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**BREAKING DOWN THE LEGAL FRAMEWORK FOR FLOOD PROTECTION IN
AUSTRIA: INDIVIDUAL AND PUBLIC RESPONSIBILITIES
FROM A PLANNING PERSPECTIVE**

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In order to reduce the vulnerability of societies to floods, close cooperation of stakeholders as well as innovative solutions are needed. Even though efforts are underway in Europe in recent years, flood risk management still faces considerable challenges. Partly, an adverse development took place due to failed flood risk management strategies that have led to an increasing exposure of assets and people. The shift in the flood risk management discourse, away from the engineering standard of technical protection schemes towards a broader integrated management, which includes land use management and other actions targeting incentives not to develop high-risk areas and consequently encourages the implementation of non-structural measures as a key topic in policy discussions. Subsequently, spatial planning and land use management are increasingly interlinked with the ongoing flood risk debate. However, the coordination and integration of land use planning in flood risk management policies needs far more attention. In Austria, the legal basis for flood protection is complex because of both the federal organisation with various involved administrative bodies as well as a sophisticated legal basis. Many relevant regulations exist for flood protection that are not fully coherent and consistent. Challenges but also opportunities arise with the implementation of new and adaptation of existing regulations and policy guidelines which is closely linked to European initiatives concerning flood management. The aim of the paper is to uncover the question if the Austrian legislation is capable of responding to these challenges. The results show, that the split up competencies among administrative levels and sectoral authorities lead to a complex set of legal regulations and varying interpretations and implementation in the single provinces. The Austrian legislation therefore limits the overcoming of challenges because of its diversification as well as varying responsibilities. A lack of coordination between management and planning domains additionally poses a barrier. Incentives for private flood protection hardly exist. Regulations for the building development are present, however, differ strongly between provinces. Therefore, the formation of an overarching flood protection-relevant law at the level of the federal government as the legal basis would help to resolve the competency split-up. A basic framework is given, however, a need for action towards a better integrated and comprehensive management approach is evident, in order to create a sturdier flood risk management on the individual as well as the state level.

Keywords: flood protection, flood risk management, spatial planning, legal setting, policy arrangement, water management