



Rijkswaterstaat
Ministerie van Verkeer en Waterstaat

Marine Spatial Planning in the North Sea

1. Development of MSP
in the Netherlands and
legal basis

2. “Making of” a
strategic spatial plan
for the Dutch EEZ,
principles and working
method

**Titia Kalker,
Rijkswaterstaat North Sea,
the Netherlands**



Outline

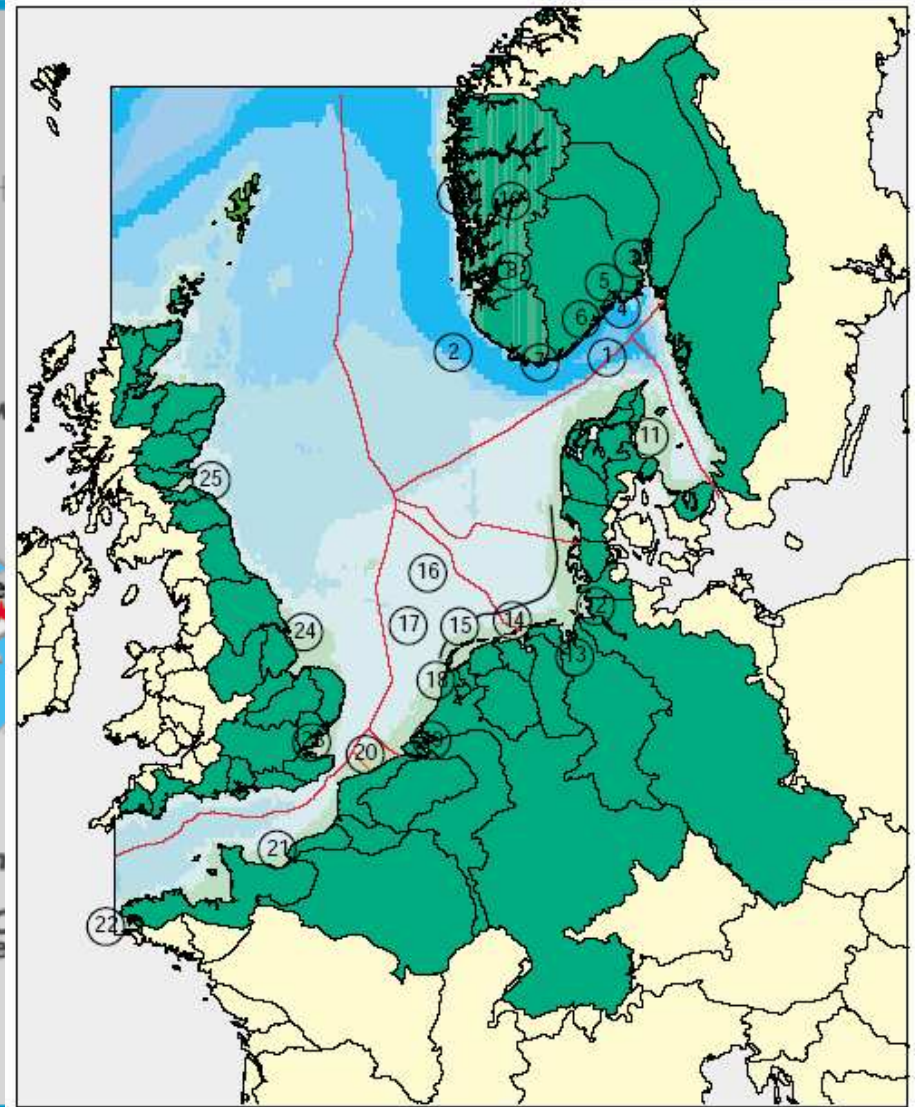
First presentation:

- Development of MSP
- Different plans for different levels
- Legal basis: responsibilities and laws

Second presentation:

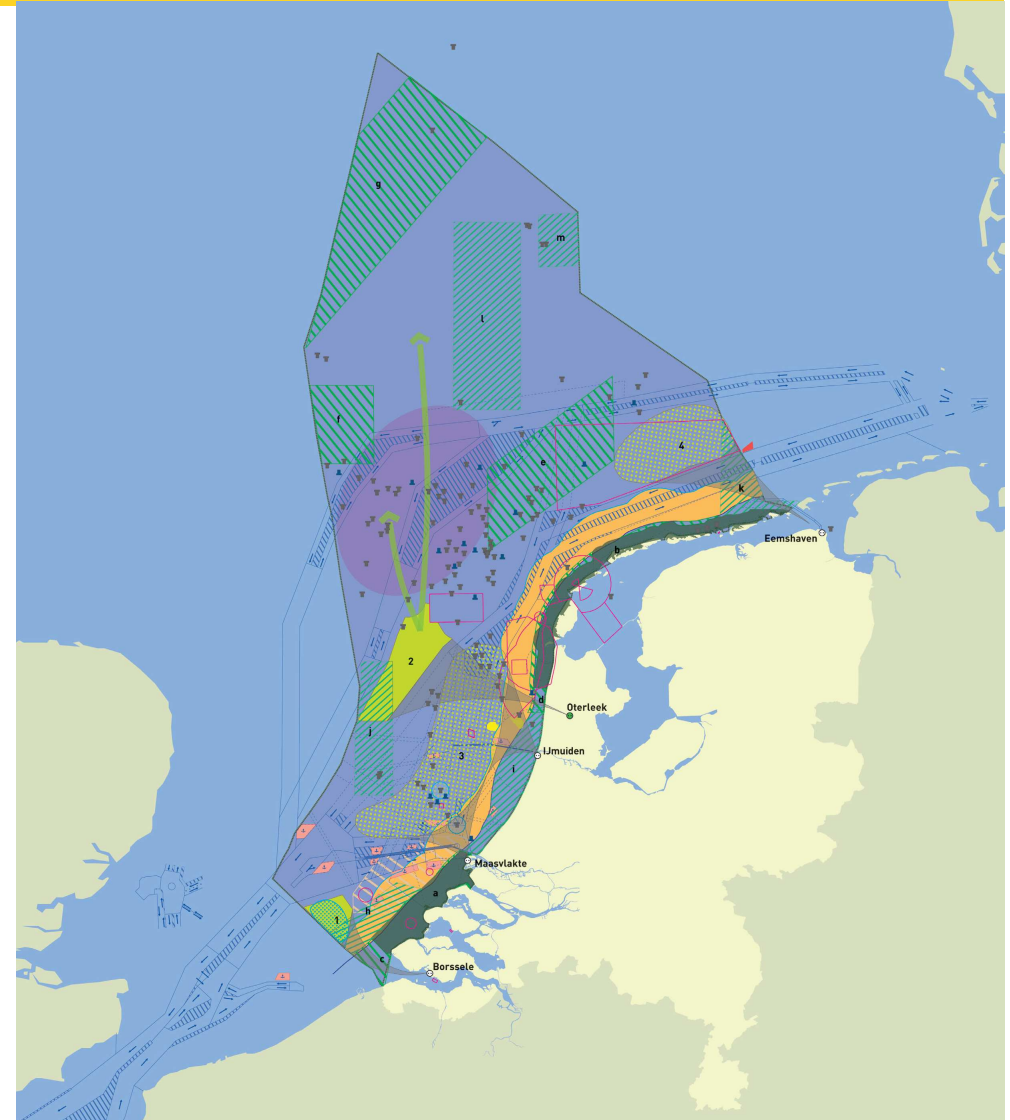
- Principles applied
- Planning process: the making off
- Lessons learned

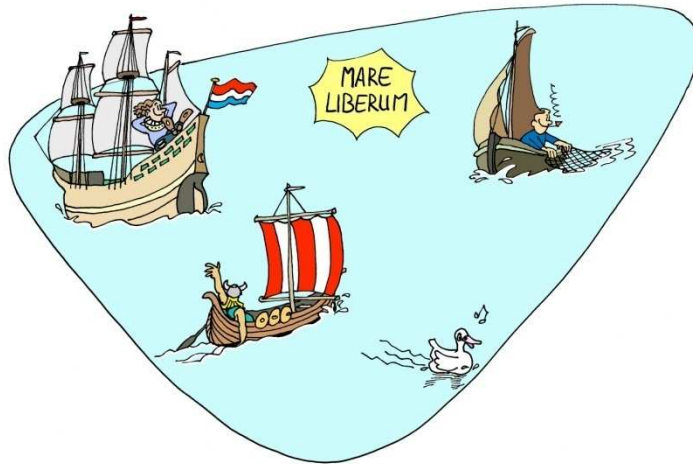






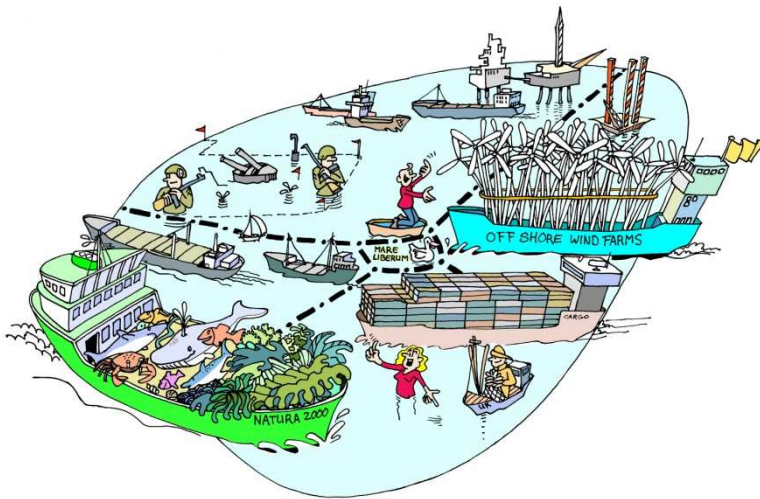
Dutch EEZ

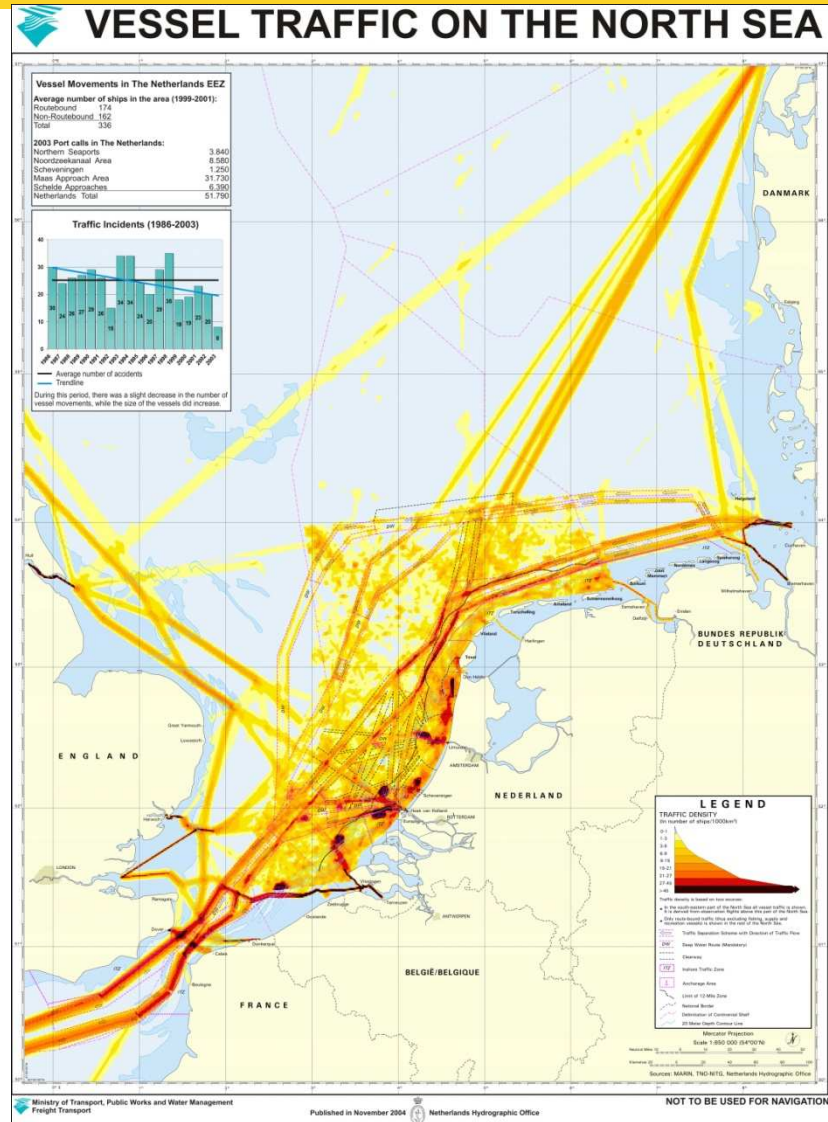


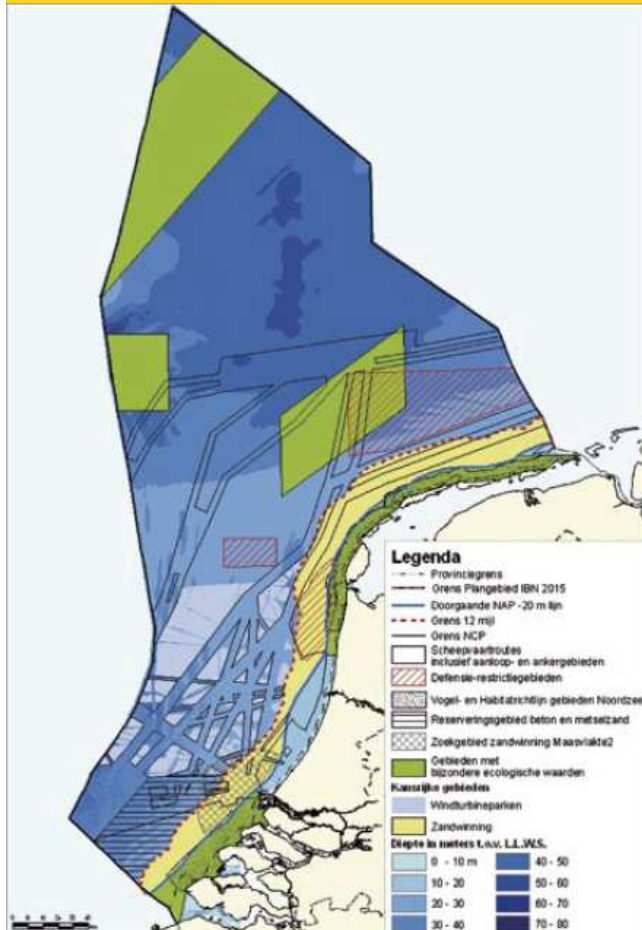


Development of MSP in the Netherlands

- Freedom, Mare Liberum
- First come, first serve
- Bisectoral agreements
- Increasing attention for nature conservation and environment, spatial pressure and complexity
- Need for integrated approach
- Driving force: actual and foreseen developments that can cause spatial conflicts







2005: first integrated management plan

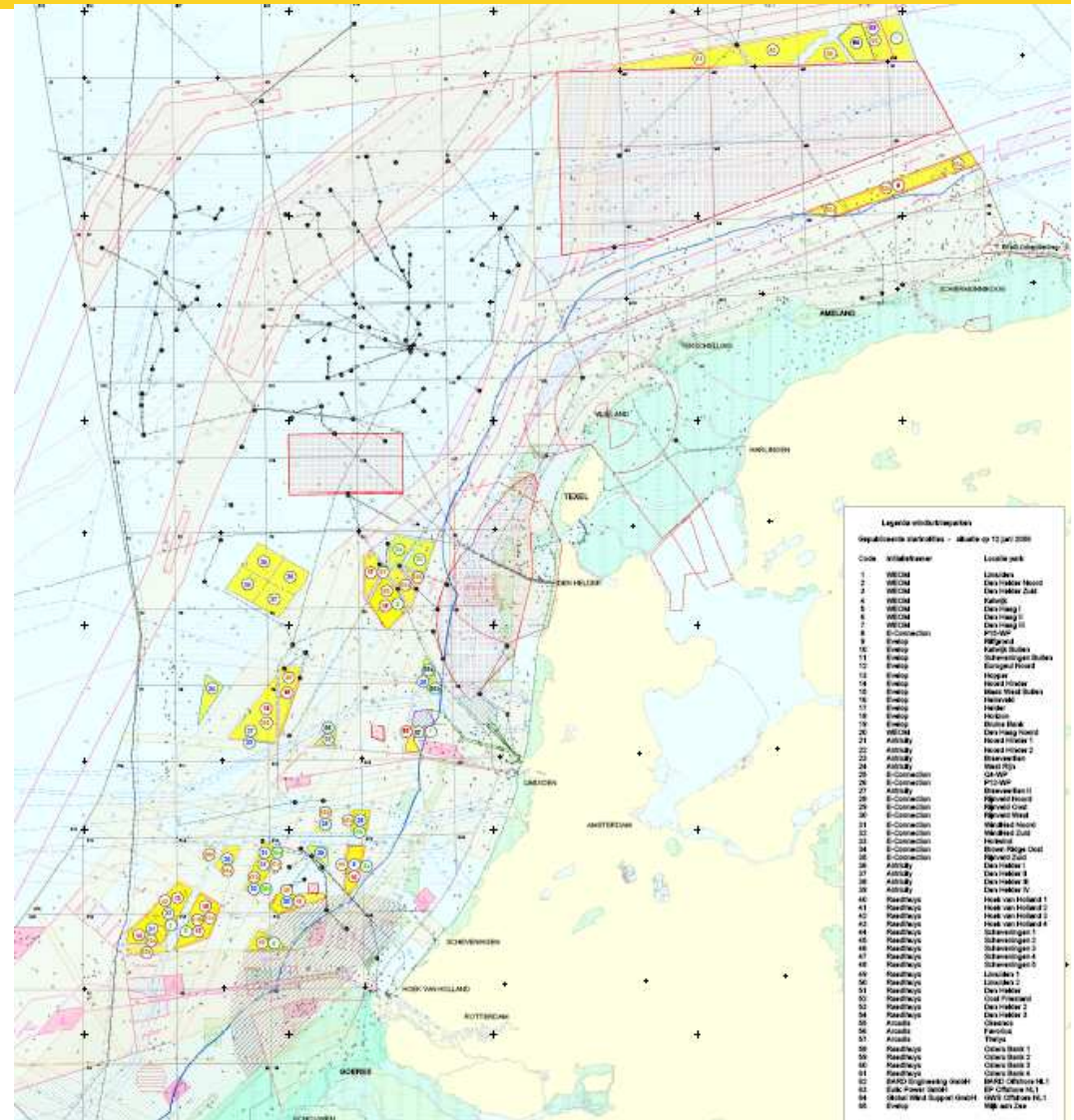
Development of MSP in the Netherlands

- 2000: EEZ
- 2003: clearway system
- 2005: sea is part of Spatial Policy Document for the Netherlands
- 2005: Management plan: Dutch EEZ framework for permits, reactive, within zones still first come, first serve
- 2009/2010: Spatial plan for Dutch EEZ, forward looking, based on actual and future urgencies, more steer on spatial development
- 2010 and further: zooming in certain areas and intensify cross border cooperation



Wind energy sets urgency for forward looking MSP

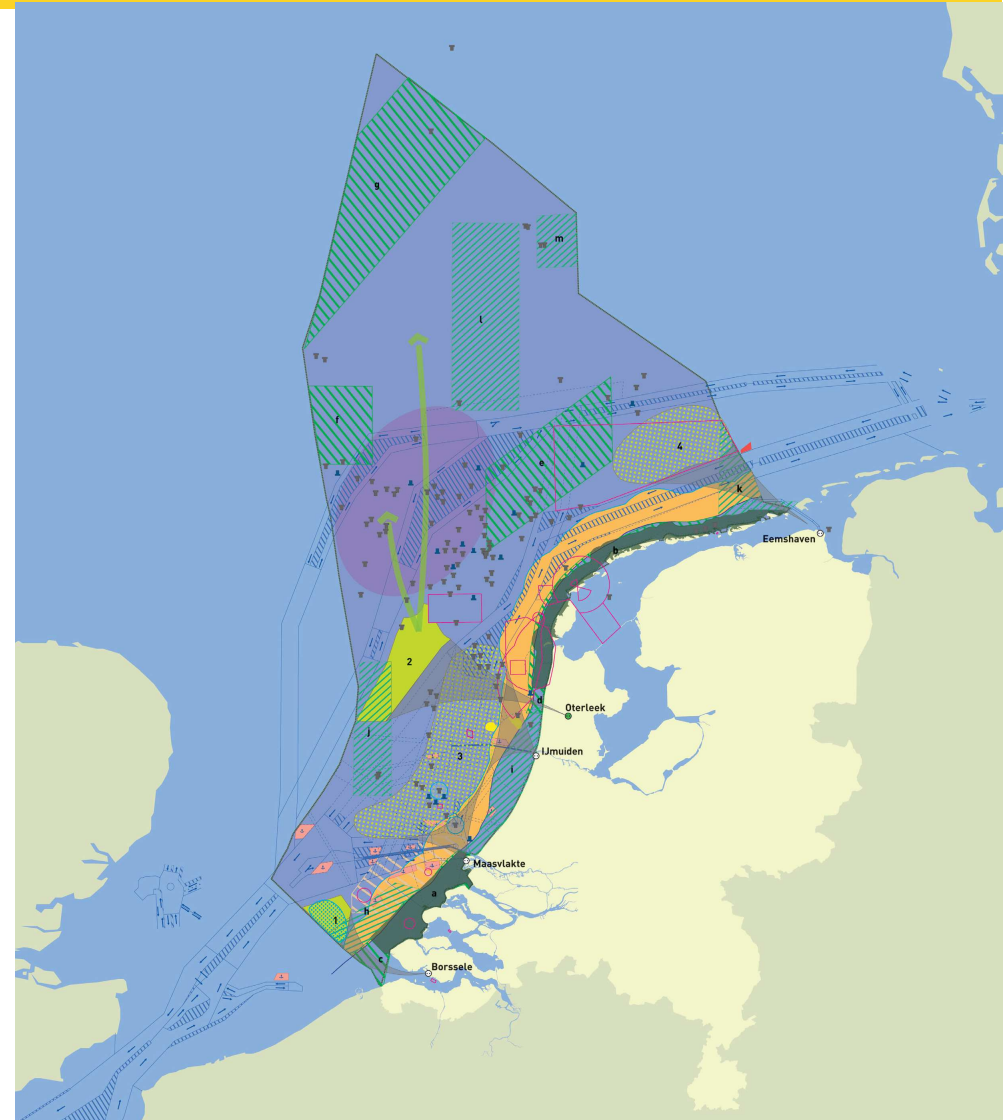
- Spatial claims for 77 initiatives (2th round)
- Financial support for approximate 4 windfarms
- Uncertainty
- High administrative load
- Wind energy areas to be designated (3th round)





MSP for Dutch EEZ

2010: Spatial Plan for the North Sea in Dutch National Water Plan, approved by parliament





Different plans for different levels and purposes

- strategic policy document: strategic framework for Dutch EEZ
- integrated management plan: framework for permits
- area specific management plans – detailed zoning (Natura 2000)
- management plans: more detailed information about conditions

YES

YES, IF

NO, UNLESS

NO



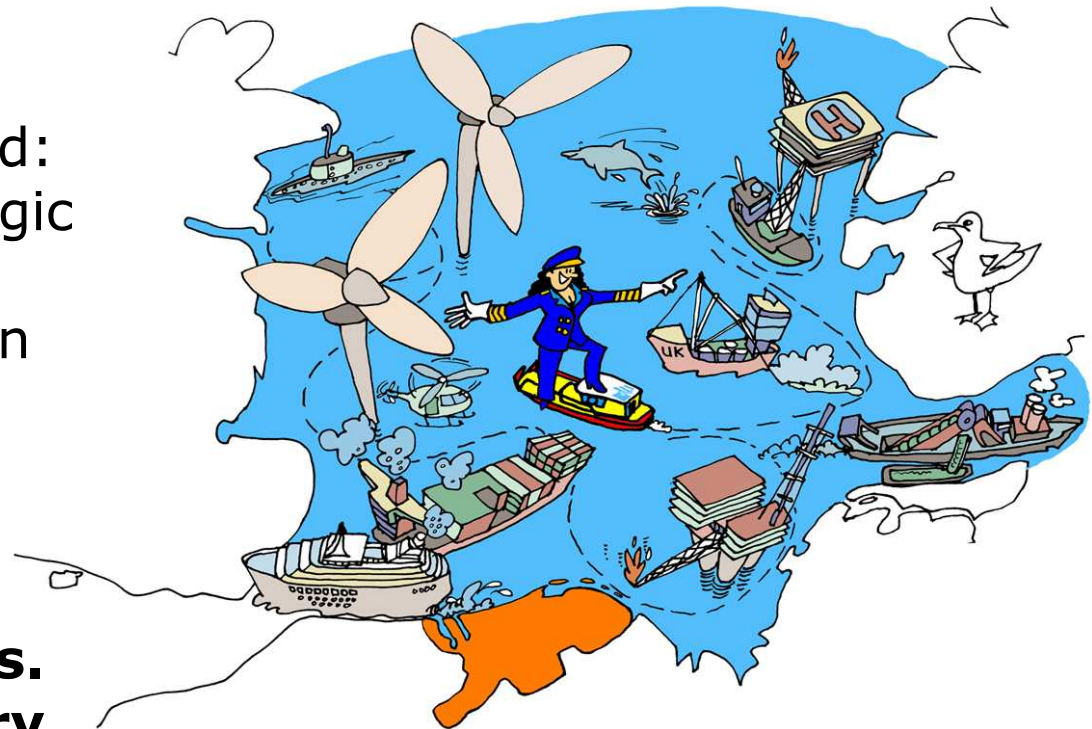


Legal basis, responsibilities

Watermanagement on land:
Central government and
provinces, water authorities,
municipalities.

Spatial development on land:
Central government (strategic
issues), provinces (core
business), municipalities (on
local level)

On sea:
Central government,
international agreements.
One coordinating ministry.





Informal
planning
process
with
stakeholders



= TAILOR MADE



= LEGAL BASIS

Formal
consultation

Political decision:
“design” MSP

Political decision:
definitive MSP



Legal basis, laws

- UNCLOS Law of the Seas, EEZ
- Various sector specific laws in NL (nature conservation, mining, constructions, ...)
- Various international agreements/directives (Bird and Habitat, IMO, common fishery policies, ...)
- Various zones are defined by law
 - within 1 km: provinces/municipalities
 - - 20 m depth line: coastal fundamenent
 - 12 miles zone: territorial seas
 - EEZ

→ **Law on Spatial Development – changed in 2008**



Law on Spatial Development. Two types of plans:

- **"structuurvisie"**: strategic framework for spatial use and development, legally self-binding.
- **"bestemmingsplan"**: plan that designates areas for specific use and development, usually less forward looking, legally binding.
- **On land**: all government authorities can make this plans. Usually: provinces make "structuurvisie" and municipalities make "bestemmingsplan".
- **On sea**: central government makes plans. Dutch MSP is "structuurvisie".

Concluding

- **Marine Spatial Planning is a young discipline. We have to develop a common understanding, learning by doing**
- **A Marine Spatial Plan is not the overall plan for everything: in NL it serves as a (strategic) framework for space use.**
- **Zoning can be done on different levels. Good working practice is to combine top down and bottom up approaches.**
- **Legal basis: is strong but not too descriptive**
- **Practical urgencies are driving force for making a plan**
- **Informal process before starting formal procedures**