



Ministerie van Binnenlandse Zaken en
Koninkrijksrelaties

Memorandum on Scope and Level of Detail

for the SEA Report for the National
Environmental Planning Strategy

Colophon

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1 Introduction

This Memorandum on Scope and Level of Detail represents the first step in the Strategic Environmental Assessment (SEA) for the first National Environmental Planning Strategy (*Nationale Omgevingsvisie* – NOVI). Using it, statutory advisers and the administrative bodies involved will be consulted on the required scope and level of detail of the SEA Report for the NOVI. This is further explained in Section 1.3. This first chapter also describes the reason for and objective of this Memorandum, in addition to the set-up and purpose of the SEA Report and the SEA procedure.

Chapter 2 explains the background of the NOVI, and details what the NOVI's strategic vision and policy choices aim to target, which will also determine the scope of the SEA Report. The agenda for the environmental assessment is described in Chapter 3: how does the Minister of the Interior and Kingdom Relations – who is charged with preparing the NOVI on behalf of the Cabinet – intend to set up the environmental report (method), what elements should the impact assessment target (scope), and how thoroughly should this be done (level of detail). Chapter 3 also gives a preliminary outline of the planned contents of the SEA Report. Finally, Chapter 4 contains a more detailed description of the follow-up process for NOVI-related decision-making and the preparation of the SEA Report, including an overview of the steps in the relevant procedure.

1.1 Environmental assessment for the NOVI

The new Environment and Planning Act (“*Omgevingswet*”) will enter into effect on 1 January 2021. It goes together with a single vision for the living environment in the Netherlands: the National Environmental Planning Strategy (NOVI). The NOVI offers a coherent strategic vision for the long term, with strategic policy choices for the entire physical environment. With the publication of a initiation memorandum in 2017 (“*De opgaven voor de Nationale Omgevingsvisie*”), the Cabinet took a first step towards the realization of the NOVI. In that memorandum, the Cabinet – after due consultation with its partners – identified the strategic tasks for its environmental planning policy.

In order to support strategy development and to facilitate decision-making in this regard, the Strategic Environmental Assessment procedure is followed. In the plan preparation, environmental interests will be taken into account as fully and as early as possible. This document represents the first step towards the environmental report. On the basis of this document, the Minister of the Interior and Kingdom Relations – who is charged with preparing the NOVI on behalf of the Cabinet – intends to consult statutory advisers and the administrative bodies involved on the required scope and level of detail of the planned impact assessment. Whereas the NOVI initiation memorandum lays out the agenda for the first national environmental planning strategy, this Memorandum constitutes the research agenda for the environmental report.

1.2 An environmental assessment – why?

The SEA procedure for the NOVI serves to identify potential policy effects on the environment, so as to come to a considered decision. The results of the Strategic Environmental Assessment will be laid down in a report, the so-called SEA Report.

In order to be able to take environmental interests into account in the preparation of the plans in a full and timely manner, the first steps of the environmental assessment were initiated early in the process, i.e. from the moment preparations for the NOVI began. This should ensure that relevant information on the potential effects on the living environment will be used during the process in order to come to considered decisions.

NOVI environmental assessment: broad perspective

The NOVI adopts a broad notion of the physical environment. Therefore, the Minister of the Interior and Kingdom Relations wants the SEA Report to exceed its obligatory contents. In providing insight into effects on the living environment, a wider angle is adopted. This is elaborated in more detail in Chapter 3. In addition, the more prominent role for other tiers of government and partners in policy implementation provides a handle to more distinctly involve them in the development of the assessment methodology.

1.3 Process and procedure

Eventually, the NOVI will constitute a framework for future decisions regarding plans and activities that may impact the environment. If the government has such plans, the SEA procedure must be completed. This is regulated by law in the Environmental Management Act (*“Wet milieubeheer”*, Section 7) and the Environmental Impact Assessment Decree (*“Besluit m.e.r.”*), in which European legislation on environmental assessments is laid down. The steps of the procedure are described in Chapter 4.

In addition, a mainline Appropriate Assessment will be carried out for the NOVI in the context of the Nature Conservancy Act 1998 (*“Natuurbeschermingswet 1998”*), in line with the NOVI’s strategic character and level of detail. An Appropriate Assessment will assess whether, as a result of policy choices, significant negative effects are expected for the statutory conservation objectives for Natura2000 areas. The Environmental Management Act stipulates that plans requiring an Appropriate Assessment also require completion of the SEA procedure.

Legally, this procedure is connected to the NOVI plan procedure. This means that the environmental report must be prepared before the NOVI can be established in 2019. Chapter 4 also describes the steps that are followed to prepare the NOVI.

Consultation on scope and level of detail

One of the first steps in the SEA procedure is a consultation round on the scope and level of detail of the environmental assessment. From March to May 2018, statutory advisers and the administrative bodies involved will be consulted – using this Memorandum – on the required scope and level of detail of the environmental report for the NOVI. As local and regional authorities play a key role in policy implementation, they will be consulted. And as the plans may have environmental consequences for the Netherlands’ neighbouring countries, the relevant administrative bodies across the border will be consulted, i.e. those in Germany and Belgium, and – because of choices related to the North Sea – in Denmark, Norway and the UK as well. Furthermore, the Government’s statutory advisers will also be consulted on the scope and level of detail of the impact assessment. These include the Ministry of Infrastructure and Water Management, the Ministry of Agriculture, Nature and Food Quality, and the Cultural Heritage Agency of the Netherlands (which is part of the Ministry of Education, Culture and Science).

The role of this Memorandum in the consultation process

This Memorandum constitutes the agenda for the environmental report. Among other things, it describes which effects will be assessed in the impact assessment (scope), the way this will be done (method), and how thoroughly the assessment will be (level of detail). This Memorandum will serve as the basis for consultative discussions with statutory advisers and the administrative bodies involved.

Advice of the Netherlands Commission for Environmental Assessment

As early as 2016, the Netherlands Commission for Environmental Assessment (NCEA) was asked for its advice on the assessment framework and the assessment methodology. As such, the Commission – together with experts and stakeholders – was already involved in the process that explored the best approach for the NOVI and the management philosophy of the Environment and Planning Act (Advisory Report No. 3105, NCEA, 12 April 2016). In the

preparation of this Memorandum, this advice was taken into account. On the basis of the present document, the NCEA will be asked for its advice on the required scope and level of detail of the environmental report.

After evaluation by a competent authority (i.e. the Ministry of the Interior and Kingdom Relations), the advice that is obtained during the consultation process may or may not be taken into account when the environmental impact assessment is carried out. The SEA Report will explain how this advice has been incorporated.

Supervisory group for the NOVI SEA Report

To support the environmental assessment, a supervisory group was set up consisting of representatives from the Ministries involved, experts from local and regional authorities, and members from the NOVI team. This ensures knowledge and perspectives from various government bodies are utilised, and – with a view to adding value during the process – keeps the lines between the environmental assessment and the NOVI process short. The supervisory group will define the steps for the environmental report, will – through substantive reflection – provide input for the preparation of the NOVI, and will discuss the interim outputs of the environmental report.

SEA Report learning group in the spirit of the Environment and Planning Act

The environmental assessment for the NOVI is a learning process; together with stakeholders and experts, we will explore the best possibilities for aligning the instrument of an environmental assessment with the purport of the Environment and Planning Act and for adding value to policy development and decision-making in this regard. For this reason, a number of discussions with environmental assessment experts will be planned during the process. After evaluation in the supervisory group, any resulting ideas may be used for the NOVI SEA Report.

Streamlining of the various assessments

A secondary objective of the SEA procedure is to streamline various other statutory procedures. With a view to efficiency and preventing inconsistencies, the steps involved in such procedures are often interwoven. In addition to the SEA procedure, the following assessments are or may be relevant for the NOVI:

- Appropriate Assessment and Habitat Assessment (Nature Conservancy Act – “*Natuurbeschermingswet*”)
- Water Assessment (Water Act – “*Waterwet*”)
- Climate adaptation stress test
- Archaeological heritage roadmap (Archaeological Heritage Management Act – “*Wet op de Archeologische Monumentenzorg*”)

Appropriate Assessment and Habitat Assessment

If significant consequences for the conservation targets that apply for Natura2000 areas cannot be excluded, an Appropriate Assessment must be carried out. It should answer the following questions:

- What are the conservation targets for the species / habitat types in Natura2000 areas?
- Will these targets be achieved, and what needs to be done in order to do so?
- What is the impact the initiative will have on species and habitat types?
- Are there any other activities that may have consequences for species and habitat types?
- In the light of the conservation targets and the conservation status, will the natural characteristics of the Natura2000 area be compromised?

For the NOVI, a general Appropriate Assessment will be carried out, in line with the NOVI's strategic character.

Water Assessment

The objective of a Water Assessment is to assure that water management objectives are explicitly and adequately considered in all government decisions and spatial plans with water management relevance. Eventually, the NOVI will include a section on water; to that end, the Water Assessment process will have to be followed. This means that the water management authority will have to be involved in plan development at an early stage; as it is, the Dutch Water Authorities (UvW) are already involved in the consultation process on the SEA's scope and level of detail. In addition, at a later stage the water management authority needs to consider whether water management has been sufficiently taken into account in the draft NOVI; in the NOVI, the Government needs to explain how this advice has been incorporated.

Climate adaptation stress test

By 2019 at the latest, the Government, the water authorities, the provinces and all municipalities in the Netherlands must have carried out a *stress test* in order to identify the extent to which the areas they are responsible for are vulnerable to climate change. This has been laid down in a Delta Plan on Spatial Adaptation (“*Deltaplan Ruimtelijke Adaptatie*”). The stress test is carried out within the bandwidth of potential scenarios for climate change and local socio-economic developments. The outcome of the stress test will reveal an area's susceptibility to the risks and effects of climate change. In the environmental report, this information may be used in impact assessments.

Archaeological heritage roadmap

This roadmap will indicate the steps to be taken when archaeological values and expectations need to be incorporated in the development of plans. When developing plans, it is essential that archaeological values and expectations are taken into account as early as possible. The roadmap is based on an inventory of what is known about archaeological values and the potential consequences of any choices to be made in this regard. A general assessment via a desk study appears appropriate to the NOVI's level of abstraction.

2 The first National Environmental Planning Strategy

In 2017, the Cabinet published an initiation memorandum that would constitute the first concrete step towards the NOVI (*“De opgaven voor de Nationale Omgevingsvisie”*). The memorandum outlined the planned scope of the NOVI, including the strategic tasks that underlie the strategic vision. In part, the scope of the SEA Report is determined by the scope of the NOVI. Therefore, this chapter summarises the context, the scope, the strategic tasks, and the relationship with other plans. Please refer to the original memorandum for a more detailed explanation and backgrounds.

2.1 The environmental planning strategy as part of a new environment planning framework

The Environment and Planning Act

In order to be better positioned for the opportunities, developments and tasks with regard to the physical environment, the legislative system for the physical environment is undergoing far-reaching changes. When the Environment and Planning Act enters into effect (according to expectations in 2021), there will be a new system that, “With a view to ensuring sustainable development, the habitability of the country and the protection and improvement of the living environment, [...] aims to achieve the following interrelated objectives: (a) to achieve and maintain a safe and healthy physical environment and good environmental quality, and (b) to effectively manage, use and develop the physical environment in order to perform societal needs.”

The new system will have the following improvement targets:

- A cohesive approach of the physical environment
- More scope for policy considerations with regard to the physical environment
- Improving the comprehensibility, predictability and practicability of environmental law
- Accelerating and improving decision-making processes with regard to projects in the physical environment

The new legislation aims for a more coherent consideration of interests at the area level, as well as for improving the physical environment when safety, health or quality fall short. In the Environment and Planning Act, a broad notion of the “physical environment” has been adopted: the natural environment with major bodies of water and natural landscapes; agricultural landscapes; the built environment with cities, villages, industrial estates, and networks and infrastructure for the transportation of people, goods, data, materials, and energy; and (cultural) heritage in terms of archaeology, architecture, and landscape. In addition to this spatio-functional classification of the living environment, the physical environmental components of water, soil, air and natural capital are distinguished. Assuring the quality thereof is a basic precondition. The physical environment includes the subsoil, the soil surface, the major bodies of water, and the atmosphere.

The environmental planning strategy

The environmental planning strategy is one of the instruments in the new legislative system for environment planning. Choices made in the NOVI will subsequently be realised in the implementation stage and in investment decisions, programmes and legislation, in the same way

the National Policy Strategy for Infrastructure and Spatial Planning (SVIR) resulted in the Ladder for Sustainable Urbanisation before.

The combination of a comprehensive strategic vision with general rules and programmes enables flexible implementation without compromising the development outlook for the long term. Whereas the environmental planning strategy provides continuity, the sectoral/multisectoral and area-specific programmes focus on implementation for the short and medium term, and may be adjusted and updated more frequently. As a result, the various policy sectors may continue to exert their policy responsibility, thus creating room for an approach at multiple levels of scale.

The NOVI anticipates the Environment and Planning Act

The NOVI is prepared on the basis of the requirements of current legislation and those of the Environment and Planning Act. As such, it may already be adopted before the Act enters into effect. At that time, the parts of the current policy strategies to be replaced by the new strategic vision will be designated, marking the entry into effect of the NOVI.

The NOVI will also provide a substantive elaboration of the societal objectives of the Environment and Planning Act. Arrangements have been made with the Netherlands Environmental Assessment Agency (PBL) that the Monitor to be created for the NOVI will also serve to monitor the societal objectives the Act aims to achieve. The Dutch House of Representatives was informed of this in 2016 (Parliamentary Documents II 2016/17, 33118, No. 35).

2.2 One long-term strategic vision for the living environment

Integrative approach

As a result of the changes described above, as well as the desire to maintain the quality of the living environment and to provide room for social functions at the same time, it is the Cabinet's ambition to create more focus and cohesion in national policies for the living environment. At the moment, the various aspects of the physical environment are subject to a large number of (sector-based) plans and strategic visions. Although each of these plans and visions individually are necessary to address tasks within the physical environment, the overall view of national policy for the living environment has become fragmented. The introduction of the environmental planning strategy as an instrument in the new environment planning framework offers a solution to this ambition.

The NOVI offers a coherent vision, and links the various (sector-based) plans and strategic visions. Eventually, the NOVI will outline – in general terms – the quality of the physical environment and the intended development, use, management, protection and conservation of the Dutch territory. It will also describe the main elements of the comprehensive policy to be implemented for the physical environment, and with the NOVI, certain choices will be made. Wherever necessary, a link will be made to policies that, although they are not directly aimed at it, affect the living environment nonetheless.

Strategic character

The NOVI will take decisions at the strategic level, and will provide guidance for a coherent implementation via regulation, decision-making on concrete initiatives, and by committing financial and other resources. It will provide clarity about the role the Government sees for itself with regard to the physical environment, and will be legally binding for the Government itself.

Adaptive

The policy choices made in the NOVI will subsequently be realised in the implementation stage through investment decisions, programmes, and regulation. A strategic vision that determines the course of the Government's actions over a longer period of time also provides certainty for other parties when developing initiatives and taking decisions (including investment decisions). In order to arrive at a NOVI that is relevant across a longer time frame, an appropriate balance between continuity on the one hand and flexibility and adaptability on the other is essential. The strategic vision will need to be sufficiently flexible so as to be able to address and exploit changing circumstances, insights, and external initiatives. At the same time, the choices will need to be sufficiently clear-cut in order to set a course, for instance as regards provincial and municipal environmental strategies. That way, the strategic vision may evolve with the availability of new solutions and knowledge about their effect in practice.

National angle, in an international context

The Government, the provinces and the municipalities all need to prepare an environmental planning strategy for the area under their responsibility. In the context of the NOVI, the Government is working on a strategic vision for the living environment for the whole of the Netherlands, which, in terms of its contents, will not be restricted to the Netherlands. Many issues transcend borders and require a transnational approach together with our neighbouring countries. In addition, a number of issues are international by definition. In that case, it is often more effective to join forces at the European or global level. Such issues may also be relevant to the NOVI.

Long-term perspective

The NOVI offers choices for the long term (i.e. towards 2030), looking ahead to 2050.

2.3 The NOVI's tasks

In the initiation memorandum, four strategic tasks were described that demand attention, as these will especially benefit from a cohesive approach. They are the following:

1. Towards a sustainable and competitive economy
2. Towards a climate-proof and climate-neutral society
3. Towards a future-proof and accessible living and working environment
4. Towards a high-value living environment

These strategic tasks unite sector-based tasks that may reinforce or influence each other. In order to address or resolve those tasks, choices will have to be made. In the initiation memorandum, the tension between ambitions and possibilities has been identified for these four strategic tasks. In order to prepare the NOVI, these tasks will be elaborated in more detail, solution routes will be explored, a joint course will be determined, and a more comprehensive approach will be developed. Eventually, the choices will be laid down in the NOVI.

Reference situation: trends, developments and tasks in the physical environment

To enable adequate steering of policy choices, insight into future tasks is vital. Identifying trends and developments will help to clarify these tasks. That is why the initiation memorandum also identifies the main trends and developments that are currently anticipated and that – if policies do not change – will affect the development of the physical environment. It also describes the tasks in the physical environment resulting from those trends and developments. This information is not only essential to steer policy choices, but also for the reference situation – pertaining to the future situation that would materialise if the current policy is maintained – to be used in the SEA Report. The SEA Report will outline the effects of policy choices *vis-à-vis* the reference situation (see also Chapter 3).

REFERENCE SITUATION



Trends and developments - > Tasks for the future

Growing differences -	> Accessibility
Globalisation / growth of the economy -	> Culture and (cultural) heritage
Increasing pressure on the environment -	> National security and defence
	> Economic development
	> Energy supply
	> The built environment
	> Health and safety in the living environment
	> Nature and landscape
	> Natural resources
	> Food and agriculture
	> Water

Please refer to the initiation memorandum for an extensive description of trends and developments as well as the tasks for the physical environment, which underlie the reference situation in the SEA Report.

Below, the four strategic tasks are summarised.

Towards a sustainable and competitive economy

The strategic task of a sustainable and competitive economy is of crucial importance to the Netherlands. Factors such as attractive, healthy and safe cities and adequate accessibility are essential to make the Netherlands an attractive place for businesses. In short: how will the Netherlands maintain its attractive business climate, and how will the transition towards a circular economy be realised? This requires making choices with regard to the following issues:

- Focusing on a number of strong urban regions in the core economic zone or on all urban regions in the Netherlands
- Regional economic development: finding a balance between regional opportunities and demand from various economic sectors
- Improving accessibility: finding a balance between infrastructural expansion and more efficient use
- Resolving the tension between an attractive, healthy and safe living environment and economic development
- Circular economy: resolving the tension between space for transition and safeguarding environmental quality

Towards a climate-proof and climate-neutral society

How will the Netherlands realise the timely transition towards a climate-proof and climate-neutral society, using the most efficient technologies while maintaining or even improving environmental quality? This requires making choices with regard to the following issues:

- Dealing with climate change: focusing on sector-based objectives or adopting a comprehensive approach
- Making vital infrastructure climate-robust or accepting temporary unavailability

- Creating room for sustainable energy in the Netherlands or importing it, thus sparing the landscape
- Choosing between centralised or local/distributed solutions
- Accelerate: finding a balance between using either existing technologies or innovations
- All renewable resources or also regulating consumption

Towards a future-proof and accessible living and working environment

How can the government achieve an optimum balance between building enough houses, making buildings more sustainable, assuring accessibility, safeguarding the living environment, and benefiting technological developments, reinforcing the social quality and identity of cities, regions, the landscape, and (cultural) heritage? This requires making choices with regard to the following issues:

- Finding a proper balance between expansion and compaction, and between transforming existing buildings and building new ones
- Determining the acceptable scale of social differences in and around cities
- Urban planning in regions affected by a shrinking population
- Building at accessible locations or making other areas accessible
- Innovation in connections: choosing now (with due uncertainty) or waiting for proven solutions
- Climate-proof and energy-efficient buildings: choosing between individual or collective measures

Towards a high-value living environment

How can the values the natural environment has to offer us be maintained and utilised? This requires making choices with regard to the following issues:

- Is there a shortage of nature, or do we expect too much from it
- Agriculture: choosing between food production under certain conditions or solutions for societal needs
- Taking the landscape as the starting point for or the result of developments
- Raising the water level in peat grasslands or maintaining current agricultural output

2.4 Relationship with other plans and initiatives

With the arrival of the Environment and Planning Act, societal tasks will preferably be assigned at the lowest administrative level, i.e. as close to citizens and businesses as possible. As a result, the responsibility for policy-making in the living environment does not solely lie with the national government, and neither does it for all issues. Through their environmental strategies, provinces and (collaborating) municipalities will express their own responsibility for the physical environment and the choices they make in this regard. But choices are made in a European context and at the global level as well, determining the scope individual countries have to manoeuvre.

A national environmental planning strategy is more effective when its strategic vision inspires various directions, ties in with other plans and strategic visions, and instigates action. An inspiring vision for the long term gives authorities certainty, helps society develop initiatives, and provides clarity for investors.

For the Government, the NOVI will be a product that can be used to agree arrangements (administrative and cooperative agreements) with other parties – if appropriate with parties across the border – and to substantiate project choices. It is important that the environmental strategies of the Government, the provinces and municipalities are aligned wherever necessary and take into account the demands and objectives of other parties. The governance philosophy of the Environment and Planning Act relies on trust, whereby the sense of shared ownership and joint responsibility for the tasks ahead is elementary for the development of an environmental planning strategy. This means that the way in which and the parties with whom tasks are addressed must be considered on the basis of relevance.

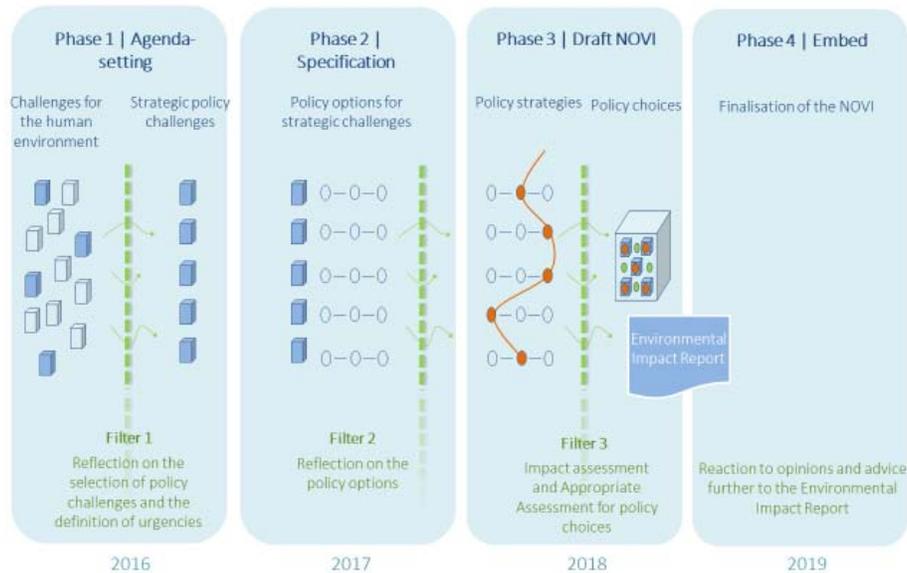
3 Environmental assessment for the NOVI

The NOVI is intended as a dot on the horizon. Our goal is to use the SEA procedure for the NOVI as a useful instrument. The aim is for the activities and products in the context of this procedure to contribute as much as possible to strategy development and decision-making with regard to the NOVI. Together with stakeholders and experts, the approach, assessment methodology, scope and level of detail appropriate to the NOVI and the governance philosophy of the Environment and Planning Act were explored. This means that, for instance, the consequences for the living environment are considered in a broader sense. Furthermore, the more prominent role for other tiers of government and partners in policy implementation provides a handle to involve them in the performance of the environmental assessment. This chapter will subsequently discuss the outlines for the approach, the scope (assessment framework and methodology), the level of detail and the potential contents of the planned SEA Report.

3.1 Outlines for the approach

When drafting the NOVI, the environmental assessment may deliver added value at various points in the process. In line with the four steps that are followed to arrive at the NOVI, the environmental assessment process may provide added value at four moments in the process. In fact, this already began in 2016, for instance when urgent aspects in the living environment were identified (Phase 1) and the strategic policy tasks for the NOVI were worked out in detail (Phase 2).

ADDED VALUE OF THE ENVIRONMENTAL ASSESSMENT
FOR THE NOVI



- Phase 1: adding value when identifying and selecting urgencies within the policy tasks (input for the drawing up of the initiation memorandum)
- Phase 2: adding value when developing options within policy strategies (input for specifying the strategic tasks)
- Phase 3: adding value when choosing and elaborating the preferred policy strategies and policy choices (input for the draft NOVI)
- Phase 4: creation of the SEA Report with a substantiation of the NOVI based on environmental impact, accumulation, mitigation, and points for attention for the follow-up, and performance of an Appropriate Assessment (see Section 1.3)

3.2 Scope: assessment framework and methodology

During the steps that are followed to prepare the NOVI, the environmental assessment provides input to the process from a broad perspective looking at potential consequences for the physical environment. This occurs at a strategic, overall level, and always in line with the level of abstraction of the stage in question: from rough outline to fine detail.

In the first stages of drawing up the NOVI, a rough assessment is made; the identification of risks and opportunities as well as benefits and drawbacks enables reflection. In Phase 3, the effects of policy choices are identified, and the preparation process of the SEA Report is started.

In line with the NCEA's advice, we propose to place the broad notion of "quality of the living environment" at the heart of the environmental assessment. This will be expressed both in the assessment framework and in the assessment methodology, which are outlined below.

Assessment framework

The assessment framework for the NOVI environmental assessment was discussed with various stakeholders and experts. The Netherlands Commission for Environmental Assessment (NCEA) was also consulted. Experiences with other environmental assessments for environmental strategies and plans were shared, and different approaches for an assessment framework were explored. There are many ways to devise an assessment framework; first and foremost, the

framework must be helpful to identify all required and useful input information in a structural and orderly manner.

The proposed assessment framework – the “Living environment Wheel Diagram” (see the image below) – follows the broad and comprehensive approach of the NOVI. The objectives of the Environment and Planning Act are at the centre of the wheel:

“With a view to ensuring sustainable development, the habitability of the country and the protection and improvement of the living environment, this Act aims to achieve the following interrelated objectives: a) to achieve and maintain a safe and healthy physical environment and good environmental quality, and b) to effectively manage, use and develop the physical environment in order to perform societal needs.” [Article 1.3 of the Environment and Planning Act]

In line with these objectives as well as the goal of the instrument of a Strategic Environmental Assessment, sustainable development is at the heart of the Living environment Wheel Diagram. As such, it strives towards achieving a sustainable balance between People, Planet, and Prosperity. These three Ps encompass all aspects of the living environment.

In addition, there are two angles to the objectives of the Environment and Planning Act: 1) the protection of the physical environment (including a safe and healthy physical environment and good environmental quality), and 2) the realisation of societal needs. This is reflected in the two perspectives of the assessment framework, i.e. the top and bottom half of the wheel, respectively. In the first layer, these two perspectives have been subdivided into four themes (four quadrants). These themes provide a basic structure that can be used to describe the impacts on the living environment of policy choices in the SEA Report.

ENVIRONMENTAL ASSESSMENT
HUMAN ENVIRONMENT WHEEL DIAGRAM

NATIONAL ENVIRONMENTAL PLANNING STRATEGY
STRATEGIC CHALLENGES



The outer layer of the wheel contains the main aspects for each theme, classified into a limited number of topics. These cover the living environment aspects as described in the Environment and Planning Act and in the initiation memorandum entitled "*De opgaven voor de Nationale Omgevingsvisie*". These aspects are general, and any description of their effects may focus on relevant specific criteria in a flexible way. For each aspect, specific criteria that may be relevant are listed in the outer layer of the wheel. These criteria are not exhaustive; their relevance should be considered depending on the policy choice in question, as well as the distinctiveness of potential effects. In this regard, any overlap must be dealt with pragmatically; some aspects and criteria are interrelated and may be considered in the context of multiple overarching themes. The wheel is not set in stone; it is general at its centre and becomes more specific in the outer layer, allowing room for flexibility, and always with a view to the usefulness of the input information identified.

Finally, the following terms are listed underneath the wheel: "Here", "Now", "Elsewhere", and "Later". These terms are used when identifying effects in the pursuit of sustainable development. The underlying assumption is that choices do not only have consequences here and now, but may also have effects elsewhere and affect future generations.

Methodology

The box below contains an explanation of the way in which environmental interests are taken into account when preparing the NOVI, which already happened at an early stage.

Steps already taken pending the environmental assessment

In the [first phase \(2016\)](#) to prepare the NOVI, the main tasks for the physical environment in the future have been identified from the perspective of relevant trends and developments. These tasks were described in the initiation memorandum for the NOVI. This is the reference situation: a snapshot of the future as it were. In anticipation of the environmental assessment process and for the purpose of the initiation memorandum, experts were engaged to enable reflection from an independent perspective by identifying urgencies regarding qualities of the living environment that are at risk now and in the future. These insights were also used in the elaboration of aspects in the assessment framework (outer layer).

In the [second phase \(2017\)](#), to prepare the NOVI, the four strategic tasks were elaborated in more detail and policy options were formulated. To that end, the advantages and disadvantages of the policy options from the perspective of the Living environment Wheel Diagram were identified generally, in line with the strategic character of the options. From the perspective of the strategic policy tasks, these policy options lay out potential alternatives. By engaging experts and using the wheel, reflection was made possible by interpreting the risks and opportunities of the various policy options for the living environment. These insights will provide input for the elaboration of the draft NOVI in Phase 3.

In the [third phase \(2018\)](#), choices will be elaborated in more detail on the basis of the policy options formulated in Phase 2 for the purpose of the draft NOVI. Tying in with the way policy options are elaborated, the level at which useful alternatives may be developed will be considered in the context of the environmental assessment and from the perspective of the wheel. This may be done by highlighting the bandwidths for reversals in policy trends, for example by identifying the extremes of policy choices.

In the SEA Report, the effects, risks and opportunities of the policy choices will be described, as well as their possible alternatives. The SEA Report will include a cumulative impact review, looking into the interaction between the impacts of various policy choices if all policy choices – and any other plans – are considered in conjunction. Options to mitigate any risks and/or adverse effects will also be discussed in the SEA Report. Based on insights as well as risks and opportunities, the SEA Report will also provide an overview of points for attention for follow-up decisions at various levels of scale.

Further points for attention for the methodology to be elaborated in more detail in Phase 3 include the following:

- As technological developments may reasonably be foreseen for the decade to come, the impact assessment will focus on the year 2030, and provide a general outlook for the period up to 2050.
- An assessment at the strategic level involves more than simply describing impacts; it also indicates whether (alternative) policy choices provide opportunities to enhance the quality of the living environment. Therefore, the NCEA advises to specify the target range in terms of various aspects.

Reference situation: snapshot of the physical environment

The reference situation is the future situation that would occur if policies do not change. In Phase 3 of the environmental assessment, the impact, risks and opportunities of policy choices – as well as their possible alternatives – are described *vis-à-vis* the reference situation. In line with the NCEA's advice, a kind of "snapshot" is made of the physical environment, now and in the future (for the NOVI's plan horizon in 2030 and 2050). The level of detail of the snapshots is in line with the level of detail of the NOVI. The snapshots will be developed for the whole of the Netherlands. And wherever the NOVI focuses on specific areas and this is relevant from the perspective of impacts on the living environment, the snapshots can do so as well.

In the fourth phase (2019), the draft NOVI – with the SEA Report appended – is made available for public perusal. The NCEA is also asked for its advice on the SEA Report. With due observance of the points of view and advice submitted, the definitive NOVI will be drawn up and finalised in 2019. The definitive NOVI will explain what has been done with the results of the SEA Report, and how the NCEA's advice and the points of view submitted have been handled.

3.3 Level of detail

The impact assessment will be in line with the strategic character of the NOVI; if general policy choices are made, the impacts too can only be identified in general terms. The more specific policy objectives are, the more concrete the impact assessment can be. Furthermore, impacts may be assessed in more concrete terms if policy choices in the NOVI have been elaborated area-specifically.

The impact assessment in the SEA Report is expected to generally concern qualitative considerations of impacts, risks, and opportunities. This will occur on the basis of expert judgement and a desk study into the information available. Wherever possible, this may be supplemented with a quantitative interpretation of impacts. In the SEA Report, the assessment of the policy choices – on the basis of the aspects from the Living environment Wheel Diagram – is presented and visualised in a structured and clear manner, e.g. by using a "traffic lights" model or a dashboard.

3.4 Contents of the SEA Report

The SEA Report will consider impacts on the environment in a broad sense. In doing so, we aim for a prominent role of regional authorities in the physical environment and a greater contribution from partners in the implementation – as well as in relation to changing issues and paradigms.

Roughly, the SEA Report will contain the following:

- Review of how reflections based on impacts on the living environment played a role in preparing the NOVI throughout the process.
- Review of the impacts, risks and opportunities of the policy choices included in the draft NOVI, including the impacts, risks and opportunities of possible alternatives, and insight into the cumulative effects of interrelated policy choices and options for mitigation

- Review of points for attention for follow-up decisions (made by either central and/or regional/local authorities), based on the risks and opportunities identified in the environmental assessment
- The results of the Appropriate Assessment, in line with the NOVI's level of detail

4 Follow-up process and procedure

The intention is for the activities performed for the purpose of the environmental assessment to contribute as much as possible to strategy development and decision-making relating to the NOVI. To that end, the environmental assessment is closely linked to the preparation process for the NOVI. This chapter will provide general insight into this process and into the subsequent steps in the SEA procedure. It will also explain how the consultation process on the scope and level of detail for the NOVI environmental assessment will be organised.

4.1 Preparation process for the NOVI

Several follow-up steps are required to develop and establish the NOVI. Tasks and policy options will be elaborated, positions will be determined, and policy will be developed. Reviews and consultations will be performed, an approach for implementation and execution will be worked out, and a strategic vision will be adopted and published. In addition, monitoring and evaluation will be organised. The process will be developed along the way and adapted as necessary. In this process, four steps will be followed, the first two of which have been completed already.

Phase 1: Initiation memorandum

With the publication of the initiation memorandum, the first phase was completed.

Phase 2: Specification

In the second phase, the strategic tasks were elaborated in detail and policy options were explored during 2017. The environmental assessment process (see Chapter 3) allowed room for reflection so as to explicitly take environmental interests into account. On the basis of the insights from Phase 2, the Cabinet will be able to make decisive choices in Phase 3.

Phase 3: Draft NOVI

In 2018, the focus will be on preparing the draft NOVI, in which the Cabinet's preliminary choices will be elaborated. In this phase, the SEA Report will also be drawn up. The draft NOVI will be made available for public perusal, allowing the public to voice their point of view. Together with the draft NOVI, the SEA Report will be made available.

The draft NOVI, together with the SEA Report, will be presented to the Dutch House of Representatives and made available for public perusal.

Phase 4: Embed

Reactions to the draft NOVI may lead to the NOVI being amended and supplemented before it is established by the Minister of the Interior and Kingdom Relations – in coordination with the other Ministers concerned – and sent to Parliament. The aim is for the NOVI to be finalised in 2019, well before the Environment and Planning Act enters into effect.

Participation

In the Environment and Planning Act, participation plays an important role. In this vein, many insights and views were obtained from other tiers of government and civil-society partners during the process prior to the initiation memorandum. The dialogue with other tiers of government and civil-society organizations, lobbyists and knowledge institutions is continued in the follow-up process for the preparation of the NOVI.

4.2 SEA procedure

Eventually, the NOVI will constitute a framework for future decisions regarding plans and activities that may impact the environment. If the government has such plans, the SEA procedure must be completed. This is regulated by law in the Environmental Management Act (“*Wet milieubeheer*”, Article 7) and the Environmental Impact Assessment Decree (“*Besluit m.e.r.*”), in which European legislation on environmental assessments is laid down.

Sections C and D of the appendix to the Decree list the activities that require an SEA Report if these are made possible in a plan within the meaning of Articles 2.1, 2.2 and 2.3 of the Spatial Planning Act (“*Wet ruimtelijke ordening*”). In addition, a Strategic Environmental Assessment may become obligatory if – as a result of potential significant negative impacts on the conservation targets of Natura2000 areas – an Appropriate Assessment is required.

Legally, the SEA procedure is connected to the NOVI plan procedure. This means that the SEA Report must be prepared before the NOVI will be finalised in 2019.

Notification (April 2018)

Through a notification in the Government Gazette and a daily newspaper, the public is informed of the intention of the Minister of the Interior and Kingdom Relations – in coordination with the other Ministers concerned – to prepare and establish the NOVI. Reporting that the SEA procedure will be followed, the public notification will constitute the formal start of the procedure. The public is given the opportunity to submit its point of view on the planned NOVI.

Consultation on scope and level of detail (April - May 2018)

This document will also be used to consult with the administrative bodies involved and statutory advisers on the required scope and level of detail of the environmental assessment for the NOVI. The Environmental Management Act does not stipulate a fixed term for this consultation process; it should be completed before the environmental report is drawn up.

As local and regional authorities play a central role in policy implementation, they will be consulted via existing platforms that the Government uses to consult with provinces, municipalities, and water authorities. And as the plans may have environmental consequences for the Netherlands' neighbouring countries, the relevant administrative bodies across the border will also be consulted, i.e. those in Germany and Belgium, and – because of choices related to the North Sea – in Denmark, Norway and the UK as well.

Furthermore, the Government's statutory advisers will also be consulted regarding the scope and level of detail of the environmental report. These include the Ministry of Infrastructure and Water Management, the Ministry of Agriculture, Nature and Food Quality, and the Cultural Heritage Agency of the Netherlands (which is part of the Ministry of Education, Culture and Science).

As early as 2016, the Netherlands Commission for Environmental Assessment (NCEA) was asked for its advice on the assessment framework and the assessment methodology. As such, the Commission – together with experts and stakeholders – was already involved in the process that explored the best approach for the NOVI and the governance philosophy of the Environment and Planning Act (Advisory Report No. 3105, NCEA, 12 April 2016). In the preparation of this Memorandum, this advice was taken into account. On the basis of the present document, the Commission will be asked for its renewed advice.

Drawing on the insights and advice obtained from the consultation process, the Minister of the Interior and Kingdom Relations – in coordination with the other Ministers concerned – will determine the scope and the level of detail of the environmental assessment. The SEA Report will contain an explanation of how the insights and advice have been incorporated.

NCEA advice on the assessment framework and methodology

The NCEA advises to place the broad notion of “quality of the living environment” at the heart of the assessment framework for the environmental report. Alignment may be sought with the objectives of the Environment and Planning Act aimed at a safe and healthy living environment, good environmental quality, and effective use and management of the physical environment. The advice provides a first step towards the translation of these objectives into indicators. The NCEA also advises to start by creating a snapshot of the current quality of the living environment, as well as a snapshot of the environmental quality upon realisation of policies already implemented. These snapshots will provide insight into where bottlenecks are or will be occurring, and where improvements are either possible or anticipated.

Creation of the SEA Report (June - December 2018)

When the alternatives and environmental effects to be explored have been determined, the environmental report must be drawn up, in accordance with the scope and level of detail as described in this document and on the additional basis of insights from the consultation process.

Public notification of the SEA Report and the draft NOVI, availability for public perusal and review advice (late 2018)

The SEA Report will be made available for public perusal together with the draft NOVI. The public is allowed to voice its point of view on both documents in accordance with the relevant procedure. Our neighbouring countries (Belgium, Germany, Denmark, Norway, and the UK) will be consulted about the SEA Report and the draft NOVI. In addition, the SEA Report will be reviewed by the NCEA. In tandem with the previous steps, the SEA Report and the draft NOVI will be presented to the Dutch House of Representatives.

Finalisation of the NOVI (in the course of 2019)

By adopting the NOVI, the Minister of the Interior and Kingdom Relations – in coordination with the other Ministers concerned – will establish the national environment planning policy for the Netherlands. In doing so, the Minister will explain in what way the environmental assessment and the points of view and advice submitted have been taken into account.

Glossary of Terms

Alternatives	The potential ways policies may be implemented, i.e. alternative ways to achieve – to an acceptable extent – the objectives that are linked to a certain activity. The Environmental Management Act stipulates that only those alternatives should be considered that could reasonably be expected to play a role in the decision-making process.
Autonomous development	Developments (usually in the field of spatial planning) that take place on the basis of developments that have been subject to decision-making, whether an alternative from the SEA Report will be realised or not.
Competent authority	One or more government institutions that are authorised to take decisions on the activity of the initiator.
Netherlands Commission for Environmental Assessment (NCEA)	A national commission established by law consisting of independent environmental experts who will advise the competent authority on the quality of the information in the environmental report, and – if requested – also on its scope and level of detail.
Public participation	Opportunity to obtain information and to voice a point of view, demand or complaint based on that information, for example regarding an activity that is subject to a government decision.
Notification	The publication of a resolution to start an SEA procedure and/or to adopt a plan that is subject to such an assessment.
Memorandum on Scope and Level of Detail	A document that describes what the SEA procedure will and will not cover (scope), what aspects will be examined in the SEA Report, and how thoroughly this will be done (level of detail).
Environmental planning strategy	The plan in which the province lays down its long-term policy for the living environment.
Strategic Environmental Assessment (SEA)	The procedure for drawing up an environmental report for a plan or programme (such as an environmental planning strategy).
SEA Report	The SEA Report in the context of a Strategic Environmental Assessment that contains the results of the study into the effects and environmental impact of a plan. It is about a plan – such as an environmental planning strategy – rather than a project.
Public perusal	The opportunity for stakeholders to submit a point of view, during a certain period of time, in response to a resolution or a draft plan.
Point of view	The response a stakeholder may submit to the competent authority in response to the notification of a plan.