

Supplementary provisions to the land-use plan for the settlement Pyramiden, Svalbard

Land-use plan adopted by the Governor's decision of 16 December 2014 under section 49 of the Svalbard Environmental Protection Act ('the Act')

Under section 49, last paragraph, a), of the Act, these provisions apply to the land-use planning area within the boundaries shown on the map.

§ 1 PURPOSE OF THE LAND-USE PLAN

The purpose of the land-use plan is to facilitate new activity in the existing settlement and maintain the environmental and historical value of the area. There is no previously existing land-use plan for the area.

§ 2 LAND-USE CATEGORIES

The land-use plan designates areas in the following land-use categories (with reference to the Act, as specified in the second column):

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| Buildings and installations | Section 49, 3rd paragraph, 1 |
| Specified buildings and installations | Section 49, 3rd paragraph, 1 |
| Cultural heritage, natural environment and outdoor recreation | Section 49, 3rd paragraph, 3 |
| Cultural heritage | Section 49, 3rd paragraph, 3 |
| Cultural heritage combined with commercial buildings | Section 49, 3rd paragraph, 3 |
| Permanent research areas | Section 49, 3rd paragraph, 5 |
| Transport and communications installations and technical infrastructure | Section 49, 3rd paragraph, 6 |
| Airport, landing strip | Section 49, 3rd paragraph, 6 |
| Port | Section 49, 3rd paragraph, 6 |
| Use and protection of sea areas/river systems and their shoreline | Section 49, 3rd paragraph, 8 |
| Port (water area) | Section 49, 3rd paragraph, 8 |
| Undeveloped marine area | Section 49, 3rd paragraph, 8 |

§ 3 GENERAL PROVISIONS

- a) The provisions of the plan are intended to maintain the cultural environment of Pyramiden, but not to prevent use, technical operations or acute safety measures. All projects within the land-use planning area shall be assessed on the basis that Pyramiden constitutes a cultural environment.
- b) Wherever possible, existing infrastructure, including buildings, shall far as possible be used in preference to new construction. Pipelines and cables shall be laid within or alongside existing infrastructure. Existing utilidors (pipeline systems) shall as a general rule be maintained and used for new infrastructure.
- c) Projects in the planning area shall meet satisfactory aesthetic design standards in accordance with building function and the natural and built surroundings.

- d) Before an activity is started or property is allocated in the land-use planning area, the head of undertaking shall notify the instance responsible for planning and the Governor. The notification shall provide sufficient information to indicate whether the activity or allocation is in accordance with the plan.
- e) A waste management plan and a final report when the work has been completed shall be drawn up for any project involving the construction of a new building or the demolition or restoration of existing buildings.
- f) For projects involving disturbance of the ground (e.g. excavation), the head of undertaking has a duty to investigate whether the site is contaminated, which pollutants are involved and the extent of the contamination. If the site is contaminated, the head of undertaking shall draw up an action plan on the basis of the investigations, and this shall be approved before the project may be started.
The action plan shall ensure that there is no dispersal of contaminated material during construction work and that contaminated material is disposed of properly. The action plan shall describe the investigations that have been carried out, analytical results and an assessment of the results, the risk of spreading pollutants during the work to be undertaken, steps that will be taken to ensure that there is no dispersal of hazardous substances/contaminated material during the project, and how contaminated material is to be disposed of.
- g) Work/projects that affect areas with a vegetation cover shall be carried out when the ground is frozen and/or snow-covered. Areas affected by such work/projects shall be restored as soon as possible and at the latest one year after the work has been completed.
- h) If objects or structures that may date from before 1946 come to light during work in the area, the work shall be stopped and the Governor shall be notified immediately, see section 44 of the Act.
- i) If species that are mentioned in the action plan for invasive alien species in Svalbard are discovered within the Pyramiden land-use planning area, the recommendations of the said action plan shall be followed.
- j) Any projects in the sea or on land that may affect safe and unimpeded passage in the sea area covered by the land-use plan must have a permit from the Norwegian Coastal Administration.
- k) It is permitted to take steps to reduce the risk of erosion within the land-use planning area, for example constructing and maintaining embankments, ditches, drainage structures and the like, in order to safeguard the historical, environmental and recreation value of the area.
- l) Before any new projects are carried out in areas where there is a landslide or avalanche hazard, an expert evaluation shall be made by a geologist or geotechnical engineer to estimate the probability of different types of events.
- m) Outdoor storage is only permitted in areas that are designated for the purpose.
- n) Any temporary research installations established within the land-use planning area shall be sited and designed in such a way that they do not come into conflict with protected structures and sites, cultural environments, the flora and fauna, existing research instruments or other provisions of this plan. Before research installations are established in areas where there may be a landslide or avalanche hazard, those responsible should consider consulting geological expertise. Anyone responsible for installing research instruments is also responsible for removing them and any other structures when the instruments are no longer in use, see section 64 of the Act
- o) The waste management plan for Pyramiden shall be designed for the level of activity and the number of people present at any time in the settlement.

§ 4 BUILDING AREAS

4.1 Buildings and installations, area B1

- a) In this area, it is permitted to erect new constructions and extensions related to the operation of buildings and technical infrastructure. The maximum permitted roof ridge height for new buildings is 9 metres above the existing terrain.
- b) Temporary storage of separated waste fractions shall take place in secure containers or clearly delimited areas.

4.2 Buildings and installations, area B2

- a) In this area, the construction of new residential, commercial and research buildings is permitted.
- b) The maximum permitted proportion of built-up area is 10 %. The buildings shall be sited along the existing utilidor following the same principle as the original residential buildings, and access to the buildings and connections to cables, pipelines, etc shall be via the utilidor.
- c) The maximum base size of each building shall be 80 m².
- d) The style of new buildings in the area shall be in keeping with existing buildings with a similar function and character. This includes size/area, choice of materials and colours, building details, ridge height, roof pitch and roof orientation. The plans shall be approved by the Governor before construction begins.

4.3 Buildings and installations, area B3

- a) In this area, existing buildings, installations and technical infrastructure shall be operated and maintained in such a way that the character of the area as a coherent whole is maintained.
- b) No new buildings may be constructed.

4.4 Buildings and installations, area B4

- a) The area shall be used for industrial and storage purposes.
- b) No new buildings may be constructed.

4.5 Buildings and installations, area B5

- a) The area shall be used for storage of coal for use in Pyramiden.
- b) No new buildings may be constructed.

4.6 Buildings and installations, area B6

- a) Up to six containers may be placed in the area for use as a hotel.

4.7 Specified buildings and installations, tank farm

- a) In the tank farm area, only projects that maintain the function of the area are permitted.

4.8 Specified buildings and installations, landfill for slag

- a) The landfill shall at all times be operated in accordance with the conditions set out in permits from the Norwegian Environmental Directorate and the Governor.

4.9 Specified buildings and installations, landfill for waste

- a) The area has previously been used as a landfill and has been designated for permanent landfilling of waste in accordance with conditions laid down in a permit from the Governor.

§ 5 CULTURAL HERITAGE, NATURAL ENVIRONMENT AND OUTDOOR RECREATION

5.1 Cultural heritage, natural environment and outdoor recreation combined

- a) In this area, only small-scale works are permitted to facilitate outdoor recreation and in connection with management of the cultural heritage.
- b) Mine entrances shall be made secure by agreement with the Commissioner of Mines, and mining waste and other remains shall be secured, or removed if they pose a threat to people or animals.

5.2 Cultural heritage area

The purpose of the protection is to safeguard historically valuable buildings and other structures, including outdoor areas, staircases and so on.

- a) It is not permitted to demolish or move buildings or alter their exterior (including façades, use of materials and colours).
- b) When existing buildings are maintained and improved, the style of the façades and construction shall be retained. Elements of the façade such as windows, doors, moulding, roofing materials, cladding and surface treatment shall be retained. If it is necessary to replace such elements, the original type of materials shall be used.
- c) New buildings or alterations in the cultural heritage area that do not change the character of the cultural environment require a permit from the Governor.
- d) If buildings within the cultural heritage area must be replaced with new buildings as a result of fire or other irreversible damage, it is permitted after notifying the Governor to erect buildings of the same dimensions, height and style as those that are being replaced.
- e) Fixed elements of the interior of certain buildings (including walls, floors, door and window openings, technical installations, construction elements, decorative elements and colour schemes) are assessed as being of great historical value and should be maintained intact; this applies to the house of culture, the swimming pool, the mess, the hen house and the piggery (in Norwegian: kulturpalasset, svømmehallen, messa, hønsehuset, grisefjøsset). The Governor may give permission for measures that do not negatively affect the character of the interior of these buildings.

5.3 Cultural heritage combined with commercial buildings, area N1

- a) Existing buildings may be used for commercial activities.
- b) The area between the buildings may be used for camping. All camping in this area shall be agreed with Trust Arktikugol.
- c) The provisions of section 5.2 also apply to this area.

5.4 Cultural heritage combined with commercial buildings, area N2

- a) Existing buildings may be used for commercial activities.
- b) The provisions of section 5.2 also apply to this area.

§ 6 RESEARCH AREAS

6.1 Permanent research area F1

- a) In this area, it is permitted to erect permanent installations and buildings for research purposes. Individual buildings shall not have a base size exceeding 30 m² or a ridge height exceeding 6 metres.
- b) Research installations must be constructed in such a way that they do not hinder flood protection measures.

6.2 Permanent research area F2

- a) In this area, it is permitted to erect permanent installations and buildings for research purposes. Individual buildings shall not have a base size exceeding 30 m² or a ridge height exceeding 6 metres.

6.3 Permanent research area F3

- a) In this area, it is permitted to erect research installations and up to eight buildings for use in connection with field work. The maximum size of the buildings shall be 20 m², and the ridge height shall not exceed 3 metres above the existing terrain.
- b) The field camp shall have closed systems for toilets and waste disposal, and all waste shall be taken to the waste reception facilities in Pyramiden or Longyearbyen.
- c) The area shall have a coherent character and the cladding of all the buildings shall be in neutral/natural colours. Before any building work is started, an overall plan shall be drawn up for the area showing the design and siting of the buildings. The plan for the area shall be enclosed with the notification of activity in the area required under section 58, first paragraph, of the Act.

§ 7 IMPORTANT ELEMENTS OF THE COMMUNICATION SYSTEM

7.1 Transport and communications installations and technical infrastructure: communication aerials

- a) The area is designated for the erection and operation of communication aerials.
- b) In this area, new aerials may be erected and installations may be maintained and operated.

7.2 Airport, landing strip

- a) The area may be used as a landing strip for aircraft with a special permit from the Governor under section 83 of the Act.
- b) There are strict restrictions on helicopter transport, and flights must be made by Norwegian actors or under the terms of the limited licence issued to Trust Arktikugol.
- c) In this area, works and projects connected with the heliport are permitted, including alterations to and operation and maintenance of the landing strip, buildings and necessary aids to navigation.

7.3 Port

- a) In this area, works and projects connected with the port and small craft harbour are permitted, including the construction, operation and maintenance of quays and floating jetties with facilities for mooring, supplies and the like, and necessary aids to navigation.
- b) It is permitted to establish permanent research installations that do not interfere with use of the area as a port.
- c) The storage of floating jetties, boats and the like is permitted within the area. Temporary storage of separated waste fractions that are to be shipped out of the area shall take place in secure containers or clearly delimited areas.
- d) Before any works are carried out in the sea adjoining the port facilities, investigations shall be conducted to reveal any underwater cultural heritage.

§ 8 USE AND PROTECTION OF SEA AREAS/RIVER SYSTEMS AND THEIR SHORELINE

8.1 Use and protection of sea areas/river systems and their shoreline

- a) In this area, existing infrastructure and installations shall be operated and maintained in such a way that the overall character of the area is maintained.

8.2 Port (water area)

- a) In this area, works and projects connected with the port and small craft harbour are permitted, including the construction, operation and maintenance of quays and floating jetties with facilities for mooring, supplies and the like, and necessary aids to navigation.
- b) It is permitted to establish permanent research installations that do not interfere with use of the area as a port.
- c) Before any works are carried out in the sea adjoining the port facilities, investigations shall be conducted to reveal any underwater cultural heritage.

8.3 Undeveloped marine area

- a) In this area, activities related to outdoor recreation, access and passage and fishing are permitted.

§ 9 ZONES WHERE SPECIAL CONSIDERATIONS APPLY AND AREAS SUBJECT TO SPECIAL PROVISIONS

9.1 Hazard zone: H320, flood hazard

- a) The area is flood prone, and flooding here could have serious consequences for the built-up area of Pyramiden. Steps to control erosion by constructing and maintaining embankments, ditches and drainage works and the like are permitted within the area.

9.2 Hazard zone: H350, fire/explosion hazard

- a) A storage facility for inflammable liquids has been established in this area. The area shall be properly secured in accordance with the permit issued by the Directorate for Civil Protection and Emergency Planning.

9.3 Areas with restrictions on use: zone H770, automatically protected structures and sites and surrounding security zone

Buildings and installations that are automatically protected under Chapter V of the Svalbard Environmental Protection Act, together with the surrounding security zones, are marked on the land-use map.

- a) No person may damage, dig up, move, remove, alter, cover up, conceal or disfigure automatically protected structures and sites or movable historical objects, including any security zone, or initiate measures that may entail a risk of this happening.
- b) Without a permit from the Governor, no person may erect a tent or light a fire within a security zone. Tents may nevertheless be erected within a security zone when the ground is frozen or snow-covered.
- c) The Directorate for Cultural Heritage has on application granted general permission to safeguard individual structures and sites and cultural environments in Pyramiden against erosion, avalanches, landslides and flooding by constructing and maintaining embankments, ditches, drainage works and the like. Such measures must not be in direct contact with protected structures and sites.

§ 10 LINE SYMBOLS ON THE MAP

10.1 Buildings, structures and sites and the like that are to be preserved

Individual buildings and installations outside the cultural heritage area that are to be retained are marked on the (planning) map.

- a) Demolition, moving and alteration of the exterior (including façades, use of materials and colours) of such buildings and installations is not permitted.
- b) Individual buildings and installations that have suffered substantial decay or lost their original function are nevertheless part of the backdrop of the cultural environment and shall be retained. They must be made safe so that they are not hazardous to people and animals. If this is not possible, the Governor may on application give permission to remove individual buildings or installations.
- c) Individual buildings and installations must be considered together with their surroundings, and any new construction near them must be adapted to the cultural environment as far as possible. Any project that will affect buildings and installations that are part of the cultural heritage or their surroundings shall be planned and carried out so that it is of high visual quality both in itself and in relation to its function, surroundings and position.
- d) Stretches of the railway line that was used to transport coal from the mine to the port have been damaged by landslides. The railway line shall be preserved where it is visible. Where the line has been damaged, no new installations are to be built along its course.
- e) These provisions shall not prevent the use and maintenance of buildings and technical installations that are in regular use. Alterations and additions require a permit from the Governor.

10.2 Buildings that are included in the land-use plan

Individual buildings outside the built-up area are marked on the land-use map.

- a) These buildings may be used and maintained.

10.3 Line symbols for elements of the communication system: main roads and access roads

- a) Existing roads marked on the land-use map may be used, maintained and repaired so that they are driveable, within their original width.

10.4 Line symbols for infrastructure: water and waste water

- a) Existing sewers are marked on the map. The sewerage system may be operated, maintained and if necessary expanded along the same course. Otherwise, sewers shall be laid along the course of existing utilidors.
- b) A new utilidor for water supplies is shown on the land-use map. Apart from this, existing utilidors shall be used for water supplies.