05.18 – MALOPOLSKA OSWIECIM

1. **Basic Information**

1.1. **CRIS Number**: 2003/004-379/05.18
1.2. **Title**: Integrated development of the *Nowe Dwory* Urban Enterprise Zone in Oswiecim
1.3. **Sector**: Economic and Social Cohesion
1.4. **Location**: Poland, Malopolskie Voivodeship, Oswiecim

2. **Objectives**

2.1. **Overall objective**
Improvement of the attractiveness for investment in the north-west Malopolska and creation of favourable conditions for the development of entrepreneurship

2.2. **Project purpose/Immediate objectives**
Support of the development of the SME sector in *Nowe Dwory* Urban Enterprise Zone in Oswiecim

2.3. **Accession Partnership and NPAA priorities**
The project is designed to address issues related to the AP priority in economic and social cohesion policy regarding preparation for the implementation of regional programmes and Community Initiatives. The project in particular responds to the economic criterion identified in the AP concerning improving the competitiveness of the Polish economy. The project corresponds also to the NPAA priority "Regional policy and co-ordination of structural instruments".

2.4. **Contribution to Preliminary National Development Plan**
The project is in line with the sixth axis of the Preliminary NDP, which is “Strengthening development potential of regions and counteracting marginalisation of certain areas”. The priorities of this axis will be implemented by means of several measures including development and modernisation of infrastructure serving to strengthen competitiveness.
The project is compliant with the priorities of the Operational Programme of the Malopolskie Voivodeship.

2.5. **Cross border impact**: N/A.

3. **Description**

3.1. **Background and justification**
Oswiecim is a poviat town located in the centre of the Oswiecim Valley. It has 42 thousand inhabitants and covers an area of 30.3 km². It borders with three important economic regions – the Upper Silesian Industrial Belt, the Kraków conurbation and the Podbeskidzki region including the town of Bielsko-Biała. The largest employer in the town is the chemical company “Dwory” SA (which together with affiliated companies employs over 3200 people). This causes a large dependence of the local labour market and level of consumption on the overall condition of this industry. Moreover, ca. 1300 inhabitants of Oswiecim earn their living from work in mines and associated plant forming part of Nadwislanska Spólka Węglowa SA in Tychy. Thus the dependence on the condition of the chemical and coal-mining industries generally represents a significant threat to the local market. A worse situation in these industries causes an influx of another group of unemployed onto the local labour market. At present there are 3365 unemployed in Oswiecim, which is twice as many as in 1998 (the unemployment rate for the Oswiecim poviat amounts to 17.2 %).
In such a situation, it is important to develop the entrepreneurship of inhabitants and improve the area’s attractiveness for investment. The Town of Oswiecim undertakes actions designed to support SMEs, as well as the economic development of the subregion of Western Malopolska. In October 2000, the Municipal Council adopted a resolution on a “Programme for the development and support of small and medium enterprises in Oswiecim”. The programme contains several tasks supporting entrepreneurship. The year 2001 saw the establishment of the Centrum Biznesu Malopolski Zachodniej Sp. z o.o. (Business Centre of Western Malopolska Ltd; initial capital: PLN 337 000) by the Town of Oswiecim (shares – 74.18%), Oswiecim Gmina (23.74%) Oswiecim Poviat (1.48%), Malopolska Agencja Rozwoju Regionalnego S.A. (0.3%) and Fundacja Promocji Gospodarczej Regionu Krakowskiego (0.3%).

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basic objectives of this organisation is to support economic development, promote SMEs and attract investors.

The Development Strategy of the Town of Oswiecim, adopted by the Municipal Council of Oswiecim, as well as the Development Strategy of Oswiecim Lands, prepared at the request of the Chancellery of the Prime Minister of Poland, see their priorities as the establishment of the Nowe Dwory Urban Enterprise Zone, which will involve:

- Investment areas with an area of ca. 45 ha, of which the Town owns 7.5 ha. In line with the local spatial development plan, there is the possibility of expanding the zone by a further 40 ha.
- and a Local Business Centre and Entrepreneurship Incubator which lies in a 3,200 m² building belonging to the town.

Nowe Dwory Urban Enterprise Zone has been considered as a strategic area for the development of business in the town since it is the only area with such a high development potential. In order to activate the zone and promote the full use of the area of the zone requires proper preparation for investment. At present the possibility of connecting the area to electricity, water and teletechnical networks already exists. However the lack of sewerage and a storm drainage system decisively blocks economic development within the zone. In 2002, stage I of the sanitary collector was commenced to which the collector servicing the zone will be connected. Areas within the zone will be sold by way of open tender, and all the related fees will go to the town’s budget. Fees for using the utilities will be defined each year by the Municipal Council, and are the same for all business entities.

In July 2001, a local plan was adopted for the area of Chemików, Olszewskiego and Tysiaclecia Streets as part of the work to promote conditions favourable to Nowe Dwory Urban Enterprise Zone. This plan allows the development of services and other business activities in this area. A necessary precondition for the development of this part of the Zone is the preparation of a communication system compatible with the adopted local plan.

For Monowice district, in the immediate vicinity of the zone, a local spatial development plan was adopted in April 2002, which introduced service functions for areas along Fabryczna Street. The sewerage in this region is designed to service the existing companies (about 10 firms) and the planned service facilities (in total ca. 80 buildings).

In 1999, the town purchased the building for the purposes of the entrepreneurship incubator and the local business centre, and then a design was prepared for the adaptation of the building. Later, the building will be used as the headquarters of an institution promoting local development, while the offices will be let to companies for production, offices, warehouses or services. It is estimated that about 26 companies will conduct business within the incubator providing 360 new work places. The local business centre and the entrepreneurship incubator will form one institution. A rule has been adopted, in line with which the number of incubated companies cannot be greater than the number of companies using the facility on terms defined by the institution managing the incubator.

The local business centre will obtain income from letting the office space and from training sessions and counselling. It is also estimated that the companies will participate in the available EU aid programmes in the area of Human Resources development, and also in the programmes financed from other available sources (e.g. the development and support programme for SMEs in Oswiecim).

After the Nowe Dwory Urban Enterprise Zone begins its activities, it will be managed by the Business Centre of Western Malopolska, which will also act as an information and contact centre for entrepreneurs.

It is estimated that the furnishing of the local business support centre will be financed from the own resources of the Business Centre of Western Malopolska and from the Town’s budget. Establishment of an entrepreneurship incubator and a local business support centre within the zone will allow them to support actions related to the development of the zone, as well as to small and medium enterprises operating in the zone. It is planned that after the incubation period the companies will be able to base their activities within the zone, which will enable them to continue their business on the same area, and at the same time will increase the number of investments within the zone. Furthermore, the influx of investments to the zone is ensured by the interest that companies have already expressed. The interest is expressed during conferences and business meetings organised within Oswiecim partner agreements with towns from the European Union. Business Centre of Western Malopolska, as the institution in charge of acquiring investors, currently conducts negotiations with six companies, aimed at finalising their investments within the zone. The prime objective of the zone will be to create up to 360 new jobs within a three-year time frame. The investment will allow for the creation of new jobs, not only for the inhabitants of the town, but also the project will have a sub-regional impact which will provide an opportunity for people from the surrounding area. Moreover, the Nowe Dwory zone will balance the
economically active areas near the National Museum Auschwitz – Birkenau, which areas will mainly focus on tourism. The construction of the sewer system will, in turn, allow the town to meet the requirements of the environmental protection regulations, as well as to fully use the production capacity of the Municipal-and-Industrial Sewage Treatment Plant, opened in 1994. The establishment of the Nowe Dwory Urban Enterprise Zone is compatible with actions taken by local authorities, and will help to activate the economic development of the town and the poviat. It will also have an impact on the Western Malopolska sub-region.

3.2. **Linked activities**

? A ring road (Zatorska street) was built to the south of the town in the mid 1990s. This facilitates access to the Zone from the Silesian side towards Bielsko–Biała

? In 1994, a modern mechanical-chemical-and-biological Municipal-and-Industrial Sewage Treatment Plant was opened. It features biological treatment using the activated sludge method, and since September 2002 this has operated with increased removal of biogenic compounds. This will have an impact upon meeting the parameters given in the legal water discharge permit. The unused capacity of the plant enables one to accept additional sewage from the Nowe Dwory Urban Enterprise Zone

? In 1999, the town procured the land and building for the purposes of the entrepreneurship incubator from the Chemical Company “Dwory” S.A.

? In June 2000, a design was prepared for the purposes of adapting the building for the entrepreneurship incubator

? In October 2000, the Municipal Council adopted the programme for development and support of small and medium enterprises in Oswiecim. One of the programme’s tasks involved the establishment of the Business Centre of Western Malopolska

? October 2001 saw the establishment of the company under the name Centrum Biznesu Malopolski Zachodniej (Business Centre of Western Malopolska), the aim of which was to manage the Zone and actively search for investors

? In 2002, local spatial development plans were agreed for the areas within the Enterprise Zone within the area enclosed by Chemików, Olszewskiego and Tysiaclecia streets, and for the Monowice district. These designated trade and services functions for these areas: In July 2002, stage I of the implementation of the collector sewer was begun from Olszewskiego Street to Pod Borem Street (stage I is not covered by the Zone project)

? In August 2002, a roundabout was made at the junction of the following streets: Fabryczna, Chemików and Olszewskiego, which facilitates traffic within the Zone.

3.3. **Results**

Setting up of the Nowe Dwory Urban Enterprise Zone through:

? Refurbished existing building to establish the entrepreneurship incubator for app. 26 firms (within 2 years after project completion), useable space floor ca. 2600m²

? Modernised part of the existing building for establishing a local business support centre, useable space floor ca. 300m²

? New investment areas available – ca. 45 ha.

These will allow creating of app. 360 new work places in new SME within 2 years after project completion.

3.4. **Activities**

? Adapting the building to the needs of the local business support centre together with the entrepreneurship incubator - execution of construction, renovation and installation works

? Equipping new investment areas with technological infrastructure:

- Construction of a road ca. 500 m long, and 5 m wide
- Constriction of sewerage collector ca.1,8 km long and Ø 400 in diameter
- Constriction of sewerage system network of total length ca. 3,1 km, of Ø 300 and Ø 400 in diameter
- Construction of storm drainage system network length app. 3,7 km, of Ø 600-1000 in diameter

3.5. **Lessons learned**

? Under the Final Assessment Report for Assistance funded under PL-9808 Special Preparatory Programme (SPP) and PL-9909 Regional Policy and Cohesion, prepared by OMAS, some
recommendations were made. They are also relevant to the above-mentioned project. Therefore the Ministry of Economy together with the IA and the Office of the Committee for European Integration have established stronger institutional co-operation between those organizations (responsible for the programming and implementation of the Phare – ESC assistance).

LPM (Logical Planning Matrix) methodology is applied correctly and contains clear, quantifiable indicators of achievement of the project’s objectives.

The implementation of the Phare 2003 ESC Programme should be based on the experience gained during the implementation of previous Phare programmes, especially the ESC 2000, 2001 and 2002 ESC Programmes. Therefore documents concerning land acquisition and conformity with the local spatial development plans are required during the current programming exercise. For this purpose the Polish authorities (Ministry of Economy and the Office of the Committee for European Integration) have established a scrutiny system (in the form of a checklist) that should be used at an early stage of programming Phare 2003 ESC assistance, eliminating proposals which do not meet the above-mentioned criteria.

4. INSTITUTIONAL FRAMEWORK

4.1. The beneficiary of the project: Town of Oswiecim
4.2. The Engineer/Manager of the project: will be selected through tender pursuant to the Polish Act on Public Procurement
4.3. The owner of the investment after the implementation of the project: Town of Oswiecim. Institution managing the Nowe Dwory Urban Enterprise Zone: Business Centre of Western Malopolska
4.4. The investment will be implemented pursuant to the regulations of the Decentralised Implementation System – “Practical Guide to Phare, Ispa and Sapard Contract Procedures”
4.5. The implementation of the project will not cause any changes to the institutional framework described above regarding PHARE, ISPA and SAPARD”.

5. DETAILED BUDGET

<table>
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<tr>
<th>Project</th>
<th>Investment Support</th>
<th>Institution Building</th>
<th>Total Phare co-financing</th>
<th>National &amp; Financial Institutions</th>
<th>Total</th>
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The overall value of the investment including employment of the Project Manager will amount to 3.234 MEUR. The cost of the employment of the Project Manager will be borne by the beneficiary and amounts to 0.1 MEUR. Co-financing will be available.

6. IMPLEMENTATION ARRANGEMENTS

6.1. Implementing Agency

?  PAO: Ms. Ewa Freyberg, Undersecretary Of State In The Ministry Of Economy, Pl. Trzech Krzyzy 3/5, 00-507 Warsaw, Poland, Phone: + 48 22 629 68 95., Fax: + 48 22 693 40 09

?  Implementing Agency: Implementing Authority for Phare Cross Border Co-operation Programme, Contact person: Ms Grazyna Weclewksa, Director, Krucza 36 street, 00-522 Warsaw, Poland, Phone +48 22 695 99 10-11, fax +48 22 695 99 12-13

6.2. Twinning: N/A

6.3. Non-standard aspects: N/A

6.4. Contracts


?  Contract 2 (engineer): 100,000 EUR, totally financed by the Town of Oswiecim within the national co-financing
7. **Implementations Schedule**

- Start of tendering/Call for proposals: third quarter 2003
- Start of project activity: second quarter 2004
- Project completion: first quarter 2006

8. **Equal Opportunities**

Procedures related to the implementation of the project will be implemented according to the law and will respect equal opportunities for all interested institutions and natural persons whatever their sex, race and nationality. The employment of men and women will be based on applicable EU standards with reference to EOE (Equal Opportunity of Employment), which will be announced in official press advertisements during the recruitment procedures.

9. **Environmental Impact**

The assessment of the environmental impact was produced in July and August 2002 by an independent institution – Biuro Projektów i Realizacji whose office is in Bielsko – Biala, 81 Legionów Str.. The project will have no negative impact on any of the components of the natural environment. The EIA is available at the beneficiary headquarter.

10. **Rates of Return**

A feasibility study was produced in July and August 2002 by an independent institution – Centrum Doradztwa Strategicznego s.c Dagmara Bienkowska, Cezary Ulasinski, whose office is in Kraków. For the purposes of the feasibility study, the following exchange rate was adopted: EUR 1 = PLN 3.95, while the project budget was calculated in line with the current rate of exchange EUR 1 = PLN 3.86. Basic indices defining the economic profitability of the project, resulting from the economic analysis are contained in the project feasibility study entitled *Integrated Development of the Nowe Dwory Urban Enterprise Zone in Oswiecim*:

- FIRR – 5 %;
- EIRR – 21%;
- ENPV – PLN 11,576,337.58 (EUR 2,930,718.38);
- Payback period (in years) – 7.30;
- Discount payback period (in years) – 8.69.

The full version of the Feasibility Study is available at the beneficiary headquarter.

11. **Investment Criteria**

11.1. **Catalytic effect**

The Phare support will be conducive to achieving economic and social cohesion goals in Malopolskie voivodeship, which otherwise could be attained only in the more distant future and on a more modest and less efficient scale.

11.2. **Co-financing**

The project is co-financed by Polish sources. The national contribution amounts to 26 % of the total project cost.

11.3. **Additionality**

The financial resources transferred to the Beneficiary for implementing the project, covering the investment costs as they are planned within the project, do not displace other financing sources, especially from the private sector and the IFI system. It is solely the co-financing of identified priorities and does not replace national resources.

11.4. **Project readiness and size**

The Project will be ready for implementation and expenditure in line with the requirements of the PHARE Programme 2003. For the Project entitled *Development of Nowe Dwory Urban Enterprise Zone in Oswiecim* a feasibility study and an environmental impact report have been produced. The decisions on „Conditions of construction and land development” have been obtained for the construction of the sewer network for the Monowice district, as well as for the construction of roads in the area of Chemików, Olszewskiego and Tysiaclecia streets; also a construction permit has been obtained for the construction of the collector sewer along Fabryczna street and a further permit obtained for the adaptation of the
building. The planned dates for obtaining the construction permit for the sewer network are: for Monowice district – the 4th quarter of 2002, for the storm drainage system and the road in the zone – 1st quarter of 2003.

National means have been secured in line with the statement of the Authorities of the Town of Oswiecim.

11.5. **Sustainability**

Costs related to the maintenance and use of the investment will be borne by the beneficiary, i.e. the Town of Oswiecim. The Town of Oswiecim declares that the project will meet the criteria and standards binding in the European Union.

The project will contribute to the long-term sustainable development of the region, as described in the Operational Programme for Małopolskie Voivodeship. The project is capable of individual operation in the long-term perspective and will not require any additional funds except for current maintenance costs covered by the beneficiary.

11.6. **Conformity with state aid provisions**

All aspects of the project will be developed with respect to the state aids provisions of the European Agreement.

11.7. **Contribution to Draft National Development Plan**

The project is in line with the fifth axis of the draft NDP, which is “ Strengthening development potential of regions and countering marginalisation of certain areas”. This axis will be implemented by means of several priorities including development and modernisation of infrastructure serving to strengthen competitiveness.

12. **Conditionality and Sequencing**

Joint funds for particular activities will be dependent on:

- Conforming to the schedule set out in the programme,
- Obtaining a construction permit before starting the tender procedure,
- Selecting a contractor capable of carrying out the work in a proper manner,
- Fulfilling all requirements relating to the tender, contract, reporting and monitoring.

**Deadlines:**

- Construction designs prepared by: first quarter 2003
- Obtaining the building permit by: second quarter 2003
- Preparation of tender documents by: third quarter of 2003
- Start of tendering: fourth quarter of 2003
- Start of project activity: second quarter of 2004
- Completion of the contract by: first quarter of 2006

**Annexes**

- Annex 1. The Logframe matrix
- Annex 2 – 4. Detailed implementation, contracting and disbursement schedule
## ANNEX 1 - PROJECT LOGICAL FRAMEWORK MATRIX

### PROJECT TITLE: INTEGRATED DEVELOPMENT OF THE NOWE DWORY URBAN ENTERPRISE ZONE IN OSWIECIM

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
<th>Date of drafting:</th>
</tr>
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<tbody>
<tr>
<td>Improvement of the attractiveness for investment in the north-west Malopolska and creation of favourable conditions for the development of entrepreneurship</td>
<td>The increase in the number of SMEs per 1,000 inhabitants in the Oswiecim Poviat</td>
<td>The report of the authorities of the Voivodeship Local Government prepared 5 years after completion of the project, based on WUS (Voivodeship Statistical Office), GUS (Central Statistical Office) data, and expert appraisal.</td>
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### Project purpose

Support of the development of the SME sector in Nowe Dwory Urban Enterprise Zone in Oswiecim

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<tr>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
<th>Assumptions</th>
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<tbody>
<tr>
<td>app. 360 new workplaces to be established</td>
<td>The report of the authorities of the Town of Oswiecim prepared 2 years after the completion of the project, based on the data from REGON (national business register), the Urzad Miasta (Town Office), WUS, and the Starostwo Powiatowe (Poviat Starosty).</td>
<td>Activation of economic development of the town and poviat</td>
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<td>app. 26 new firms in the entrepreneurship incubator</td>
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<td>app. 20 firms to be established in the zone</td>
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### Results

Set up Nowe Dwory Urban Enterprise Zone through:
- App. 45 ha land made available for investment
- Established a local business centre with entrepreneurship incubator
- Developed technical infrastructure access road to the industrial and services zones

<table>
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<tr>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
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<td>an entrepreneurship incubator and a local business support centre – useable floor space of 2900 m²</td>
<td>The report of the authorities of the Town of Oswiecim prepared immediately after the completion of the project, based on the data from the final report prepared by the Project Engineer and the data from the Urzad Miasta – commissioning document of works covered by the project</td>
<td>Active marketing of attractiveness for investment</td>
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<td>app. 3100 m of sewer network</td>
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<td>app. 3660 m of storm drainage network</td>
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<td>app. 500 m of access road</td>
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### Activities

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<th>Means</th>
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<td>Adapting the building to the needs of the local business support centre together with the entrepreneurship incubator – execution of construction, renovation and installation works</td>
<td>Obtaining the Phare ESC grant</td>
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<td>Construction of the sewerage and storm drainage networks</td>
<td>Investor declarations</td>
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<td>Conducting road works</td>
<td>Completion of works on time</td>
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### Preconditions

Decision of Oswiecim authorities on project implementation – Decision of Municipal Management Board (minutes no 257/02 of July 4, 2002)
## PLANNED IMPLEMENTATION SCHEDULE PER QUARTERS

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### Cost estimate

- **2 393 575**

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**Legend:**

- **D** = design of sub-projects;
- **C** = tendering and contracting;
- **I** = contract implementation and payment.
ANNEX 5 - ENVIRONMENTAL IMPACT ASSESSMENT

Sanitary sewerage for the Monowice residential estate in Oswiecim – the mains at Fabryczna Street, Olszewskiego Street and Chemików Street

1. Development consent

Has development consent¹ already been given to this project?

Yes ☒ No ☐

If yes, on which date /_12__/11__/2001/

If no, when was the formal request for the development consent introduced and by which date is the final decision expected? [______] [______]

Specify the competent authority or authorities, which has given or will give the development consent

Poviat Starost Office in Oswiecim

Is the above authority considered to be the competent authority responsible for performing the duties of Directive 85/337/EEC as amended by 97/11/EEC on Environmental Impact Assessment?

Yes ☒ No ☐

If no, please specify for this project who is designated as competent authority for the purposes of the EIA Directive:

Sanitary sewerage for the Monowice quarter together with pumping stations and power supply

1. Development consent

Has development consent² already been given to this project?

Yes ☐ No ☒

If yes, on which date /_/31_/03_/2003/

If no, when was the formal request for the development consent introduced /_18__/12__/2001/ and by which date is the final decision expected? [______] [______]

Specify the competent authority or authorities, which has given or will give the development consent

Poviat Starost Office in Oswiecim

Is the above authority considered to be the competent authority responsible for performing the duties of Directive 85/337/EEC as amended by 97/11/EEC on Environmental Impact Assessment?

Yes ☒ No ☐

If no, please specify for this project who is designated as competent authority for the purposes of the EIA Directive:

Adaptation of the building I-39 for the Oswiecim Enterprise Centre

1. Development consent

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¹ i.e. decision of the competent authority or authorities which entitle the developer to proceed with the project  
² i.e. decision of the competent authority or authorities which entitle the developer to proceed with the project
Has development consent\(^3\) already been given to this project?

Yes ☑ No ☐

If yes, on which date \(/ \_09\_/ \_01\_/ \_2001\_/\)

If no, when was the formal request for the development consent introduced \(/ \_/ \_/ \_/\)

and by which date is the final decision expected? \(/ \_/ \_/ \_/\)

Specify the **competent authority or authorities**, which has given or will give the development consent

Poviat Starost Office in Oswiecim

Is the above authority considered to be the competent authority responsible for performing the duties of Directive 85/337/EEC as amended by 97/11/EEC on Environmental Impact Assessment?

Yes ☑ No ☐

- **If no**, please specify for this project who is designated as competent authority for the purposes of the EIA Directive:

**Sanitary sewerage in the Industrial Zone**

1. Development consent

Has development consent\(^4\) already been given to this project?

Yes ☐ No ☑

If yes, on which date \(/ \_/ \_/ \_/\)

If no, when was the formal request for the development consent introduced \(/ 10\_/ \_12\_/ \_2002\_/\)

and by which date is the final decision expected? \(/ \_/ \_/ \_/\)

Specify the **competent authority or authorities**, which has given or will give the development consent

Poviat Starost Office in Oswiecim

Is the above authority considered to be the competent authority responsible for performing the duties of Directive 85/337/EEC as amended by 97/11/EEC on Environmental Impact Assessment?

Yes ☑ No ☐

- **If no**, please specify for this project who is designated as competent authority for the purposes of the EIA Directive:

**The road in the Industrial Zone**

1. Development consent

Has development consent\(^5\) already been given to this project?

Yes ☐ No ☑

If yes, on which date \(/ \_/ \_/ \_/\)

If no, when was the formal request for the development consent introduced \(/ 10\_/ \_12\_/ \_2002\_/\)

\(^3\) i.e. decision of the competent authority or authorities which entitle the developer to proceed with the project

\(^4\) i.e. decision of the competent authority or authorities which entitle the developer to proceed with the project

\(^5\) i.e. decision of the competent authority or authorities which entitle the developer to proceed with the project
and by which date is the final decision expected? [31/03/2003]

Specify the **competent authority or authorities**, which has given or will give the development consent Poviat Starost Office in Oswiecim

Is the above authority considered to be the competent authority responsible for performing the duties of Directive 85/337/EEC as amended by 97/11/EEC on Environmental Impact Assessment?

- Yes [X]  No [ ]

- If no, please specify for this project who is designated as competent authority for the purposes of the EIA Directive:

**Storm water drains in the Industrial Zone**

1. Development consent

Has development consent\(^6\) already been given to this project?

- Yes [ ]  No [X]

If yes, on which date /____/____/____/

If no, when was the formal request for the development consent introduced /10/12/2002/ and by which date is the final decision expected? [31/03/2003]

Specify the **competent authority or authorities**, which has given or will give the development consent Poviat Starost Office in Oswiecim

Is the above authority considered to be the competent authority responsible for performing the duties of Directive 85/337/EEC as amended by 97/11/EEC on Environmental Impact Assessment?

- Yes [X]  No [ ]

- If no, please specify for this project who is designated as competent authority for the purposes of the EIA Directive:

2. Application of Directive on Environmental Impact Assessment (EIA)\(^7\)

2.1. Is the project a class of development covered by:

- Annex I of Directive 85/337/EEC, as amended by Directive 91/11/EC [ ] (go to question 2.2)
- Not covered by Directive 85/337/EEC, as amended by Directive 91/11/EC [ ] (only the section on nature conservation needs to be completed)

2.2. Has an EIA already been carried out?

- Yes [ ]  No [ ]

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\(^6\) i.e. decision of the competent authority or authorities which entitle the developer to proceed with the project

If yes, has the EIA been carried out before development consent has been given?

Yes ☐ No ☐

On which date has it been finalised /___/___/___/

If no, provide an estimation of the date when the procedure will be finalised /___/___/___/

2.3. When covered by Annex I of the EIA Directive a similar\(^8\) procedure as the one described in the EIA directive will need to be applied and the following documents included.

Necessary documents are:

a) the **non-technical summary of the Environmental Impact Study** carried out for the project. A non-technical summary shall include at least:

| ? a description of the project comprising information on the site, design and size of the project, | ? a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects, |
| ? the data required to identify and assess the main (direct and indirect effects) which the project is likely to have on the environment on the following factors: | ? human beings, fauna and flora (including those environmentally sensitive areas which might fall in future under the protection of the Birds (79/409/EEC) and Habitats (92/43/EEC) Directives); |
| ? soil, water, air, climate and the landscape; | ? material assets and the cultural heritage; |
| ? the interaction between the factors mentioned in the first, second and third indents | ? and any further information which might derive from any of the obligations deriving from Annex IV of the EIA Directive. |

b) the results of **consultations with the competent environmental authorities**, indicating in what way the concerns of the designated consultees have been taken into account.

c) the results of **consultations with the public** concerned. The information provided should cover the following:

| ? the concerned public which has been consulted, | ? the places where the information has been consulted, |
| ? the time which has been given to the public in order to express its opinion, | ? the way in which the public has been informed (for example, by bill-posting within a certain radius, publication in local newspapers, organisations of exhibitions with plans, drawings, tables, graphs, models, etc.), |
| ? the manner in which the public has been consulted (for example, by written submissions, by public enquiry, etc.) | ? the way in which the concerns of the public have been taken into account. |

d) in case a project is likely to have significant effects on the environment in another state the results of the **transboundary consultation** with those states effected by the project needs to be provided demonstrating that the procedure of article 7 of the EIA Directive. In addition, information indicating in what way the concerns of the designated consultees and concerned public have been taken into account will also need to be provided.

e) Evidence that the **decision to grant or refuse development consent** has been made **available to the public** by the competent authority, including the

| ? the content of the decision and conditions attached thereto, | ? the main reasons and considerations on which the decision has been based, |
| ? a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects. | |

Note: In relation to b), c) and d) these may be represented in the form of a statement, conclusion or certification by the competent environmental authorities describing and testifying that all obligation as described in the intends above have been followed.

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\(^{8}\) A guidance document describing the minimum criteria to ensure that a similar procedure has been applied can be found on [http://www.inforegio.cec.eu.int](http://www.inforegio.cec.eu.int)
2.4. When covered by Annex II of the EIA Directive has an Environmental Impact Assessment been carried out for this project?

Yes [X] No [ ]

If yes include the necessary documents (see question 2.3.).

If no explain the reasons\(^9\) and give the thresholds, criteria or case by case examination carried out to reach the conclusion that the project has no significant environmental effects:

……………………………………………………………………………………………………
……………………………………………………………………………………………………
……………………………………………………………………………………………………

Use more space if necessary

Have the results of the determination whether a project listed in Annex II of the Directive requires a formal EIA or not (made by the competent authority) made available to the public?

Yes [ ] No [X]

If yes, on which date [____/____/____]

A description of the development comprising information on the site, design and size of the development

1. Location
The “Nowe Dwory” Municipal Enterprise Zone is to be created in the south-eastern part of the town, in the area which was the buffer zone of the Zaklady Chemiczne “Oswiecim” (chemical plant) in the past. The major goals of spatial management policy are to enable existing industry to function properly, to facilitate the creation of new industrial facilities and to encourage other business and municipal activities, which are an important factor in the economic development of the town. It is assumed that business activity within the Municipal Enterprise Zone will speed up the economic development of Oswiecim and create new jobs for the inhabitants of the town and its vicinity. The economic structure of the town should be reshaped towards increasing the share of tourist and service industries in the overall economic potential. The preferences approved by Urzad Miasta Oswiecim (Oswiecim Town Office) favour environmentally-friendly industry.

The projected investment will be located as follows:
- north of ulica Fabryczna up to the internal road within the Zaklady Chemiczne “Dwory” (chemical plant) – area A,
- south of ulica Fabryczna, between ulica Chemików and ulica Pod Borem – area B,
- south of ulica Fabryczna, along the Zaklady Chemiczne “Dwory”, delimited from the south by the drainage ditch – area C,
- the area in the vicinity of ulica Olszewskiego, ulica Chemików and ulica Tysiaclecia – area D.

In order to make the area suitable for the requirements of the Municipal Enterprise Zone, the following actions are envisaged:
- the utilisation of suitable areas, including the vacated site of Firma Chemiczna “Dwory” (chemical plant), for economic activity, including the construction of industrial and municipal facilities,
- the modernisation and redevelopment of existing industrial areas, the renovation of industrial facilities to improve their safety and the aesthetic aspect,
- the development of new industrial facilities, taking the aesthetic factor into account,
- the maintenance of large biologically active surfaces in the industrial area – for safety, aesthetic and environmental reasons,
- the inventory and modernisation of the existing technological infrastructure including the construction of new networks and connections to facilities.

\(^9\) The decision needs to be based on the procedure described in article 4.2, 4.3 and 4.4 and the screening criteria of Annex III of Council Directive 97/11/EC amending Directive 85/337/EEC.
the extension of the access road to leisure and sports areas in the vicinity of ulica Olszewskiego, ulica Chemików and ulica Tysiaclecia.

The area earmarked for the development of the economic activity zone will be equipped with the necessary infrastructure, i.e. the following networks: water mains, sewerage, surface water drainage, gas, heat distribution, power and telecommunications.

2. Impact of the development on the natural environment

− with regard to water supply and sewage disposal
  The facilities located in the abovementioned area will be connected to the existing water mains and sewerage networks after connections are made according to the requirements of the administrator of the networks. Surface water drainage is only present in area A. The Oswiecim Town Office plans to construct surface water drainage in the other areas earmarked for development in the immediate future and also to utilise the existing φ 800mm collecting pipe, which has only drained water from area C until now.
  The areas of roads and sites especially prone to contamination should be equipped with facilities which pretreat the surface waters before they flow into the surface water drainage system.
  The sanitary sewerage system in the abovementioned area will be constructed according to the plans and the connections for newly constructed buildings will be constructed in the future.
  The sanitary sewerage system will utilise modern technological solutions, protecting the soil and the ground water from contamination.
  Due to the planned development of the area the existing water supply and sewage disposal systems will be significantly improved, which will have a favourable influence on the quality of the soil-water environment in the abovementioned area.

− with regard to air pollution
  The facilities located within the “Nowe Dwory” Economic Activity Zone will be connected to the existing heat distribution network or alternatively, they will use individual environmentally-friendly heat sources using electric energy or fuelled with natural gas or heating oil with sulphur content below 0.3%. The influence of the heating solutions planned in the area on the atmospheric air pollution will be negligible.
  Only activities utilising the available technological solutions which conform to European standards will be allowed within the planned commercial and manufacturing facilities; the pollutant emissions will conform to the emission standards and air quality standards outside the area which is the property of the investor.

− with regard to noise
  Only activities utilising state-of-the-art solutions will be allowed in the planned commercial and manufacturing facilities. Such solutions are used in the construction and manufacturing industry for sound proofing and the creation of proper air-conditioning and ventilation conditions in the facility while maintaining a low noise level.
  The utilisation of modern technological solutions will not lead to the deterioration of the existing noise climate in the abovementioned area.

− with regard to green areas
  The development of the Municipal Enterprise Zone includes the extension of the access road to the service areas, which will be modernised and transformed into a modern commerce and services complex in the future. The construction of the road entails tree cutting, which will proceed according to the permit issued by the Mayor of Oswiecim. There are no biological species under special protection in the area.
  The development of the area in line with modern architectural trends will improve the aesthetic and landscape value of the area.

− with regard to land surface and landscape
  The areas without great landscape value will be developed with buildings in modern architectural style and accompanying decorative plants.
  The development of the area in line with modern architectural trends will improve the aesthetic and landscape value of the area.
  The construction of the buildings and the infrastructure will cause the transformation of the land surface.
  The surplus soil produced by the construction works will be used within the developed area to level area C, where the land surface is uneven.
  The development of the “Nowe Dwory” Municipal Enterprise Zone is based on the principles and requirements of sustainable development, aiming at social and economic development while maintaining the environmental balance. The project will utilise areas which are devoid of significant environmental value because of their long-term exposure to excessive industrial pollution.
  The chosen plan of action is favourable to the natural environment because it envisages the development of areas which are degraded in some respects, protecting the more environmentally valuable areas, which are often earmarked for industrial development.
The results of consultation with the institutions responsible for the environmental aspects of the development

The following institutions responsible for the environmental aspects of the development are being consulted during the process of obtaining permits for the implementation of the development:

? the Małopolski Zarząd Melioracji i Urzędów Wodnych (Małopolska Drainage and Water Facilities Authority) in Oswiecim and the Rejonowy Związek Spółek Wodnych (Regional Association of Water Companies) in Oswiecim – the opinion of both institutions concerning the possible requirements with regard to the existing drainage systems.

? the Wydział Ochrony Środowiska Urzędu Miasta Oswiecim (Environmental Protection Department of the Town Office) – the opinion concerning the requirements with regard to waste management in order to make it consistent with the whole waste management system in Oswiecim.

? the Wydział Ochrony Środowiska Starostwa Powiatowego (Environmental Protection Department of the Poviat Starosty) – with regard to waste management; the opinion of the Wojewoda Małopolski (Voivode of Malopolskie Voivodeship) will not be required because the planned investment does not contribute to the deterioration of the environment.

? the Państwowy Terenowy Inspektor Sanitarny (State Sanitary Inspectorate) – the opinion of the Wojewódzki Inspektor Sanitarny (Voivodeship Sanitary Inspector) will not be required (investments contributing to the deterioration of the environment).

The following water supply and sewage disposal permits will not be required:

? water supply – the water will be supplied by the water mains network,

? sanitary and technological sewage disposal – the sewage will be drained using the sewerage system to the Miejsko-Przemysłowa Oczyszczalnia Ścieków (Municipal-Industrial Sewage Treatment Plant) in Oswiecim, which has the applicable permit.

Each business will be under an obligation to individually obtain the applicable waste management permit.

Results of public consultation

All interested parties and businesses located within the “Nowe Dwory” Municipal Enterprise Zone have received a written notification of the planned investment. The documents were available for review in the Urząd Miasta Oswiecim (Oswiecim Town Office). The Decyzja o Warunkach Zagospodarowania i Zabudowy Terenu (development order) was available for review on the announcement boards in the Town Office. The project was discussed during the meetings of the Rada Miejska (Town Council) and announced in the media. All suggestions made by the public and by the businesses have been taken into account.

Pursuant to the applicable laws, the Starostwo Powiatowe (Poviat Starosty) has notified and will notify all interested parties of the ongoing administrative process and the permits issued for the construction of the facilities.

Certificate of the availability of the building permit to the public

After the administrative proceedings concerning the building permit had been concluded, the permit was delivered in writing to each of the parties in the proceedings. The permit included the information that each party had the right to lodge an appeal with the Wojewoda Małopolski (Voivode of Malopolskie Voivodeship). The parties may lodge appeals within 14 days of having received the decision.
1. Assessment of effects on sites of nature conservation importance.

Is the project likely to affect sites of nature conservation importance (i.e. potential Natura 2000 sites)\(^{10}\)?

- Yes [ ]  No [X]  

- **If yes** - please go to question 1.2.

- **If no** - please fill out Annex I (Declaration by the authority responsible for sites of nature conservation importance = potential future Natura 2000 sites)

1.2 In this case an appropriate assessment according to art. 6(3) of the directive 92/43/EEC ("Habitats Directive") is obligatory.

1.2.1 Have this appropriate assessment been carried out ?

- Yes [ ]  No [ ]  

This appropriate assessment can take the form of an EIA according to Directive 85/337/EEC as amended by 97/11/EC. If this is not the case, please describe briefly the procedure carried out and include a non-technical summary of the impact study.

1.2.2 Based on the results of the above appropriate assessment, will the project have a significant negative impact on a site of nature conservation importance?

- Yes [ ]  No [X]  

- **If yes**, please fill out Annex II (Information to the Commission according to Article 6(4) of the Habitats Directive. This Annex has to be signed by the authority responsible for sites of nature conservation importance = potential future Natura 2000 sites)

- **If no**, please fill out Annex I (Declaration by the authority responsible for sites of nature conservation importance = potential future Natura 2000 sites)

\(^{10}\) For the purpose of the Pre-Accession instruments a site of nature conservation importance (= potential future Natura 2000 site) in candidate countries is a site falling under one or more of the following categories:

(a) sites, which have been identified by the competent national authorities as sites to be proposed for the Natura 2000 network as laid down in the Birds Directive (79/409/EEC) and Habitats Directive (92/43/EEC)

(b) sites listed in the latest inventory of Important Bird Areas (IBA 2000) for candidate countries or (if available) equivalent more detailed scientific inventories endorsed by national authorities

(c) wetlands of international importance designated under the Ramsar Convention or qualifying for such protection

(d) areas to which the Bern convention on the conservation of European Wildlife and Natural Habitats (Art. 4) applies, in particular sites meeting the criteria of the Emerald network

(e) areas protected under national nature conservation legislation
ANNEX I - Declaration by the authority responsible for sites of nature conservation importance (= potential future Natura 2000 sites)

Responsible authority Malopolski Region Voievode Office – Regional Nature Conservation Inspector

Having examined\(^{11}\) the project application Integrated development of the “Nowe Dwory” municipal enterprise zone in Oswiecim which is to be located at Poland, Malopolski Region Voievodship, the Oswiecim Poviat, the town of Oswiecim we declare that (tick the appropriate box):

☒ The project is not likely to have significant effects on a site of nature conservation importance on the following grounds:

The scope of the planned investment does not comprise the sites of nature conservation.

Therefore an appropriate assessment required by Article 6 (3) was not deemed necessary.

☐ Following an appropriate assessment, according to Art. 6(3) of Directive 92/43/EEC, the project will not have significant negative effects on a site of nature conservation importance.

Signed: ............................

(Authority responsible for monitoring sites of nature conservation importance)

Official Seal:

\(^{11}\) taking into account the requirements of Art. 6(3) of Directive 92/43/EEC