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PAGE 1: CONTACT FOR FURTHER INFORMATION

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PAGE 3**Q5: What does the term BROWNFIELD mean in your country?**

In Austria, no formally agreed or legal definition exists.

In 2004, a general characterisation according to international projects was suggested through a study (see literature: Umweltbundesamt 2004):

- formerly used sites (e.g. industrial, commercial, settlements, mining, infrastructure, military uses), which are derelict or underused
- contamination problems might exist or are assumed due to the (former) use
- require (environmental) intervention to bring them back to beneficial use

In 2009 a national standard (ÖNORM S 2093: Survey and assessment of the environmental status of used surfaces for real estate evaluation) defined:

- formerly used property or part of a property, which is not used or only marginally used at present

NOTE: Due to general characteristics of the site (e.g. location, zoning plans, existing infrastructure) it has a potential use capacity (the length of a derelict period is not considered as a significant characteristic)

Q6: Is the presence of contamination essential for a site to be considered a brownfield site?	No
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Q7: Are brownfields managed through the normal processes applying to land development, or are there are alternative processes or laws that are specific for managing (and developing) brownfields? Please detail the legal framework that is used/applied for managing brownfields. If this is different from the framework normally applied, please detail the key differences.

In Austria there is no specific legislation or policy for the management and redevelopment of brownfields. Accordingly brownfields are generally managed through the normal processes to land development.

However since 1989 Austria has a specific legal and funding framework for investigating and remediating historically contaminated sites (contamination occurring before 1.07.1989).

The Altlastensanierungsgesetz (ALSAG, Law for the Clean-up of Contaminated Sites) regulates definitions, procedures with regard to registration, investigation and assessment of historically contaminated sites, and serves as a tool for financing remediation measures.

At the time being the Austrian Ministry of Environment (BMLFUW) prepares a revision of the legal framework. The importance of brownfield revitalisation in terms of reducing land consumption through land recycling is recognised. Accordingly new approaches to unlock underused sites by possible legal or financial incentives are under discussion.

Land developers and investors often perceive brownfields as being connected to unknown environmental and/or financial risks. To overcome such barriers a national standard (ÖNORM S 2093, see also question 5) describes a protocol and criteria how to perform real estate evaluation at brownfields.

Q8: Is there a specific inventory of sites that meet the above definition of a brownfield (as opposed to inventories / registers of contaminated sites)? Yes

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Q9: Please provide details such as a web link.

Several municipalities and provinces have developed a web-based information system among others for abandoned sites and brownfields (e.g. Kommunales Standort Informationssystem KOMSIS www.komsis.at, Wirtschaftsregion Steiermark Nord – freie Industrie- und Gewerbegrundstücke www.stmk-nord.at/index1.php; Standortdatenbank Kärnten www.standort-kaernten.at, Standortservice Graz-Steiermark www.standortservice.at, OÖ TMG, vacancy databases in several communities).

Q10: How often is the brownfields inventory updated and by which authorities/organisation(s) (e.g. national – Department or Ministry, specific organisation [e.g. land registry/ site inventory, public development enterprise, etc.], regional – regions, provinces, states, autonomías, etc., local – municipality)?

Since the existing inventories are managed at a provincial or regional basis the update of the inventories is done individually e.g. according to new offers.

Q11: What is the extent of brownfields in your country (e.g. number of hectares)?

In 2004 a study "Reuse potential of industrial/commercial brownfields in Austria" was released which revealed that Austria holds a reasonable potential of brownfields with more than 100 km² or around 3.000 - 6.000 sites. Furthermore it was estimated that brownfield sites are generated, which leads to around 10 km² a year. Evaluating the sites according to their location and the current demand it is expected that around 1/6 of new land consumption can be covered by brownfield rehabilitation. Though, in praxis, this coverage is expected to be lower.

Q12: Is this a very minor percentage or a significant percentage of the total land that is being developed? Minor percentage

Q13: Of the potentially available Brownfields, what percentage is being developed over the next 5 year period? Respondent skipped this question

Q14: Is there any evidence that the extent of brownfield land is growing, stable or reducing over time? Stable,
Please give details
data/Information neither qualitative nor quantitative available

Q15: What is the typical time taken for developing a brownfield site? *Respondent skipped this question*

Q16: Is this different from the time taken for developing large areas of greenfields land? If there is significant difference, why is this? Yes,
If there is significant difference, why is this?
Depending on the urgency of the redevelopment and reuse, the time for developing brownfield sites might not be much longer than for developing greenfield land. Often, the necessity of new infrastructure when going on a greenfield land is not taken into consideration.

PAGE 5: Further details

Q17: If there is a law/policy/regulation regarding brownfields, what are the key principles of this (e.g. integration with land planning legislation / regulation, fit for use vs. land uses, management tools such as restriction of uses)?

No such legal instruments exist. However, some provinces refuse building permits if the site is registered in the database of potentially contaminated sites.

Q18: Are there legal, policy or regulatory imperatives that require brownfields redevelopment / reuse, or limit the amount of development that can take place on greenfield sites? No,
If yes please give details
The reactivation of brownfields is acknowledged as an approach to limit new land consumption and soil sealing in some national policy documents (e.g., Austrian Sustainable Development Strategy 2008, Austrian Spatial Development Concept 2011), but no specific legislation, policy instrument or action plan exists for the redevelopment of brownfields in Austria.

Q19: Are there financial incentives (such as tax breaks, or grants, national / regional special funds) that encourage brownfields redevelopment? For example: State of Wisconsin (United States) Ready for Reuse Grant and Loan Program Ready for reuse loans and grants are used for environmental cleanup of hazardous substances or petroleum at brownfields throughout Wisconsin. Loan and grant funds can be used for eligible costs incurred during the grant or loan agreement period for cleanup of contamination from hazardous substances or hazardous substances commingled with petroleum. Loans. All loans are zero interest and are for long-term projects. Applicants should give strong consideration to applying for larger loan amounts (\$250,000 or greater). Grants. The maximum grant amount is \$200,000 per site. Grants will be awarded to projects that can be completed in two years. Grant applicants must own the property. Financial requirements. Loan and grant applicants must provide a minimum of 22 percent of the requested funds as a match contribution. Other state or local (but not federal) grants may be used as match "provided that the grant and loan periods overlap, the grants are for eligible cleanup activities and those activities will be incurred during the same time period." Source: Kovalick, Walter W., Jr.; Montgomery, Robert H.. 2014. Developing a Program for Contaminated Site Management in Low and Middle Income Countries. World Bank Group, Washington, DC. © World Bank.

Yes,

If yes please give details

Distinct funding programmes for land recycling are sparsely developed. Communities, investors and project developers depend on an individual variety of funding possibilities from diverse funding instruments. Principally, funding can be provided by the EU, the government or provinces for direct or indirect re-use of brownfields, e.g. at national (e.g. ERP-Fonds) or regional level (e.g. Dorf- und Stadterneuerung; Förderung des Einkaufs in Stadtzentren NAFES; ÖÖ Wirtschaftsimpulsprogramm). Brownfield sites, which are classified as 'seriously contaminated sites' according to ALSAG, fall under the provision of a national funding mechanism. Interested parties may apply for public funding of remediation measures (maximum between 55 and 95 %). The legal framework for funding is the Umweltförderungsgesetz (1993) and based on this the Förderungsrichtlinien (2008). Within the selection of the most appropriate remediation option in course of an option appraisal the public and private use-interest as well as the reduction of soil sealing due to the redevelopment of the site are considered.

Q20: If the brownfields involve land or groundwater contamination, can the future uses of land or groundwater be restricted for an area or precinct of land, so as to reduce the level of remediation / clean up that is required? For example:a. Can land be zoned to a less sensitive use such as commercial or park that requires less remediation? b. Can groundwater extractive use be prohibited so that the groundwater does not need to be cleaned up / remediated for extractive use? c. Can development of the land have a restriction as to the a particular type of building (eg buildings with water proof and vapour proof basements or floor slabs) to limit the requirement for clean-up / remediation?

In Austria a range of legal frameworks exists which implicate contaminated sites. The level of remediation is driven by legal requirements, which up to now are defined in particular by legislation with regard to water protection (Water Act, 1959 and ordinances) and waste management (Waste management Act, 1990 and ordinances). Future or envisaged changes in use are not a regular legal mechanism to lower remediation efforts. With regard to historically contaminated sites new legislation providing for more flexibility is under discussion.

Q21: Are financial mechanisms [e.g. bonds, warranty, insurance, financial guarantee, etc.] required to ensure that remediation / clean-up will be carried out to the level required, or to address any problems that might appear later? If possible, please detail the existing financial tools and/or give reference/weblink.

With regard to remediation the application of financial mechanisms and tools is not common.

Q22: If the brownfields involve land contamination, is the design of a brownfield redevelopment plan determined on the basis of locating less sensitive land uses on contaminated ground, and more sensitive land use on land that is not contaminated or is less contaminated?

Given that serious contamination is managed appropriately, tailor-made brownfield redevelopment plans are possible and may match the planning of uses (with regard to different sensitivities) complementary and recognising the type and intensity of contamination within moderately to low contaminated sectors.

Q23: How is community consultation involved in determining the design of the development?

In general awareness of possible benefits of involving the local community is given. However according to usual procedures in land development there are no formal requirements or specific incentives. Therefore it is the decision of land developers whether and how local communities are involved (of course, neighbours and interest groups have a right to be heard in legal procedures.)

Q24: Does your jurisdiction have any particular brownfield sites that are good examples of how brownfield sites can be restored to more productive use? (provide a link to case study or no more than half a page summary of the site and approach taken).

From a tobacco factory to a university

In 1995 Danube University Krems, which had been founded one year previously, moved into premises in which Virginia cigars used to be rolled since 1850. Simultaneously, the construction of the new Krems Campus was started and completed in 2005. A modern building made from steel, glass and aluminium was erected opposite to the existing building and harmoniously integrated into the historical landscape. The building is again playing an important role in this region today. It is the work-place of more than 200 individuals, a pulse generator in terms of science, and a cultural meeting point.

<http://www.donau-uni.ac.at/en/universitaet/ueberuns/chronik/tabakfabrik/index.php>

From a textile mill to a modern church

The former factory from 1672 was one of the oldest in the textile sector in Linz. After its insolvency in 1983 the area and its building from 1907 was revitalised under initiatives of engaged inhabitants in 1999. The renovated building hosts apartments, shops and a church in the basement.

<http://www.dioezese-linz.at/pfarre/4488/marcelcallo/geschichtederpfarre/article/11746.html>

From a soda factory to an integrated industrial/commercial area Ebensee

The original soda factory dates back to the year 1883. In 2005 the production was reduced from yearly 160.000 t of Soda to 30.000 t SOCAL (calcium carbonate). On the large vacant parts of the site with all its existing buildings and infrastructure an industrial and commercial area was established which hosts different companies and services (e.g. supermarkets, hardware stores etc.).

<http://www.solvay.at/de/solvay-in/werk-ebensee.html>

Solar power station with public participation on a former landfill site

From 2007 to 2011 remediation and safeguarding measures were undertaken on a former landfill site started in 1957. Subsequently, within 2 expansion stages a solar power plant was established with all negative and positive consequences (sustainable redevelopment of areas without alternative use, increased construction costs, increase in operational expenses). Before the project was set up the community was involved within a participative process and afterwards through the purchase of photovoltaic panels and making profit through the yearly rental income.

<https://www.evn.at/EVN-Group/Uberblick/Aktuelles/BBM-Maria-Enzersdorf/Schonkirchen.aspx>

From a leather factory to a shopping mall

The central location of a former leather factory (in operation from 1951 till 1966) initiated the establishment of a shopping centre. The outer surface of the former main building was integrated into the modern shopping mall. The redevelopment of the around 20.000 m² big area in less than 2 years (2004 till 2006) increased the purchasing power of the inner city and prevented the movement of shops and labour.

<http://www.bauinfo24.at/projekt/city-arkaden-klagenfurt/uebersicht/index.html>

Q25: Are there any particular problems associated with developing brownfields (particularly those that involve land and groundwater contamination) that need to be improved/addressed (e.g. funding, liability management, organisational issues, achieving closure on land or groundwater remediation / clean up)?

No

Q26: If it is apparent that there are solutions to these problems and work is being undertaken to address these problems, please advise the nature of this.

It is necessary to establish a better cooperation between different administrative units of public administration (e.g. spatial planning, environmental protection, building authority). As well as a clarification and improved communication of legal issues (e.g. environmental liability, property rights, transfer of risks to the authorities within redevelopment projects) could enhance the process.

Q27: Are there research and development needs to address the problems arising with brownfields?

The Environment Ministry (BMLFUW) and EAA defined amid-term initiative ('Management of Contaminated Sites 2020 – MARS 2020'), which with regard to brownfield redevelopment also includes activities such as pilot and demonstration projects.

PAGE 7: REFERENCES

Q28: Please give most important references (documents, website, projects, and case studies) that could be relevant for explaining your national approach

Information events have been organized in order to highlight and discuss the importance of brownfield re-development to and with the provinces, communities and stakeholders, e.g.

- 2006 & 2008: "Bauen auf kontaminierten Liegenschaften" (Planning and construction at contaminated sites)
- 2012: "Nachhaltiges Flächenmanagement von Industrie- und Gewerbebrachen" ("Sustainable land management at abandoned industrial and commercial sites"; see <http://www.raumberg-gumpenstein.at/cm4/de/aktuelles-lfz/forschung/4652-nachhaltiges-flaechenmanagement-industrie-und-gewerbebrachen.html>)
- 2014: Workshop in course of the event "25 years ALSAG" with one topic on "brownfields: re-develop and not conserve", (June 2014)
- 2015: "Kontaminierte Liegenschaften verwerten und entwickeln", (Reusing and developing contaminated real estates; February 2015)

Publications:

- Umweltbundesamt (2004): Reuse potential of industrial/commercial brownfields in Austria
- Lebensministerium (2008): (Bau)Land in Sicht (Land for Building in Sight - Good reasons to recycle industrial and commercial brownfields).
- Lebensministerium (2009): Leitbild Altlastenmanagement, (Basic principles in contaminated land management) <http://www.bmlfuw.gv.at/greentec/abfall-ressourcen/altlastenmanagement/altlastenmanagement.html>
- Lebensministerium (2011): Grund genug? Flächenmanagement in Österreich - Fortschritte und Perspektiven (Still enough soil? Land management in Austria – recent developments and future perspectives) http://www.bmlfuw.gv.at/publikationen/umwelt/grund_genug.html

Websites:

- <http://www.umweltbundesamt.at/umweltsituation/altlasten/flaechenrecycling/>: land redevelopment
- <http://www.altlastenmanagement.at/home/?cat=7>: task force land redevelopment
- http://umweltfoerderung.at/kpc/de/home/umweltfrderung/fr_betriebe/altlasten/altlastensanierung/: funding of remediation measures
- <http://www.bmlfuw.gv.at/greentec/abfall-ressourcen/altlastenmanagement.html>: reports, guidelines and studies about contaminated land management in Austria