The Portuguese National Spatial Policy Programme
A Brief Presentation

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Fonte: Carta de Portugal à escala 1:2 500 000, IGP
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Portugal

<table>
<thead>
<tr>
<th>Territorial Area</th>
<th>Resident Population</th>
<th>Exclusive Economic Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Area / km²</td>
<td>% Total</td>
</tr>
<tr>
<td>Portugal</td>
<td>92 117</td>
<td>100,0</td>
</tr>
<tr>
<td>Continent</td>
<td>88 967</td>
<td>96,6</td>
</tr>
<tr>
<td>Azores</td>
<td>2 322</td>
<td>2,5</td>
</tr>
<tr>
<td>Madeira</td>
<td>828</td>
<td>0,9</td>
</tr>
</tbody>
</table>

The Portuguese administrative structure has three levels:

- **National**
- **Regional**
  - 2 Autonomous Regions: Azores / Madeira
- **Local / Municipal**
  - Total of 318 municipalities

In the mainland there are no formal regions, but decentralized services of central administration.
Framework of Spatial Planning in Portugal

According to the Portuguese Constitution (art. 66, n.2), spatial planning aims to ensure:

− the adequate location of activities,
− a balanced social and economic development,
− the enhancement of the landscape.

Spatial planning is an essential responsibility of the State, to be carried out with citizen participation, in a framework of sustainable development.

The definition of spatial planning policy is a competence of the Government, the Autonomous Regions and the Local Authorities.

The State, the Autonomous Regions and the Local Authorities have the duty to promote, in a coordinated way, the spatial planning policy in their specific areas of competence, through the preparation of the national, regional and municipal spatial plans.
Framework of Spatial Planning in Portugal

• Act 48/98, approved by Parliament in August 1998

This Act:
– Defines the framework for the spatial and urban planning policy
– Establishes a system for territorial management
– Regulates, in the framework of this policy, the inter-relationship between the different levels of public administration, the population and the social and economic sectors

• Law 380/99, approved by the Government in September 1999

– Defines the rules for application of Act 48/98

• Act 58/2007, approved by Parliament in September 2007

– Approves the National Spatial Policy Programme (sets guidelines and principles for sustainable territorial development and cohesion and for the coordination of sectoral policies with territorial impact, establishing a territorial model for economic and social development)
Territorial Management System

- National
- Regional
- Local

PROT
PNPOT
PDM
Territorial Management System (Law 380/99)

PNPOT – National Spatial Policy Programme

PSect – Sectorial Plan
National Water Plan, River Basin Plan, Forest Regional Management Plan

 PROT – Regional Spatial Plan

PEOT – Special Spatial Plan
Nature Protected Areas Plan, Public Reservoir Plan, Coastal Zone Plan, Estuary Plan

PMOT – Municipal Spatial Plan
PDM – Municipal Master Plan
PU – Urban Development Plan
PP – Detail Plan
PIER – Rural Intervention Project

Terrestrial Management Tools
Territorial Management Instruments (TMI)

All the TMI must identify:

- Areas allocated to national defence, security and emergency services
- Natural resources and assets
- Agricultural and forest areas
- The ecological structure
- The architectural and archaeological heritage
- Accessibility networks
- Networks of infrastructure and public amenities
- The urban system
- The location and distribution of economic activities
## Preparation and Approval (Competences)

<table>
<thead>
<tr>
<th>TMI</th>
<th>Decision for Preparation</th>
<th>Preparation of Proposal</th>
<th>Approval</th>
<th>Ratification</th>
</tr>
</thead>
<tbody>
<tr>
<td>National spatial planning policy program</td>
<td>Council of Ministers</td>
<td>Government, through the coordination of the Minister responsible for spatial planning</td>
<td>Parliament</td>
<td>No</td>
</tr>
<tr>
<td>Sectorial plans</td>
<td>Council of Ministers</td>
<td>Competent public administration sectorial body</td>
<td>Council of Ministers</td>
<td>No</td>
</tr>
<tr>
<td>Special plans</td>
<td>Council of Ministers</td>
<td>Competent public administration sectorial body</td>
<td>Council of Ministers</td>
<td>No</td>
</tr>
<tr>
<td>Regional Spatial Plans</td>
<td>Council of Ministers</td>
<td>Regional Coordination and Development Commissions</td>
<td>Council of Ministers</td>
<td>No</td>
</tr>
<tr>
<td>Inter-municipal Spatial Plans</td>
<td>Municipality councils of associated municipalities or inter-municipal councils</td>
<td>Associated municipalities or municipalities associations</td>
<td>Municipality councils of concerned municipalities or inter-municipal council</td>
<td>Government</td>
</tr>
<tr>
<td>Spatial Municipal Plans</td>
<td>Municipality council</td>
<td>Municipality</td>
<td>Municipal council</td>
<td>Government</td>
</tr>
</tbody>
</table>
Coordination

All the TMI guarantee:

- the **vertical and horizontal coordination** of sectoral policies with spatial impact and of spatial and urban planning policy

Information

Everyone concerned has a right to be informed about the preparation, approval, monitoring, implementation and assessment, namely through:

- the consultation of the documents that justify the proposals
- being able to get copies of deliberative meetings’ proceedings and certificates of approved plans
- being informed about the plans’ provisions
- the constraints concerning the use of the soil
Participation

Every individual citizen as well as associations representing the economic, social, cultural and environmental interests, have a right to participate in the procedures of preparation, amendment, review, implementation and assessment of the different TMI.

The public bodies responsible for those procedures have to make public:

- the decision to start the procedures
- the end of each of the procedures
- the documents to be submitted to public consultation
- the opening and the timetable for the consultation
- the conclusions of public consultation
- the means of implementation of the plan
- the beginning and the conclusions of the TMI’s assessment

The results of public consultation have to be considered in the final draft proposals submitted for approval.
Conciliation

Before being submitted to public consultation all the TMI are submitted to a conciliation procedure with the members of the consultative monitoring committee in order to reach an agreement about the TMI’s proposals

Compensation and Damages

The special plans and the municipal spatial and land-use plans must consider compensation processes to guarantee a fair redistribution of resulting costs and benefits among those concerned

Damages, with effects similar to compulsory purchase, should be paid when plans impose land-use restrictions in relation to previously existing legal land-use rights not possible to be compensated

Register and Publication

To be effective all the TMI, once approved, must be:

- registered by the Directorate-General for Spatial Planning and Urban Development
- published in the official journal
## The NSPP Process

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
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<tbody>
<tr>
<td>2002</td>
<td>Preparation of the NSPP</td>
</tr>
<tr>
<td>2003</td>
<td><strong>Creation of</strong> Task Group of experts and consultants (several universities)</td>
</tr>
<tr>
<td></td>
<td>Focal Point Group (Administration)</td>
</tr>
<tr>
<td></td>
<td>2 Committees</td>
</tr>
<tr>
<td></td>
<td>Enlarged Advisory Committee</td>
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<td></td>
<td>Advisory Committee (Civil Society)</td>
</tr>
<tr>
<td>2004/05</td>
<td>4 draft versions were prepared considering the comments / suggestions of the Enlarged Advisory Committee</td>
</tr>
<tr>
<td>2006</td>
<td><strong>March</strong> A period of consultation within the Government resulted in the version that was approved by the Government for public consultation</td>
</tr>
<tr>
<td></td>
<td><strong>May to October</strong> Public Consultation</td>
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<td></td>
<td>Creation a dedicated website (<a href="http://www.territorioportugal.pt">www.territorioportugal.pt</a>)</td>
</tr>
<tr>
<td></td>
<td>Organization of official public debate sessions</td>
</tr>
<tr>
<td></td>
<td>Support for non-official public debate sessions</td>
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<tr>
<td></td>
<td><strong>December</strong> DGOTDU publishes the report with the results of public consultation</td>
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<tr>
<td></td>
<td>the Government adopts the final proposal of the NSPP and presents it to Parliament for approval</td>
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<tr>
<td>2007</td>
<td><strong>July</strong> Approval by Parliament</td>
</tr>
<tr>
<td></td>
<td><strong>September</strong> Published in the Official Journal. Enters immediately into force</td>
</tr>
</tbody>
</table>
## Structure and Contents

The National Spatial Policy Programme is made up of 2 documents:

<table>
<thead>
<tr>
<th>Report</th>
<th>Action Programme</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Introduction</strong></td>
<td><strong>Introduction</strong></td>
</tr>
<tr>
<td>Portugal in the world</td>
<td>General guidelines</td>
</tr>
<tr>
<td>Territorial organization, trends and performance</td>
<td>Policy Programme</td>
</tr>
<tr>
<td>The regions: framework and strategic guidelines</td>
<td>- 6 strategic goals</td>
</tr>
<tr>
<td>Portugal 2025: strategies and Territorial Model</td>
<td>- 36 specific goals</td>
</tr>
</tbody>
</table>

**Guidelines for territorial management**

<table>
<thead>
<tr>
<th>Annexes</th>
<th>Matrix of specific goals</th>
<th>Matrix of priority measures</th>
</tr>
</thead>
</table>

**The adopted time-frame is 2025**
THE PORTUGUESE NATIONAL SPATIAL POLICY PROGRAMME: A BRIEF PRESENTATION
Maria José Festas

Hazards for mainland Portugal
Natural and agro-forestry systems
Urban system and accessibilities

Natural and agro-forestry systems in Azores
Natural and agro-forestry systems Madeira

COMMITTEE ON HOUSING AND LAND MANAGEMENT, 68th SESSION
GENEVE, 17 - 18 SEPTEMBER
THE END