This location permit has been effective since 9 June 2007

 

 **REPUBLIC OF CROATIA**

MINISTRY OF ENVIRONMENTAL PROTECTION,

PHYSICAL PLANNING AND CONSTRUCTION

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Physical Planning Directorate

CLASS: UP/I-350-05/06-01/0268

REG. NO.: 531-06-2-1-07-29

Zagreb, 25 April 2007

 Pursuant to Article 35, paragraph 2 of the Physical Planning Act (Official Gazette 30/94, 68/98, 61/00, 32/02 and 100/04) and provision of Articles 1 and 2, paragraph 2, sub-paragraphs 3.1.1, indent 1 of the Regulation on identification of structures of importance for the Republic of Croatia (Official Gazette 6/00, 68/03), at a request submitted by Vodoprivredno-projektni biro d.d., Ulica grada Vukovara 220, Zagreb acting as a proxy of Hrvatske vode, Ulica grada Vukovara 220, Zagreb, the Ministry of Environmental Protection, Physical Planning and Construction hereby issues the following

**LOCATION PERMIT**

for the project: Reconstruction of the right dike of the Sava River from the settlement of Graduša to the settlement of Selišće Sunjsko, i.e. from app. km 16+000 to app. km 26+000, at cadastral plots within the cadastral municipalities of Graduša, Letina, Greda and Sunja in Sisak-Moslavina County.

1. **1. SHAPE AND SIZE OF CONSTRUCTION PLOT**

 The shape and size of the construction plot are presented in a map in a scale of 1:25000 and 1:5000, which is integral part of this location permit (Annex 2).

 **2. PURPOSE OF THE STRUCTURE**

 The right Sava dike from the settlement of Graduša to the settlement of Selišće Sunjsko has to be reconstructed in order to protect the area behind the banks from the high Sava waters. It would then be possible to connect the settlements by the dikes with the local centre, Sunja, and the regional centre, Sisak.

 Its reconstruction is a functional unit of the Middle Sava basin flood control system.

 **3. SIZE OF THE STRUCTURE**

 The right Sava dike from the settlement of Graduša to the settlement of Selišće Sunjsko is app. 10.00 km long.

 In Selište Sunjsko, due to a lack of space, part of the dike crest will be used as a road.

 The flood protection structure and the gradient of the dike crest shall be dimensioned for the design flood of a 100-year return period for the future state of completion of the water management system, with an emergency base flood elevation of the crest by 1.20 m, based on the report “Calculation of Sava water levels from Jamena to the Sutla River and updated Sava surveying maps” (VRO Zagreb, 1990).

 **4. POSITION OF THE STRUCTURE ON THE PLOT**

 The position of the structure on the plots, i.e. its route is presented on a map in a scale of 1:5000, which is integral part of this location permit.

 **5. TRIMMING OF SLOPES**

 The dike toe and slopes shall be planted with grass and maintained as such.

 **6. RESTORING THE PLOT**

 Upon the completion of all construction works, the site shall be cleaned and restored.

 **7. MUNICIPAL SERVICE INFRASTRUCTURE AND ENVIRONMENTAL PROTECTION MEASURES**

 Design documents shall provide a solution which will foresee the connection of the main structure to the drainage canals for infiltration water and water from behind the banks and a solution for drainage.

 The route of the dike shall be harmonized with the existing structures, with the route of the downstream section, with roads, residential and other structures, infrastructure, etc. In this process, the demolition or relocation of the existing structures shall be foreseen only in case that without such actions the functionality of the newly designed structures cannot be ensured.

 **8. OTHER INFORMATION SIGNIFICANT FOR CONSTRUCTION**

 Based on soil mechanics investigations performed earlier, the stability of the selected type of the dike shall be proven. Design documents for the right Sava dike shall also contain an overview of all the required elements of the regulation line and profiles.

1. **CONSENT, REQUIREMENTS (CONDITIONS), CERTIFICATES AND OPINIONS OF THE COMPETENT STATE ADMINISTRATION BODIES OR LEGAL ENTITIES**

 The requirements or conditions listed below, which are integral part of this location permit, have been obtained in the permitting procedure:

1. Sanitary-technical and hygienic conditions of the Ministry of Health and Social Care, Class: 350-05/07-01/12, Reg. No.: 534-08-01/5-07-2, dated 31 January 2007;
2. Nature protection requirements, Ministry of Culture, Zagreb, Class: 612-07/07-01/08, Reg. No.: 532-08-03/9-07-2, dated 10 January 2007;
3. Special conditions, Ministry of the Interior, Internal Affairs Inspectorate, Zagreb, No.: 511-01-75-385/2-07.1/8, dated 8 January 2007;
4. Special conditions, Ministry of Agriculture, Forestry and Water Management, Directorate for Management of Agricultural Land, Class: 350-05/07-01/1, Reg. No.: 525-09-A.P.B./07-02, dated 29 January 2007;
5. Water rights conditions, Hrvatske vode, Water Management Department for the Sava River Basin, Class: UP/325-06/07-01/48, Reg. No.: 374-21-2-07-2, dated 15 January 2007;
6. Special conditions, HEP operator distribucijskog sustava d.o.o. (Croatian power supply company, distribution system operator), Elektra Sisak, No.: 4018-2038/07-DK, dated 5 February 2007;
7. Opinion, Conditions, HEP operator prijenosnog sustava d.o.o. (Croatian power supply company, transmission system operator), Zagreb transmission area, No.: 3004-271/07R, dated 16 February 2007;
8. Special building conditions, Sisački vodovod d.o.o. (Sisak water and wastewater company), Sisak, Reg. No.: 2176/05-13-07-1227-TB, dated 6 February 2007;
9. Building conditions – Corrigendum, Croatian Telecommunications Agency, Class: 350-05/07-01/266, Reg. No.: 376-10/TZ-07-4, dated 12 April 2007;
10. Special conditions, Hrvatski telekom, Region 1-North, No. 94050/2007, dated 5 April 2007;
11. Conclusion, Municipality of Sunja, Municipal Council, Class: 350-05/07-01/02, Reg. No.: 2176/17-02-06-02, dated 27 March 2007;
12. Special conditions, County Road Directorate, Class: 340-01/07-04/01, Reg. No.: 2176-81-31-07-02, dated 29 January 2007.
13. **PHYSICAL PLANNING DOCUMENTS**

 The project complies with the Physical Plan of the Municipality of Sisak (Official Gazette of SMC, 8/04).

1. Construction may not commence on the basis of this location permit. A building permit shall be obtained pursuant to the provisions of the Building Act (Official Gazette 175/03, 100/04).
2. This location permit shall be in effect for two years from its coming into effect. An application for the building permit shall be filed within that period.

**Justification**

 The applicant, Vodoprivredno-projektni biro d.d., Ulica grada Vukovara 220, Zagreb, acting as a proxy of Hrvatske vode, Head Office, Ulica grada Vukovara 220, Zagreb, submitted on 17 November 2006 an application for a location permit for the project: Reconstruction of the right dike of the Sava River from the settlement of Graduša to the settlement of Selišće Sunjsko, i.e. from app. km 16+000 to app. km 26+000, at cadastral plots of/within the cadastral municipalities of Graduša, Letina, Greda and Sunja in Sisak-Moslavina County.

 The application is justified.

 In the permitting procedure, the following has been identified:

1. The project “Reconstruction of the right dike of the Sava River from the settlement of Graduša to the settlement of Selišće Sunjsko” is within the scope of physical planning documents listed under Clause III above.
2. The applicant, Hrvatske vode, Head Office, Ulica grada Vukovara 220, Zagreb, in accordance with the provisions of the Water Act (Official Gazette 107/95, 150/95), has a legal interest in having the location permit issued.
3. Opinions without any special conditions or requirements have been obtained from the following bodies:
* Ina d.d., Department for Oil and Gas Research and Production, Ref.: 006/008/2/07/EB, dated 21 January 2007;
* Hrvatske šume (Croatian forest management authority), Head Office Zagreb, No.: DIR-07-Gs/07-32-1, dated 15 January 2007;
1. Even though special conditions or requirements were requested from the Ministry of Culture, Heritage Department Zagreb on 28 February 2006 and 21 March 2007, these have not been provided.

 For this project, this Ministry had issued a location permit back in the year 2000 (Class: UP/I-350-05/00-01/0008, Reg. No.: 531-04/2-00/3/JK, 15 February 2000), but it ceased to have effect.

 In this permitting procedure, an opinion of the Environmental Protection Directorate within the Ministry has been requested about the need for environmental impact assessment for this project. In its opinion (Class: 351-01/06-02/683, Reg. No.: 531-08-3-1-06-VM-2, 22 December 2006), the Environmental Protection Directorate states that EIA is not required.

 In addition to the documents specified under Clause II above, an opinion of the State Administration Office of Sisak-Moslavina County, Service for Physical Planning, Environmental Protection, Construction and Property Issues, Sisak Office, was also obtained (Class: 350-02/07-02/01, Reg. No. 2176-04-02/01-07-2, 11 January 2007).

 In the permitting procedure, public inspection was held on 5 April 2007 based on the invitation published in Jutarnji list daily on 26 March 2007. It was only Hrvatske vode that responded to the invitation through its representative from the Sisak Branch Office. Having inspected the document, Hrvatske vode said it had no objections.

 Based on the conducted permitting procedure and based on the factual findings and conditions fulfilled for the application of Article 39 of the Physical Planning Act, the decision as above was reached.

**Legal remedy**

 This location permit is final in the administrative procedure and there may be no complaint against it. However, an administrative dispute may be initiated before the Administrative Court in Zagreb. The administrative dispute is initiated by filing a claim within 30 days from the receipt of this location permit and shall be submitted either in person or by registered post to the Administrative Court of the Republic of Croatia.

 An administrative fee in the amount of HRK 2,225.00 has been paid pursuant to the Regulation amending the rates of the Administrative Charges Act.

 ASSISTANT MINISTER

 Vlatka Đurković, B.S.Arch.