

ITALY

START WITH THREE QUESTIONS

A

WHAT ACTIVITY DO YOU WANT TO CARRY OUT?

Different activities may trigger different procedures (e.g. putting up fences, removing a small dam, building a small hide, changing land use, restoring a creek, felling trees, creating an access path, converting a building to a different use).

B

WHERE IS THE ACTIVITY TAKING PLACE?

Check whether the land is public land; agricultural land; forest land; wetland or peatland; protected area; Natura 2000 site; civic use (usi civici) land; subject to state, regional, provincial and/or municipal plans.

C

WHAT IS THE LIKELY IMPACT OF THE ACTIVITY?

Consider whether the activity may affect: land use; watercourses; protected habitats or species; trees; forests (including commercial forests); fences; landscape or cultural heritage; protected areas; access paths; building use; public infrastructure or public interests.

MAIN PROCEDURAL ROUTES

Communication / Notification

This route is generally used for minor projects. Once notification to the relevant authority of the proposed activity has been submitted, work may begin but the competent authority has 30 days to consider and object. If the authority does not respond within 30 days, it is generally assumed that it has no comments or objections. Note that this does not mean that all minor works are automatically allowed. You still need to confirm that communication is the correct route for your specific activity and municipality.

Permission / Authorisation / Permit

For works requiring approval (e.g. certain structures, land-use changes, watercourse works, or activities with environmental impact) submit the required information and do not start until approval is granted. If permission is refused, you may be able to appeal but you cannot start the activity unless and until permission is granted.

Agreement with the administration

Where the public interest aligns with the rewilding project, it may be possible to conclude an agreement with the relevant administration. This is discretionary and there is no obligation for the administration to propose or to enter into such an agreement.

Conference of Services

This is a streamlining procedure which can be used when a project involves multiple public bodies. You may apply to a centralised service which will engage all the relevant authorities to jointly examine and determine your request. Specific timeframes apply to this procedure.

Environmental Impact Assessment (EIA)

An EIA is generally associated with larger or environmentally significant projects. EIAs may become relevant where the activity is in a protected area, Natura 2000 site or where the competent authority considers that the activity is likely to have a significant environmental impact.

IF THE AUTHORITY DOES NOT RESPOND?

- In a communication/notification procedure, no response within 30 days generally means that it has no comments or objections.
- In permission/authorisation procedures, no response DOES NOT mean approval unless the applicable law expressly provides for this.
- In more complex procedures, including the Conference of Services, different timelines and appeal routes may apply.
- If no decision is issued within the relevant timeframe, seek advice on whether you can request a decision or bring an appeal for administrative inaction.

KEY TAKEAWAYS

1

Identify the relevant authority (or authorities) and consider which activities will be involved.

2

Check the land classification and applicable plans.

3

Confirm the correct procedure with the competent authority.