



# The Governance of Land Use

## Country fact sheet Austria

### The planning system

#### *Levels of government and their responsibilities*

Austria is a federal state with three levels of government; the national level, nine federated states and 2 100 municipalities. The federal constitution assigns responsibility for local planning to municipalities. As it does not mention other aspects of planning, those remain within the responsibility of the federated states.

Despite the lack of responsibilities for formal planning, the national government has important tools to influence the spatial structure of the country. It plans and finances major infrastructure projects such as national road, railways and main energy transmission lines. Furthermore, it enacts some environmental and heritage protection legislation that restricts and steers the possibilities to develop land. The national government is also an important actor in the *Austrian Conference on Spatial Planning* (an important institution aimed at co-ordinating planning across levels of government; see below) and hosts its secretariat.

States hold most powers related to planning and pass their own framework legislation to organise spatial and land-use planning. Despite this, most states have structured their planning systems in comparable ways. All federated states except for one (Vorarlberg) have state spatial plans and most states also plan at a regional (i.e. sub-state) scale. Nevertheless, important differences between states remain. They are related to aspects such as the formal process and the practice of regional and intercommunal planning; the permitting practices related to retail developments; the culture of informal co-operation between municipalities; the use of financial instruments to actively influence developments; and the intensity with which state governments try to influence land-use policies of local governments. Besides their direct responsibilities for planning, states can also shape their spatial structure through their responsibility for environmental legislation, housing, economic development and infrastructure of state-wide importance.

Municipalities in Austria are among the smallest within the OECD with an average population 4 000 inhabitants. Nevertheless, they hold considerable responsibilities for the strategic spatial planning within their territories as well as for the preparation of land-use plans. Some states (e.g. Salzburg) encourage or oblige municipalities to form municipal associations that prepare regional spatial plans.

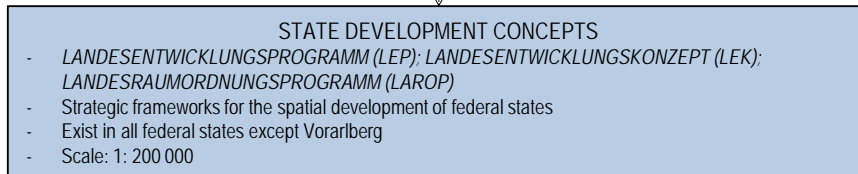
All three levels of government work together in the Austrian Conference for Spatial Planning, which is a dedicated multi-level governance body to co-ordinate spatial policies between national regional and local levels (see below for further details).

## Organisation of spatial and land-use planning in Austria

### General framework National



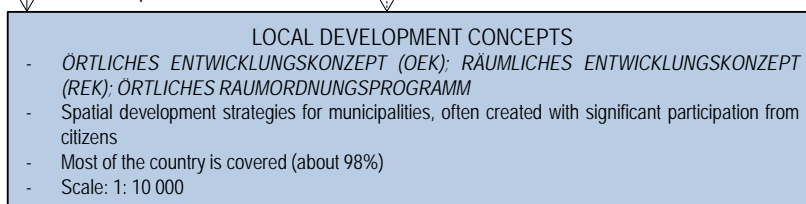
### State



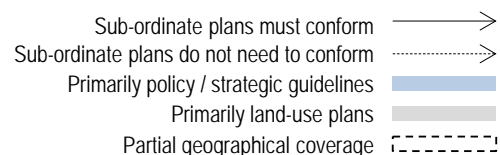
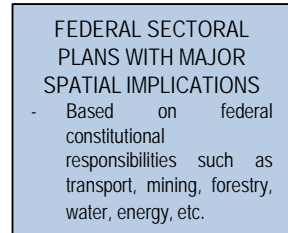
### Regional



### Municipal



### Sectoral Plans



### *Spatial and land-use plans*

At the national level, the *Austrian Spatial Development Concept* is the most important strategic planning document. It contains broad policy objectives for spatial development and suggests policies and how to achieve them. It also mentions the relevant actors that should be involved in the implementation of the proposed policies. *State Development Concepts* exist in eight out of the nine federated states. They are mid-term to long-term strategic documents that are renewed approximately every 10 to 20 years. They describe the main objectives related to spatial development and provide guidance on planning

procedures and the involvement of different sectoral policies and regional and local actors. They are not primarily land-use plans, but may contain small scale land-use maps of specific areas. Furthermore, the national government prepares a variety of sectoral plans for policy fields under its responsibility, which may or may not have important spatial implications.

Below *State Development Concepts*, *Regional Development Concepts* exist in most states, but are often prepared only for parts of a state. The nature of regional planning at the sub-state level is one of the characteristics that varies the most between states. Accordingly, the content of *Regional Development Concepts* differs significantly. In some states they are prepared only for special areas, such as alpine ski resorts. In other states they contain long-term visions and again in others, they contain detailed land-use plans which are binding for subordinate plans. Many *Regional Development Concepts* have in common that they focus on governance aspects and describe issues such as inter-municipal co-ordination, and citizen involvement. Furthermore, they are used as communication tools and address all spatially relevant actors.

*Local Development Concepts* are the main strategic plans of municipalities that outline spatial development objectives for the short-term, medium-term and long-term. They exist in virtually every municipality in Austria. Sometimes, they are prepared in collaboration with neighbouring municipalities. They are binding for subordinate plans. As all other local plans, they are approved by a vote of the municipal council and confirmed by the government of the responsible federated state. Below *Local Development Concepts*, two different local plans exist that are both legally binding for land owners. All municipalities prepare *Land Use Plans*, which contain general zoning regulation that shows the permitted types of land use typically at a scale of 1: 5 000. As no value capture tools exist, zoning decisions in municipal *Land Use Plans* have strong financial consequences for land owners. The second type of binding plans for land owners are *Regulatory Plans* that specify details of permitted developments, such as building heights and architectural elements. They have scales between 1: 1 000 and 1: 500 and exist in two different versions that either cover an entire municipality or parts of it. They are prepared only by some municipalities and typically only for areas that are either important or subject to large-scale development projects. As an exception, the *Regulatory Plan* and the *Land Use Plan* are combined into a single document in the capital Vienna. Lastly, municipalities frequently prepare *Concept Plans* for important development projects. These plans are not binding, but are supposed to inform the public and test concepts at an early stage of the planning process.

### ***Major laws and regulations***

Most important laws and regulations related to land use are state laws (including the framework legislation describing the planning systems). Usually, a *Spatial Planning Act* and a *Building Act* structure the land-use planning system. They are complemented by laws and regulation on the environment, state roads, agriculture, economic development and housing and housing subsidies.

### ***Co-ordination mechanisms***

The *Austrian Conference on Spatial Planning* is a collaborative effort of the national government, state governments, local governments, business associations, and civil society associations. It aims to provide high-level co-ordination of spatially relevant policies across the country and assemble relevant stakeholders from the political and administrative level. Furthermore, two types of formalised vertical co-ordination mechanisms between state and local governments exist. State governments and municipalities enter co-operation agreements regarding specific aspects of their spatial policies on a voluntary basis.

Moreover, state governments act as supervisory authorities that monitor the compliance of local plans with state plans.

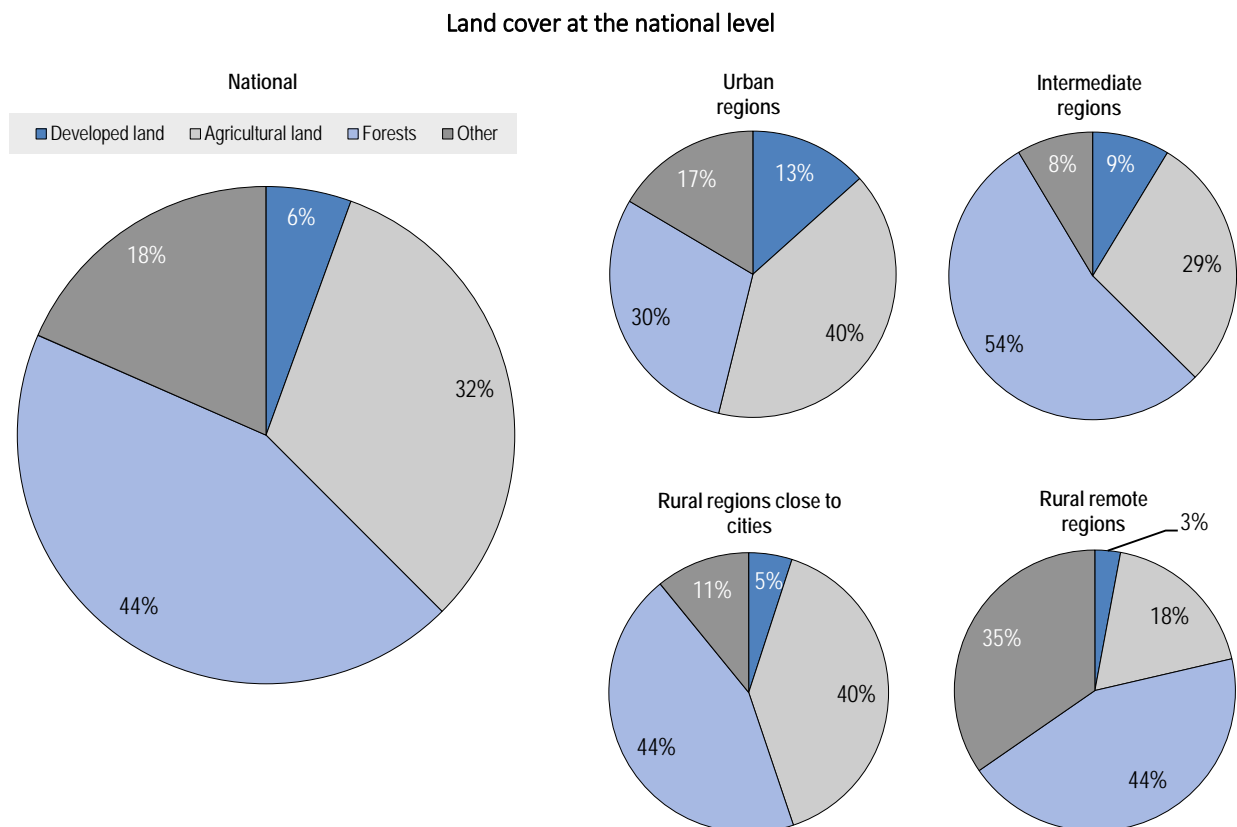
### *Expropriations*

Expropriation is possible for a variety of reasons as long as they are in the public interest. While expropriations for transport infrastructure projects are comparatively easy, the legal difficulties to expropriate land for other types of development are considerably higher.

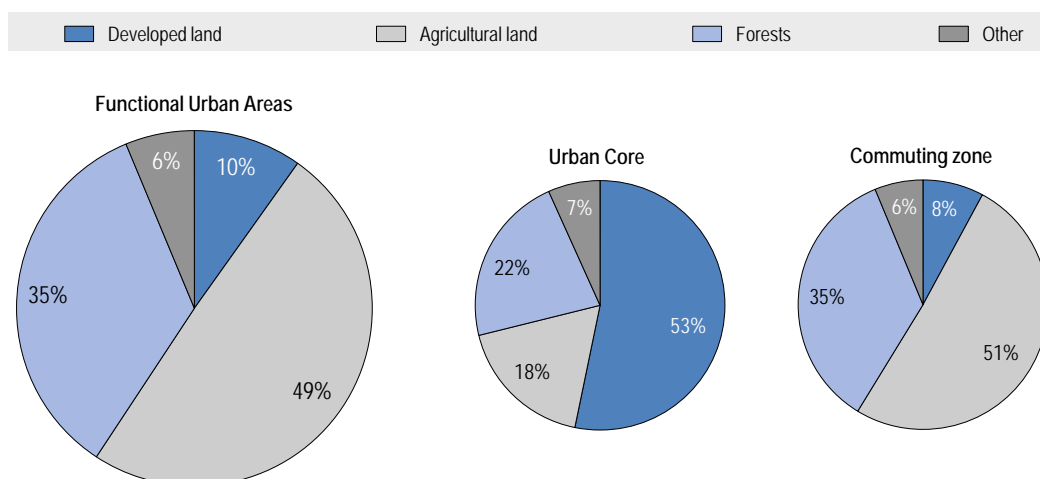
### *Recent and planned reforms to the system of land-use planning*

Generally, the responsibility of the federated states for spatial planning was established in 1920 when the constitution was approved. Most of the relevant legislative changes since then have occurred on the level of the federated states. More recent changes on the national level occurred primarily through the approval of subsequent versions of the *Austrian Spatial Development Concepts* in 1981, 1991, 2001 and 2011. The most recent version places a strong emphasis on the implementation of plans through thematic partnerships (“ÖROK-partnerships”), regional governance and integrated planning for urban agglomerations.

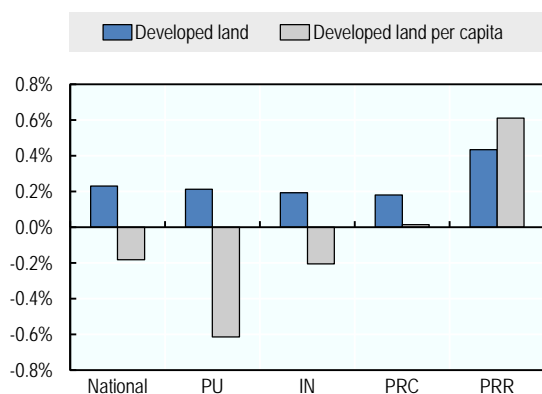
## Land cover in Austria



## Land cover in functional urban areas (FUAs)

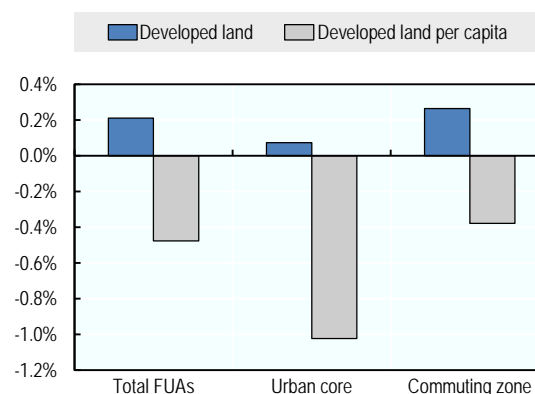


### Annual change in developed land from 2000 to 2012



Note: PU: urban regions, IN: intermediate regions, PRC: rural regions close to cities., PRR: rural remote regions.

### Annual change in developed land in functional urban areas from 2000 to 2012



Note: Values for urban cores and commuting zones refer only to FUAs with more than 500 000 inhabitants.

## Land-use trends in Austria

Austria has above-average land consumption, but a below-average growth in developed land. In urban and intermediate regions, the level of growth in developed land has been below population growth, whereas in rural regions the growth of developed land was faster than population growth, resulting in increased per capita land consumption in those areas. Especially the core parts of metropolitan areas experienced strong population growth without a corresponding increase in developed land. In contrast, commuting zones of metropolitan areas saw smaller increases in population, and somewhat higher rates of growth of developed land.

Source: OECD calculations based on European Environment Agency (2012), *Corine Land Cover (CLC) 2012, Version 18.5.1* (database), hereafter "*Corine Land Cover dataset*".

## Land cover at the national level in Austria

Land cover (km <sup>2</sup> )	National	Urban regions	Intermediate regions	Rural regions close to cities	Rural remote regions
Total area	83 861	7 425	9 977	40 604	25 855
Total developed land	4 652	993	865	2 033	761
Percentage of total	5.5%	13.4%	8.7%	5.0%	2.9%
Annual change in developed land, 2000-12	10.6	2.1	1.6	3.6	3.2
Annual percentage change in developed land, 2000-12	0.23%	0.21%	0.19%	0.18%	0.43%
Agricultural land	26 804	3 005	2 869	16 164	4 766
Percentage of total	32.0%	40.5%	28.8%	39.8%	18.4%
Annual change in agricultural land, 2000-12	-6.2	-1.9	-1.3	-2.3	-0.8
Annual percentage change in agricultural land, 2000-12	-0.02%	-0.06%	-0.05%	-0.01%	-0.02%
Forests	36 950	2 202	5 386	17 987	11 375
Percentage of total	44.1%	29.7%	54.0%	44.3%	44.0%
Annual change in forests, 2000-12	-40.5	-0.7	-5.0	-12.2	-22.5
Annual percentage change in forests, 2000-12	-0.11%	-0.03%	-0.09%	-0.07%	-0.20%
<b>Land cover per capita (m<sup>2</sup>)</b>					
Total developed land per capita	553	340	496	705	882
Annual percentage change in developed land per capita, 2000-12	-0.18%	-0.61%	-0.21%	0.01%	0.61%
Agricultural land per capita	3 188	1 030	1 644	5 605	5 524
Annual percentage change in agricultural land per capita, 2000-12	-0.43%	-0.89%	-0.44%	-0.18%	0.16%
Forests per capita	4 395	755	3 086	6 237	13 185
Annual percentage change in forests per capita, 2000-12	-0.52%	-0.85%	-0.49%	-0.23%	-0.02%

## Land cover in functional urban areas (FUAs)

Land cover in FUAs (km <sup>2</sup> )	FUAs	Urban core	Commuting zone
Total area	21 344	926	20 418
Total developed land	2 101	493	1 608
Percentage of total	9.8%	53.2%	7.9%
Annual change in developed land, 2000-12	4.4	0.3	4.1
Annual percentage change in developed land, 2000-12	0.21%	0.06%	0.26%
Agricultural land	10 551	166	10 386
Percentage of total	49.4%	17.9%	50.9%
Annual change in agricultural land, 2000-12	-4.0	-0.3	-3.7
Annual percentage change in agricultural land, 2000-12	-0.04%	-0.18%	-0.04%
Forests	7 354	205	7 149
Percentage of total	34.5%	22.1%	35.0%
Annual change in forests, 2000-12	-2.9	-0.03	-2.9
Annual percentage change in forests, 2000-12	-0.04%	-0.01%	-0.04%
<b>Land cover per capita in FUAs (m<sup>2</sup>)</b>			
	FUAs (50 000+ inhabitants)	Urban core (only FUAs 500 000+)	Commuting zone (only FUAs 500 000+)
Total developed land per capita	434	178	746
Annual percentage change in developed land per capita, 2000-12	-0.48%	-1.02%	-0.38%
Agricultural land per capita	2 181	46	5 076
Annual percentage change in agricultural land per capita, 2000-12	-0.72%	-1.38%	-0.68%
Forests per capita	1 520	55	2 587
Annual percentage change in forests per capita, 2000-12	-0.73%	-1.09%	-0.69%

Source: All land cover statistics for Austria are based on OECD calculations based on *Corine Land Cover dataset*.