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Legal Reforms in Land Management Aspects to Support the Construction and the Continuing Use of the Olympic Infrastructure.

An example of Good Practice in Greece

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Objectives

- A systematic research is made to outline the experience gained in Greece through “**event-led**” development (for the construction of the Olympic 2004 Infrastructure) on legal issues related to land management. This research will also serve as a useful historic documentation of the land management issues related to the OG 2004 in Greece.
- A comparison is made of the reformed procedures especially for the OG to the traditional procedures followed for the development of land in Greece.
- A similar research for the necessary legal reforms for the sustainable use of this infrastructure is made.
- Conclusions & suggestions are given to be considered by the planners of future Olympic Games.

2004 Olympic Games Legacies

- **Material legacies:** Improvement of all general infrastructure, specific Olympic installations - which now can serve multiple athletic, cultural, and commercial activity
Added value also to the real estate within the broader surrounding areas
- **Intangible legacies:** International reputation, globalization of general ideas about the Olympic culture and volunteerism, nation-wide feelings of confidence and optimism, etc
Perhaps the most important is *the experience and know-how gained in technical, administrative, financial and legal issues related to land management and development.*

From a surveyor’s perspective

OG is an example of gaining experience in developing effective and less time-consuming procedures in land management :

- Spatial planning
- Compulsory land expropriation
- Building permit procedures
- Land-use regulations
- Real estate operation permit procedures
- Land-use conversion procedures



through the organizing of such a major event within a fixed period of time.



Legislation Governing Spatial Planning & Land Development in Greece

Legislation for applying land policy & spatial planning requires costly & time-consuming procedures

The definition of zoning regulations at regional level includes:

- Decision by a multi-ministerial Committee
- Decision of approval by a National Council
- Compilation of the General Regional Framework for Spatial Planning and Sustainable Development for each one of the 13 Prefectures of Greece **Completed**
- Compilation of the Special Regional Framework for Spatial Planning and Sustainable Development (for various sectors of activities e.g., coastal zone, tourism etc)

None of them has been completed and ratified yet

General Regional Framework for Spatial Planning and Sustainable Development for the Prefecture “Sterea Hellas”



Attica & Thessaloniki are governed by special spatial planning procedures

- Law 1515/1985: for Athens & greater area of Attica

Responsible agency: Organization of Planning and Environmental Protection of Athens

Strategic Spatial Plan: regional structure of the production sectors, transportation system, technical infrastructure, land policy & housing, zoning of specific interest, environmental monitoring & protection, etc

- Law 1561/1985: for Thessaloniki & greater area

Presidential Decrees after a proposal by the Minister for the Environment, Physical Planning & Public Works

Complicated and time-consuming administrative and legal procedure: demands a series of ratifications and consultancies by relevant agencies and legalized bodies, and by the Council of the State-the highest court

Housing & Urban Planning

Land development of urban areas is defined by Laws 1337/1983 and 2508/1997 and their amendments

1. Compilation of the Planning and Environmental Protection Plan
2. Compilation of the General Urban Plan for all urban and suburban areas of the municipality
3. Compilation of the Urban Planning study and the Urban Planning Implementation Act
4. Ratification of the Urban Planning study by Presidential Decree and of the Implementation Act by the Prefect
Ratification requires ~3-4 years until published in the GG
The total average time for the compilation and ratification of an urban planning study is ~8 years
5. Construction permitting requires permitting from ~12 involved agencies

Land & Real property expropriation in Greece

The definition / legal nature are clearly described in the Constitution and distinguished from other restrictions of ownership included into the Civil Code.

Basic prerequisites of existing legislation:

- Proof of the existence of public benefit
- Determination of the public benefit through legislation
- Full compensation to the owner
- Determination of the amount of compensation by the civil courts

- Frequent change of legislation & random amendments
- Judicial procedures create long delays & frustration
- OG due to their temporary character cannot justify a permanent expropriation

Law & procedural reforms for the construction & operation of the Olympic installations

Reforms made especially for the 38 Olympic installations (34 of them are sited within the greater area of Attica) refer to the procedures followed for:

- ✓ Spatial & urban planning, (land-use restrictions)
- ✓ Obligatory land expropriation (land acquisition)
- ✓ Construction/Building permitting regulations
- ✓ Real estate operating permitting regulations

All relevant regulations had to be ratified by the Hellenic Parliament through related laws and legislative regulations

Spatial Planning, Construction & Operation legislative regulations for the pre-Olympic era (I)

- Law 2598/1998 Organization of the OG-Athens 2004
- Law 2730/1999 Planning, Integrated Development and Execution of OG & other arrangements
- Law 2741/1999 Single Agency for Food Control & other arrangements related to the Ministry of Development
- Law 2819/2000 Establishment of the Olympic Village 2004
- Law 2833/2000 Issues for the protection of OG and other arrangements
- Law 2882/2001 Real Estate Expropriation Code
- Law 2912/2001 Fundamental principles for accidents & events of civil aviation
- Law 2947/2001 Issues for the Olympic Hospitality, Construction Works for the Olympic Infrastructure and other arrangements

Spatial Planning, Construction & Operation legislative regulations for the pre-Olympic era (II)

- Law 3010/2002 Harmonization of Law 1650/1986 according to EU guidelines, boundary determination and regulations for streams and other arrangements
- Law 3057/2002
- Law 3207/2002
- Law 3254/2004 Regulation of issues for the Olympic and para-Olympic Games 2004

Post-Olympic era

- Law 342/2005 About the sustainable Development and Social Value of the Olympic Installations, Permitting, Uses, Operation-etc

Transportation network of Attica



Obligatory Expropriation for land acquisition for the Olympic Installations

Law 2730/1999 has upgraded the organization of the OG to a "national opportunity to satisfy long-term needs of public interest, which will extend also in the post Olympic era", such as:

- ❖ The spatial and urban reform of the greater area of Athens
- ❖ The protection of natural & cultural heritage
- ❖ The creation of athletic, social and tourist infrastructure

Expropriations were considered to serve the public, to be urgent and of major importance.

Obligatory Expropriation for land acquisition for the Olympic Installations

Normal procedures were not followed:

Cadastral maps, tables → simple survey plans with the current owners

Information of the public → publication of the governmental decision

Deadlines for land acquisition

Estimation of the compensation amount

Some Law experts are skeptical...

Despite the new Laws land expropriation was not an easy task:

- The "public interest" criterion should document clearly not only the purpose of expropriating the land but also the need for the total area.
- In some cases expropriation was completed but some other existing "land-use" restrictions did not allow the full use of the land.

For the temporary use of real estate that belonged to the state, local authorities, churches, monasteries and universities land expropriation was not necessary, since the state paid for any damage or permanent change and gave back the real estates to the original owners after the closing of the OG.

The total cost for land expropriation was **275 million Euros**

Construction/ Building Permits

Building permits were necessary for:

- Excavations and construction of the Olympic installations
- Renovation of the existing
- Demolition of the old buildings
- Construction of additional auxiliary and supportive installations

Several agencies involved e.g., forest land agency, archaeological service

Extra work load to the urban planning offices. A special agency was established by Law 2730/1999 (2 Ministerial Decisions defined the necessary documents to be submitted and the procedure) and issued 133 construction permits.

2 agencies had the responsibility to supervise the construction; the construction was contracted to the private sector.

Operational Permits

Operational permits had to be issued for each venue for several different land-uses, such as: Athletic shops, restaurants, doctors' offices, exhibitions, conventional, tourist, etc.

According to the existing legislation: each land-use has different specifications and procedures and involves different agency.

Law 3254/2004, aiming for unified approach and quick results, established a committee to issue the permits for the Olympic duration.

Members of the committee:

- Ministry of Development
- Ministry for the Environment, Physical Planning & Public Works
- Ministry of Public Order
- Ministry of Health and Social Solidarity
- Fire Brigade, etc

Post-Olympic Sustainable Development

Mixed uses were not possible for the post-Olympic era: Each venue had to continue to operate with identical land-use, such as conventional, athletic, tourist, etc

An agency was established responsible for the issuing of the post-Olympic operational permits, and defined the specifications & procedures.

The ownership of all 38 venues was transferred to the "Olympic Real Estate SA" state-owned private company.

Estimated maintenance & operating costs led to the decision that 17 out of the 38 installations are to be turned over to the private sector for operation. In 2006, operational plans 7 procedures for 3 out of the 17 have been completed.

Conclusions

This research shows that Land Management issues related to the OG include:

- Spatial planning for the location of permanent & temporary Olympic installations & for the post-Olympic era
- Compulsory land expropriation
- Building / construction permitting procedures
- Selection of contractors & conducting for construction
- Land-use permitting and zoning issues
- Real estate operational permitting during the OG
- Land-use conversion procedures & permitting for the post-Olympic era
- Selection of managers/operators & contracting

Conclusions

- OG have a significant land development & construction impact
- Efficiency & control is dependant upon land management & development policies of the hosting country
- In countries where land management procedures are costly and time-consuming specific legal and procedural reforms must be considered as high priority issues
- Time constraints introduce urgency; time delays increase costs; construction projects rushed to completion introduce extra costs
- Hosting countries should plan for a consolidation of responsibility & accountability among the many public agencies
- Consolidation of permitting process is of vital importance
- Enabling legislation for land-takings while respecting land owners' rights should be considered
- Early consideration for the post-Olympic use is very important