered by the Working Group on the Development of the Convention of the Industrial Accidents Convention and by the Working Group on EIA and SEA under the Espoo Convention and its Protocol on SEA during a joint workshop held in Geneva on 13 April 2016. The Working Group on EIA and SEA further revised the draft guidance at its meeting in November 2016. The Conference of the Parties to the Industrial Accidents Convention at its ninth meeting (Ljubljana, 28-30 November 2016) took note of the guidance (Parts A and B), and entrusted the Bureau with its finalization on the basis of the points raised at the meeting and also the comments of the subsidiary body to the Espoo Convention and its Protocol. The Meetings of the Parties to the Espoo Convention and the Protocol on SEA endorsed the general part of the guidance (Part A) and took note of its technical part (Part B) at their seventh and third sessions, respectively (Minsk, 13-16 June 2017). The governing bodies encouraged countries to promote the implementation of the guidance among land-use planners, environmental assessment experts and industrial safety specialists. They also requested the relevant body secretariats to publish it.

The secretariat of the Industrial Accidents Convention and the Espoo Convention and its Protocol on SEA ensured the review of the guidance and its finalization, which was possible, thanks to the contributions by Tea Aulavuo, Nicolas Bonvoisin, Olga Carlos, Amy Edgar, Franziska Hirsch, Claudia Kamke, Alma Nurmalina, Gaelle Rigo, Yelyzaveta Rubach, Aphrodite Smagadi and Rebecca Wardle.

Foreword



Industry plays a crucial role in our everyday lives by providing jobs and delivering a wide range of materials, products and services. Yet, rarely do we think about the hazardous substances that are stored, processed or produced at industrial facilities and the severe consequences that their accidental release into the soil, air or water may have on our lives, the environment and economies. The devastating impacts of such disasters, including in a transboundary context, have been demonstrated by major industrial accidents within and beyond the United Nations Economic Commission for Europe (UNECE) region over the past decades. Most of us surely remember or have heard about the accidents at the Sandoz storehouse in Switzerland (1986), the Ajka aluminium refinery in Hungary (2010) or the Buncefield explosion

in the United Kingdom (2005). The effects of such accidents are often more severe if coordination between industrial safety experts and land-use planning authorities was lacking to ensure, for example, appropriate safety distances. The Tianjin disaster in China (2015) has demonstrated the severe impacts of an accident in a storage facility on the surrounding densely populated area and its homes and schools. The present Guidance on Land-use Planning, the Siting of Hazardous Activities and related Safety Aspects has been developed to avoid and minimize the adverse impacts of such accidents on our communities and environment — if they do occur.

Safety and environmental considerations must come first in decisions on the use of land, and the location of industrial hazardous activities. It is of utmost importance to ensure that appropriate safety measures are in place at industrial facilities, and that they are not constructed in areas prone to natural disasters and other risks, which are likely to be exacerbated by the expected increase of extreme weather events due to climate change. Assessing the potential environmental and health risks posed by hazardous industrial facilities, raising awareness of these risks, and identifying the safest and most sustainable alternatives, in a cross-sectoral dialogue, is crucial in this regard. There is thus an ongoing need for greater integration of industrial safety, land-use planning and environmental assessment procedures — to be able to make coordinated decisions on accident prevention and risk reduction. As such, this guidance supports countries in their efforts to implement the Sendai Framework for Disaster Risk Reduction 2015-2030 and the 2030 Agenda for Sustainable Development with its Sustainable Development Goals.

Three UNECE legal instruments — the Convention on the Transboundary Effects of Industrial Accidents, the Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment — address issues related to land-use planning and the siting of hazardous activities from different perspectives. In light of the need for better integration between the different communities, the three UNECE instruments worked together with the European Investment Bank, the EU bank to develop guidance on land-use planning, the siting of hazardous activities and related safety aspects. The guidance shares examples and points to good practices of countries' efforts in the UNECE region to integrate industrial accidents safety considerations into environmental assessment and land-use planning processes.

I encourage public authorities, industry experts, environmental assessment practitioners, facility operators and other relevant stakeholders to make extensive use of this guidance for improving safety and sustainability at hazardous facilities, siting decisions, and land-use planning around these facilities. I look forward to the successful implementation of the guidance across the UNECE region and beyond, so as to limit the number of industrial accidents and minimise consequences for human health and the environment.

Olga Algayerova
Executive Secretary
United Nations Economic Commission for Europe

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