

CATALOGUE

WIND FARMS

XUNTA
DE GALICIA

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WIND FARMS

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1. INTRODUCTION

1.1 THE LAW ON ADMINISTRATIVE SIMPLIFICATION AND SUPPORT FOR ECONOMIC REGENERATION OF GALICIA

The Galician Parliament has recently approved **Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.**

The purpose of this law is to establish the necessary measures to facilitate the regeneration of economic activity following the crisis generated by the consequences of the Covid-19 pandemic, within the framework of the powers of the Autonomous Community of Galicia, from a perspective of **administrative simplification that fosters the start-up and operation of business initiatives in Galicia.**

Title II of the Law regulates the administrative support systems for the start-up of business initiatives and is divided into three chapters. Chapter I creates the **Investment Assistance System**, as a key element to respond to the classic demand of citizens in general, and of groups linked to business in particular, regarding the existing difficulties in obtaining the information and guidance they need to start up their business initiatives, through a mentoring and information service that **offers the possibility of carrying out the administrative procedures at regional and even local level, in the cases of sign-up of the local authorities to this initiative.**

1.2 SECTORAL CATALOGUES

As a measure to support the implementation of business initiatives, chapter I refers to the creation of a series of **catalogues**, approved by the Council of the Regional Government of Galicia (Regional Government of Galicia). Point 1 of Article 14 specifies that, through the Investment Assistance System, it will be possible to access, free of charge, the **"catalogues that clearly and chronologically list all the administrative procedures and actions required for the undertaking of business initiatives, including those of municipal competence of the local authorities that sign up to the Investment Assistance System"**.

These elements, which will need to be updated constantly, represent a great simplification for companies and, in particular, for entrepreneurs, who will be able to consult the processes required of them by the regional administration, which will make it easier to understand, plan and process the administrative part.

WIND ENERGY SECTOR

As stated in Law 9/2021, each of the catalogues must indicate the procedures necessary for the constitution and start-up of the different business initiatives.

This catalogue refers to the wind sector, specifically to the creation of new wind farms, **whose authorisation is the responsibility of the Autonomous Community of Galicia**, regulated by Law 8/2009, of 22 December, regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund. The following installation would be excluded from the process set out in this catalogue:

- a) Installations whose authorisation is the responsibility of the State Administration¹.
- b) Wind power installations with a capacity of 100 kW or less.
- c) Experimental wind farms with a high R&D&I research component, as defined in Article 3 of Decree 30/2011, of 17 February, which establishes the procedure for the authorisation of experimental wind farms with a high R&D&I component in the Autonomous Community of Galicia, or the regulation that replaces it.
- d) Wind power generation installations for self-consumption associated with an installation with a contracted electrical power greater than the wind power to be installed.

The intention of this document is to provide a simple overview of the whole procedure for the developer of an electricity production installation obtained from wind energy, whose authorisation is the responsibility of the Autonomous Community of Galicia, without going into the analysis of all the procedures relating to the constitution and start-up of the company and the hiring of personnel, as well as those linked to its ordinary activity (taxation, Social Security, etc.). Those relating to the area of occupational risk prevention are not included.

The person interested in developing this type of economic activity must first be aware of the existence of the applicable territorial planning provisions. In this regard, the **Galician Wind Energy Sector Plan** integrates the different wind development areas (ADE) to guarantee the adequate insertion of wind farm infrastructures and installations in the territory.

It is also necessary to refer to the fact that the evacuation infrastructure may be subject to a joint procedure with the authorisation of the wind farm, or it may be carried out as a separate file, also in accordance with the procedure laid down in Law 8/2009, of 22 December, regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund.

¹ / Article 3.13 of Law 24/2013, of December 26, on the electricity sector.

DEVELOPER

PRIOR ACTIONS
1. Financial guarantee
2. Request for access permit

REQUEST IN408A:
-Prior authorisation and construction authorisation
-Approval of project of regional interest (sectoral project)
- Declaration of public utility

VERIFICATION OF COMPLIANCE WITH REQUIREMENTS ON THE PART OF THE DIRECTORATE-GENERAL

DOCUMENTATION TO BE PRESENTED WITH THE REQUEST:
1-Supporting documentation for legal, technical and economic capacity.
2-Implementation project.
3-List of assets and rights affected.
4-Environmental documentation in accordance with Law 21/2013
5-Technical separations for entities with affected assets or rights.
6-Project of regional interest (sectoral project)
7-Proof of payment of fees.
8-Receipt of financial guarantee
9-Access permit.

YES
NOTIFICATION OF ADMISSION FOR PROCESSING

NO
REJECTION RESOLUTION

PAYMENT OF ADMINISTRATIVE AUTHORISATION FEE

ADMISSION FOR PROCESSING

DIRECTORATE-GENERAL REQUESTS DISTANCE REPORT FROM COMPETENT BODY FOR URBAN PLANNING AND REPORTS TO OTHER SECTORAL BODIES AFFECTED

UNFAVOURABLE REPORTS

Substantial amendment of the design
Filing of request due to incompatibility after hearing of developer

SUBMISSION OF REQUEST FOR THE PROJECT TO BE DECLARED A PRIORITY BUSINESS INITIATIVE

FAVOURABLE REPORTS

THE DIRECTORATE-GENERAL ISSUES THE FILE IN THE PROCESSING UNIT (LOCAL HEAD OFFICE)
(*) If it affects more than one province, to the processing unit and Directorate-General

PROCESSING OF HEARING AND PUBLIC INFORMATION CONSULTATION
PROCEDURE FOR DECLARATION OF COMPATIBILITY AND OF PREVALENCE OF PUBLIC UTILITIES (WHERE APPLICABLE)

THE PROCESSING UNIT ISSUES THE DEVELOPER WITH TWO REPORTS OF THE AUTHORITIES AND BODIES AFFECTED AND THE SUBMISSIONS RECEIVED

THE DEVELOPER SUBMITS THE DEFINITIVE ADAPTED DOCUMENTATION (if not submitted, they are considered to have withdrawn their request)

THE PROCESSING UNIT ISSUES DEFINITIVE REPORT AND FORWARDS FILE TO DIRECTORATE-GENERAL

DIRECTORATE-GENERAL VERIFIED THE DOCUMENTARY INTEGRITY OF THE FILE AND FORWARDS IT TO THE ENVIRONMENTAL BODY

THE ENVIRONMENTAL BODY CONDUCTS TECHNICAL ANALYSIS OF THE FILE

ACCREDITATION OF POINT OF ACCESS AND CONNECTOR

ENVIRONMENTAL BODY ISSUES FAVOURABLE ENVIRONMENTAL IMPACT STATEMENT (EIS)
(1) The EIS details the compulsory environmental conditions for the developer.
(2) The case of ORDINARY ENVIRONMENTAL ASSESSMENT is considered more frequent in the processing of new wind farms.

DIRECTORATE-GENERAL COUNCILLOR LOCAL AUTHORITY GOVERNMENT

PRIOR ADMINISTRATIVE AND CONSTRUCTION AUTHORISATION
APPROVAL OF PROJECT OF REGIONAL INTEREST
DECLARATION OF PUBLIC UTILITY

URGENT NEED FOR OCCUPATION

EXPROPRIATION PROCEDURE

OCCUPATION OF LANDS WITH AUTHORISATION

REQUEST FOR MUNICIPAL WORKS LICENSE

PAYMENT OF MUNICIPAL TAXES

RESOLUTION OF LOCAL AUTHORITY

PRIOR NOTIFICATION OF COMMENCEMENT OF WORKS TO THE DIRECTORATE-GENERAL

EXECUTION OF WORKS (During execution, issuing of environmental monitoring reports to the Directorate-General with frequency indicated in the EIS)

FINAL CERTIFICATE OF WORKS ISSUED BY THE COMPETENT DIRECTORATE

REQUEST FROM BODY PROCESSING OPERATING AUTHORISATION

RESOLUTION OF OPERATING AUTHORISATION

PRIORITY NOTIFICATION FOR COMMENCEMENT OF ACTIVITY TO LOCAL AUTHORITY

OTHER PROCESSES:
1. Request for distribution authorisation from grid manager to bring the installation into operation.
2. Entry on the administrative register of electricity production installations

COMMENCEMENT OF ACTIVITY

PAYMENT OF WIND ENERGY TAX

2. REQUIREMENTS NECESSARY TO APPLY FOR THE COMMENCEMENT OF A PROCEDURE FOR PRIOR ADMINISTRATIVE AUTHORISATION AND CONSTRUCTION OF A WIND FARM

We must begin this catalogue by highlighting the existence in the applicable regulations of a series of requirements that must be met, as a starting point, in order to request the commencement of a prior administrative authorisation procedure and the construction of a wind farm. These requirements relate to both the applicant and the wind farm to be built and operated.

2.1. PRE-APPLICATION REQUIREMENTS REGARDING THE APPLICANT

Developers submitting applications for authorisation must prove that they have the required **legal, technical and economic capacity**² to carry out the project.

LEGAL CAPACITY	The applicant must be a natural or legal person in their own right, excluding temporary joint ventures.
TECHNICAL CAPACITY	It is also necessary to meet at least one of the following technical capacity requirements in order to be able to initiate the procedure: a) Have been active in the production of electricity for at least the last three years, or b) Have among the shareholders a partner with a shareholding of 25 % or more in the share capital and who can prove experience over the last three years in the electricity production activity, or c) Enter into a technical assistance contract for a period of three years with a company with proven experience in the electricity production activity and which, for its part, complies with one of the requirements described in the preceding paragraphs.
ECONOMIC CAPACITY	It will be deemed to be fulfilled when sufficient documentation is provided to guarantee the economic and financial viability of the project. This documentation must include at least an affidavit and an economic and financial study justifying the viability of the project.

2.2. PRE-APPLICATION REQUIREMENTS FOR WIND FARMS

The first aspect to note concerns the location of the parks. The regulation establishes that wind farms may not be set up outside the areas included in the Galician Wind Energy Sector Plan, with only two exceptions: a) substantial modifications made to wind farms already in operation, under the terms to be developed by regulation; b) in cases where the project has a clear territorial impact due to its economic and social importance, and has a structural and structuring function for the territory, when declared as such by the Council of the Regional Government of Galicia at the proposal of the Second Vice-Presidency and Regional Ministry of Economy, Enterprise and Innovation.

In any case, all projects must comply with the minimum distances to the delimitations of rural, urban and urban development land, and the use of the land must be compatible with the implementation of these infrastructures. In addition, the regulations contain the following limitations, prior to the submission of applications for authorisation, concerning wind farms.

^{2/} Article 30 of Law 8/2009, of December 22, which regulates the use of wind power in Galicia and creates the wind fee and the Environmental Compensation Fund.

NATURA NETWORK

Excluded from the implementation of new wind turbines are those natural areas declared areas of special protection of natural values that form part of the Natura 2000 Network, in accordance with the regulations in force at any given time.

EXPRESS PROHIBITION OF OVERLAPPING APPLICATIONS

Applications for prior administrative authorisation and construction authorisation may not overlap with any wind farm in operation, authorised pending construction or in the administrative processing phase, unless there is an agreement in the form of a public deed between the owners of the wind farms concerned.

It may be of interest to the developer to consult the **Galician Wind Register**, which, for information purposes only, digitally records the cartographic location of all wind farms in operation, authorised or under administrative processing in the territory of the Autonomous Community of Galicia. This register is intended as a non-binding consultation and support tool for the management of overlaps.

Finally, in order to submit an application to initiate a procedure for prior administrative authorisation and construction of a wind farm, it is **necessary to have a permit for access to the transmission and distribution grid**, and it should be noted that, before submitting the application for access and connection to the transmission grid or, if applicable, to the distribution grid, a receipt must be presented to the body responsible for granting authorisation for the installation, certifying that a **financial guarantee** has been deposited for a sum equivalent to €40/kW installed.

The proof that the security deposit has been lodged will be accompanied by an express request for an opinion of that body as to whether the security has been properly lodged, so that the confirmation can be submitted to the relevant system operator and the request can be accepted by the relevant system operator. The application will include **the transmission or distribution system** to which access and connection are intended to be requested.

The presentation of the accreditation receipt will be an essential requirement for the commencement of access and connection procedures and must be presented to the transmission system operator or, if applicable, the distribution system operator.

Financial guarantees

BODY RESPONSIBLE

Directorate General for Energy Planning and Natural Resources.

PURPOSE

- The purpose of the security deposit lodged will be to obtain the operating authorisation.
- The guarantee receipt must expressly state the reference to Article 23 of Royal Decree 1183/2020, as well as at least the following data on the installation: technology, name and location of the project, and its installed power for identification purposes.
- The financial guarantee will be cancelled when the applicant obtains the final operating permit for the electricity generation facility.
- The cancellation will be made within a maximum period of 3 months from the request of the applicant, enclosing the operating authorisation.

MANDATORY	Yes	Documentary prerequisite for the admission for processing of the application for prior administrative authorisation and construction authorisation.
DEADLINES	Previous	Before starting the procedures for applying for prior administrative authorisation and for construction.
ONLINE PROCESSING	Yes	<i>Caja General de Depósitos</i> (General Deposit Box) - Electronic Submission.
IN PERSON	Yes	<i>Caja General de Depósitos</i> (General Deposit Box).
LEGISLATION		<ul style="list-style-type: none"> • Royal Decree 1183/2020, of 29 December, on access and connection to electricity transmission and distribution networks (Art. 23). • Law 8/2009 of 22 December 2009 regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund. Article 28.

Permit to access and connect to a network point

BODY RESPONSIBLE		Network managers and owners.
DESCRIPTION		<p><u>Access permit</u>: a permit granted for the use of the grid to which an installation for electricity production, storage for subsequent injection into the grid, consumption, distribution or transmission is connected. The access permit will be issued by the Network Manager.</p> <p><u>Grid connection permit</u>: a permit granted to connect an installation for electricity production, storage for subsequent injection into the grid, consumption, distribution or transmission to a specific point of the transmission or, where applicable, distribution grid. The connection permit will be issued by the network owner³.</p>
DOCUMENTATION		<p>The submission of the receipt certifying that the financial guarantee has been deposited will be an essential requirement for initiating access and connection procedures by the transmission system operator or, if applicable, the distribution system operator.</p> <p>For this purpose, the body responsible for granting the authorisation of the installation will send confirmation of the correct submission of the security deposit to the person and to the system operator.</p>
MANDATORY	Yes	
DEADLINES	Prior	Before starting the procedures for applying for preliminary administrative authorisation and for construction.

3 / Article 2 of Royal Decree 1183/2020, of December 29, on access and connection to the electricity transmission and distribution networks.

ONLINE PROCESSING	Yes	Transmission and distribution system operators will have web-based platforms dedicated to the management of access and connection requests, processing and status information, where applicants can check the status of their requests.
IN PERSON	No	
LEGISLATION		<ul style="list-style-type: none"> • Law 24/2013 of 26 December 2013 on the electricity sector. • Royal Decree 1183/2020, of 29 December, on access and connection to the electricity transmission and distribution networks. • Law 8/2009 of 22 December 2009 regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund.

It should be noted that if the above requirements are not in place prior to the submission of the application for authorisation, the application will not be accepted.

3. APPLICATION TO INITIATE THE PROCEDURE FOR PRIOR ADMINISTRATIVE AUTHORISATION AND THE CONSTRUCTION OF A WIND FARM

The administrative procedure for authorisations for the installation of wind farms will be initiated by application by the interested party, so that only those applications submitted to the Directorate General for Energy Planning and Natural Resources will be accepted for processing, exclusively through the authorised electronic means, and with the necessary documentation to be attached to it, which will be, at least⁴, the following:

- **Documentation justifying the legal, technical and economic capacity** of the applicant.
- Copy of the **receipt for the submission of the financial guarantee** at the *Caja General de Depósitos* (General Deposit Box).
- **Implementation project signed by a competent technician**, with separate sections for the public service or services of general interest bodies or companies concerned. The minimum content of the execution project will be that established by the regulations.
- **Environmental document in** accordance with the provisions of Law 21/2013, of 9 December, on environmental assessment, or the regulation that replaces it, for the assessment of the environmental impact of the project.
- If applicable, **sectoral project (project of regional interest)** with the content and documentation required in Articles 44 and 45 of Law 1/2021, of 8 January, on regional planning in Galicia, for projects of regional interest.
- For those cases in which the developer requests the declaration of public utility, a **list of the assets and rights affected**, as well as the **justification of the need for compulsory purchase**, together with an **affidavit of the agreements reached with the owners of the affected assets and rights**.
- Proof of payment of the **fee for the verification of requirements and capacities**.
- For those cases where there is an overlap of applications, the **public deed of the agreement between the parties** described above.

It is also necessary to submit the access permit referred to in the previous point.

If the application submitted does not meet the requirements, the Directorate General for Energy Planning and Natural Resources will request the interested party to correct it, granting a period of 10 days, and indicating that, if this is not done, it will be understood that the application has been withdrawn.

4 / Article 29.4 of Law 8/2009, of December 22, which regulates the use of wind power in Galicia and creates the wind canon and the Environmental Compensation Fund.

IMPLEMENTATION PROJECT ACCOMPANYING THE APPLICATION

Implementation project

DESCRIPTION		For the authorisation of electricity transmission, distribution, production and direct power line installations, the developer must demonstrate the technical and safety conditions of the installations and associated equipment. To this end, the developer must draw up an implementation project signed by competent technical personnel, with separate sections for the public service bodies or companies or services of general interest concerned.
DOCUMENTATION		According to the sixth transitory provision of Law 8/2009, of 22 December, which regulates harnessing wind energy in Galicia, the content of the implementation project will be as indicated for this type of installation in the Regulation on technical conditions and safety guarantees for high-voltage electrical installations and its complementary technical instructions ITC-RAT 01 to 23, approved by the Royal Decree 337/2014, of 9 May 2014 or the standard that replaces it.
MANDATORY	Yes	Article 29.c of Law 8/2009.
LEGISLATION		<ul style="list-style-type: none">• Law 8/2009, of 22 December 2009, regulating wind energy use in Galicia and creating the wind energy tax and the Environmental Compensation Fund (Art. 29.c, sixth transitional provision).• Law 24/2013, of 26 December, on the electricity sector (Art. 53.4).• Royal Decree 337/2014, of 9 May, approving the Regulation on technical conditions and safety guarantees in high voltage electrical installations and its complementary technical instructions ITC-RAT 01 to 23.

ENVIRONMENTAL DOCUMENT ACCOMPANYING THE APPLICATION, WHICH MAY BE ONE OF THE FOLLOWING:

1) Environmental Impact Assessment

DESCRIPTION		In the case of projects subject to the ordinary environmental assessment procedure, the developer will prepare the environmental impact assessment.
DOCUMENTATION		<ul style="list-style-type: none">• Prior to the commencement of the ordinary environmental impact assessment procedure, the developer may request the environmental body to prepare a scoping document for the environmental impact assessment. For this purpose, it will submit a request for the scoping of the environmental impact assessment to the competent body, accompanied by the initial project document, as explained above.• The environmental impact assessment will contain at least the information set out in Article 35 of the Law 21/2013, of 9 December 2013, on environmental assessment in the terms set out in Annex VI of the same regulation.• Where the environmental body prepared the scoping document in accordance with Article 34, the developer will prepare the environmental impact assessment in accordance with the information required in the scoping document.

MANDATORY	Yes	In cases where the application is not submitted together with the scoping document of the environmental impact assessment.
LEGISLATION		<ul style="list-style-type: none"> Assessment Article 35, Annex VI.

2) Environmental Impact Assessment Scoping Document

BODY RESPONSIBLE		<ul style="list-style-type: none"> Competent body: Directorate General for Energy Planning and Natural Resources. Environmental body: Directorate General for Environmental Quality, Sustainability and Climate Change.
DESCRIPTION		A pronouncement of the environmental body addressed to the developer that aims to define the content, scope, level of detail and degree of specification that the strategic environmental study and the environmental impact study must have.
DOCUMENTATION		<ul style="list-style-type: none"> Request for scoping of the environmental impact assessment. Starting document. It will contain at least the following information: <ul style="list-style-type: none"> a) The definition and specific characteristics of the project, including its location, technical feasibility and likely impact on the environment, as well as a prior analysis of the foreseeable effects on environmental factors arising from the vulnerability of the project to major accident or disaster risks. b) The main alternatives considered and an analysis of the potential impacts of each of them. c) A territorial and environmental diagnosis affected by the project.
MANDATORY	No	
DEADLINES		<p>2 MONTHS: To carry out the prior consultation and to draw up the scoping document, 2 months from receipt of the request for the scoping document.</p> <p>20 DAYS: For the pronouncement of the affected public administrations and interested persons consulted on the scoping document for the environmental impact study, 20 working days from receipt of the documentation.</p> <p>6 MONTHS TO 1 YEAR: For the preparation of the environmental impact study, 6 months from the communication of the scoping document to the developer. This period may be extended up to a maximum total of 1 year at the reasoned request of the sponsor.</p>
ONLINE PROCESSING	Yes	IN408A - Authorisation of electricity production facilities.
IN PERSON	No	
LEGISLATION		<ul style="list-style-type: none"> Law 21/2013, of 9 December, on Environmental Assessment (Art. 34). Law 8/2009, of 22 December 2009, regulating wind energy use in Galicia and creating the wind energy tax and the Environmental Compensation Fund (Art. 33). Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia (art. 29).

Sectoral project (project of regional interest) to be attached to the application, if applicable

DESCRIPTION		<p>All references to the sectoral project will be understood to refer to the concept of project of autonomous interest of Law 1/2021, of 8 January, on territorial planning in Galicia.</p> <p>Projects of regional interest are the instruments of direct intervention in the planning of the territory of the Autonomous Community whose purpose is to plan and project certain actions, provided that they transcend the municipal sphere due to their territorial, economic, social or cultural impact, their magnitude or their unique characteristics that make them a qualified supra-municipal interest.</p>
DOCUMENTATION		The sectoral project will be drawn up with the content and documentation required in Articles 44 and 45 of Law 1/2021, of 8 January, on territorial planning in Galicia, for projects of regional interest ⁵ .
MANDATORY	Yes	In the event that the classification of the land is not compatible with this type of infrastructure but the project is located in one of the wind development areas (ADE) defined in the Galician Wind Energy Sector Plan.
LEGISLATION		<ul style="list-style-type: none"> • Law 1/2021, of 8 January, on territorial planning in Galicia. • Law 8/2009, of 22 December 2009 regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund (Arts. 29.e, 33.7, 40).

REQUIREMENTS AND CAPACITIES VERIFICATION FEE

BODY RESPONSIBLE		Directorate General for Energy Planning and Natural Resources. Tax Authority of Galicia
DESCRIPTION		In order to apply for prior administrative and construction authorisation, proof of payment of the fee "32.37.01 Verification of the applicant's capacities and technical requirements of the project" must be submitted. Current rates of fees.
DOCUMENTATION		Form 731 or self-assessment form.
MANDATORY	Yes	Documentary prerequisite for the admission for processing of the application for prior administrative authorisation and construction authorisation.
DEADLINES	Prior	Before starting the procedures for applying for prior administrative authorisation and for construction.
ONLINE PROCESSING	Yes	Virtual Tax Office.
IN PERSON	Yes	Print the covered Form 731 or the blank self-assessment form to make the payment in person at a collaborating financial institution.

5 / Article 29 of Law 8/2009, of December 22, which regulates the use of wind power in Galicia and creates the wind canon and the Environmental Compensation Fund

LEGISLATION

- Law 6/2003, of 9 December 2003, on fees, prices and regulatory levies of the Autonomous Community of Galicia (Annex III. 37.01).
- Law 8/2009, of 22 December, regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund (Art. 29.4.g).

IN408A - Authorisation of electrical energy production facilities

BODY RESPONSIBLE

Directorate General for Energy Planning and Natural Resources.

DOCUMENTATION

Depending on the application to be submitted, the following documentation must be provided:

- Documentation demonstrating legal, technical and economic capacity.
- Implementation project signed by a competent technical person and with the approval of the professional association or, if applicable, with an affidavit from said technical expert.
- List of assets and rights affected, if applicable.
- Environmental documentation in accordance with the provisions of Law 21/2013.
- Technical separations for entities with affected assets or rights.
- Sectoral project.
- Proof of payment of fees.
- Copy of the receipt for the financial guarantee referred to in Articles 59 bis or 66 bis of Royal Decree 1955/2000.
- Location plan in SHP format (Annexes I, II, III, as appropriate).
- Other (access permit).

MANDATORY Yes

ONLINE PROCESSING Yes

<https://sede.xunta.gal/detalle-procedimiento?codtram=IN408A>

IN PERSON No

LEGISLATION

- Law 8/2009 of 22 December 2009 regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund.
- Order of 22 October 2015 adapting and incorporating into the electronic office of the Regional Government of Galicia the open-term administrative procedures of the Department of the Economy, Employment and Industry.

Once the developer has submitted the applications for prior administrative authorisation and for the construction of wind farms, they will be studied by the **Directorate-General for Energy Planning and Natural Resources**, which will verify compliance with the aforementioned requirements. This study may result in:

- Verification of non-compliance with these requirements, which will lead to the Directorate-General for Energy Planning and Natural Resources declaring the application inadmissible.

- Verification of compliance, in which case the *Directorate-General for Energy Planning and Natural Resources* will notify the applicant of the admission for processing so that they can then pay the **administrative authorisation fee**.

The submission of the proof of payment of the fee within a maximum period of 1 month will be a necessary requirement for the processing to continue, so that if the developer does not provide the justification within the established period, the competent body will determine that the developer withdraws its application.

ADMINISTRATIVE AUTHORISATION FEE FOR WIND FARM INSTALLATIONS

BODY RESPONSIBLE		Directorate General for Energy Planning and Natural Resources. Galician Tax Agency.
PROCESSING		<ul style="list-style-type: none"> • If the requirements of the application submitted are fulfilled, the Directorate-General for Energy Planning and Natural Resources will notify the applicant of its admission for processing so that the can proceed to pay the administrative authorisation fee for wind farm installations (code 32.37.02) (current rates of fees).
DOCUMENTATION		Form 731 or self-assessment form.
MANDATORY	Yes	Proof of payment of the fee will be required for further processing.
DEADLINES	1 month	Deadline for submitting proof of payment of the fee.
ONLINE PROCESSING	Yes	Virtual Tax Office.
IN PERSON	Yes	Print the covered Form 731 or the blank self-assessment form to make the payment in person at a collaborating financial institution.
LEGISLATION		<ul style="list-style-type: none"> • Law 6/2003, of 9 December 2003, on fees, prices and regulatory levies of the Autonomous Community of Galicia (Annex III. 37.02). • Law 8/2009, of 22 December, regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund (Art. 33.4).

4. SUBMISSION OF THE APPLICATION FOR THE
PROJECT TO BE DECLARED A PRIORITY BUSINESS
INITIATIVE

Having described the necessary steps for the application to be admitted for processing, it is important to highlight that business initiatives that meet the requirements of Law 5/2017, of 19 October, on the promotion of the implementation of business initiatives in Galicia, may apply for the **declaration of priority business initiative**.

This declaration is linked to a number of benefits for the developers. Specifically, at this stage, as a general rule of application, the processing of accepted applications will be carried out in strict order of the date of submission. However, by means of a reasoned decision of the competent management centre for energy, this may be determined on the basis, among other aspects, of whether the project has been declared a priority business initiative, in accordance with the applicable regulations.

Declaration as a priority business initiative

BODY RESPONSIBLE

Galician Institute for Economic Promotion (IGAPE).
Council of the Regional Government.

DESCRIPTION

Requirements for the declaration as a priority business initiative in the field of wind energy:

Meet at least two of the following requirements:

- a) That they involve a minimum investment volume in fixed assets, excluding real estate, of one million euros, including those electricity generation projects from renewable sources in which the final destination of the electricity produced is the supply of Galician industry.
- b) Instruments for the mobilisation, recovery, production and sustainable use of agricultural and forestry land, as well as comprehensive rural development plans or actions.
- c) Complementing value chains or belonging to sectors considered strategic or integrated in the funding of the temporary European recovery instrument Next Generation EU.

In the case of wind projects regulated in Law 8/2009, of 22 December, which are not associated with industrial self-consumption, and also those projects that justify:

- An industrial commitment associated with the implementation of the wind energy project that involves the creation or consolidation of a minimum of 25 direct jobs in Galicia with indefinite, full-time contracts;
- The totality of the industrial commitments arising from the Order of 29 March 2010;
- Or projects with an investment volume, taking into account the average annual value based on market technology, of more than EUR 20 million, provided that they have a firm and valid access and connection permit and that they have authorised or executed and functioning evacuation infrastructures that allow the discharge of the electricity generated into the transmission or distribution grid.

The Council of the Regional Government of Galicia may, by means of an agreement, reduce the limits indicated in letter a) in the case of collective entrepreneurship initiatives or initiatives that contribute to the social and occupational integration of people with disabilities or at risk of exclusion through social economy business formulas.

DOCUMENTATION

- Covered application form for the online procedure IG300D.
- Detailed report of the planned initiative with accreditation of compliance with the requirements established by the standard.
- Documentation supporting the measures that need to be put in place.

PROCEDURE

- It will be initiated by the application of the interested party addressed to IGAPE, accompanied by the documentation accrediting the fulfilment of the requirements.
- IGAPE may request reports from the affected regional ministries, assess they meet the requirements and issue a binding report, forwarding the application and all supporting documentation to the Second Vice-Presidency and Regional Ministry of Economy, Enterprise and Innovation.
- The declaration will be agreed by the Council of the Regional Government of Galicia at the proposal of the Vice-Presidency.

EFFECTS OF THE DECLARATION

- Prioritisation of procedures under the competence of the regional administration.
- Reduction of the deadlines set for the ordinary procedure by half, except for those relating to the submission of applications and appeals.
- The **Doing Business Office in Galicia** will monitor and promote the subsequent administrative procedures necessary for implementation.

MANDATORY

No

DEADLINES

ONLINE PROCESSING

Yes

IG300D - Priority Entrepreneurship Statement.

IN PERSON

No

LEGISLATION

- Law 5/2017, of 19 October, on the promotion of the implementation of business initiatives in Galicia (Title IV, Articles 42 and following).
-

Once a project has been declared a priority business initiative, the **Doing Business Office in Galicia** will monitor and promote the subsequent administrative procedures necessary for implementation.

5. APPLICATION PHASE AND ISSUANCE OF THE
DISTANCE REPORT AND OTHER SECTORAL REPORTS
TO BE ISSUED BY THE COMPETENT BODIES

At this stage, the Directorate-General for Energy Planning and Natural Resources sends a copy of the sectoral wind farm project to the regional body responsible for territorial and urban planning, so that it can issue, within a maximum of 20 days, a **report on compliance with the clearance requirements established in the Galician Wind Energy Sectoral Plan.**

It is also at this moment when all the previous sectoral reports that the Directorate General deems necessary may be requested, depending on the possible effects that may be incompatible with the project, which will be issued within a maximum period of 1 month.

To this end, in the event that the wind energy installations are located on rural land of special protection, in accordance with the provisions of Article 36.2 of Law 2/2016, of 10 February, on Galician land, (51.2 and 63.3 of Decree 143/2016, of 22 September), it will be necessary to obtain regional authorisation or a favourable report from the body with the corresponding sectoral competence.

When the actions to be carried out affect immovable material assets protected for their cultural value and their protective environments and buffer zones, prior authorisation or a favourable report must be obtained from the competent administration in matters of cultural heritage. Likewise, in the event that the interventions affect intangible assets protected for their cultural value, the competent cultural heritage administration must be informed.

Once the report on compliance with distances has been obtained, and if all the previous sectoral reports requested are favourable, the Directorate General for Energy Planning and Natural Resources will send the file to the processing unit, which will be determined according to the following criteria:

- In the case of wind farms whose implementation affects a single province, the processing unit will be the corresponding **local head office.**
- In the case of wind farms whose implantation affects more than one province, the processing unit will be the **Directorate General for Energy Planning and Natural Resources.**

6. PUBLIC INFORMATION, HEARING AND CONSULTATION PROCESS

The unit responsible for processing, which will be determined in accordance with the criteria indicated in the previous section, will submit the following documents to public information simultaneously, through publication in the Official Gazette of Galicia and on the website of the Second Vice-Presidency and Regional Ministry of Economy, Enterprise and Innovation:

- The **detailed design**
- The **environmental impact assessment** in the case of ordinary environmental assessment and,
- Where appropriate, the **sectoral** design of the project (project of regional interest).

And, in the event that the **declaration of public utility** is requested, the public information process will be carried out simultaneously through publication in one of the most widely circulated newspapers in each of the provinces affected.

During the period indicated in the notice, any interested person, entity or body may make the submissions they deem appropriate or request an examination of the file and the technical documentation.

The submissions made will be passed on to the developer so that they can formulate a reply and subsequently communicate it to the processing unit within a maximum period of 15 days.

Simultaneously with the public information procedure, the processing unit will hold the **hearing and consultation procedure with the affected public administrations and interested parties**, requesting, at a minimum, the mandatory reports indicated for the environmental assessment and approval of the sectoral project (project of regional interest), and giving a hearing to the affected local authorities.

Similarly, the separate parts of the project presented will be sent simultaneously to the different administrations, bodies or public service companies and services of general interest affected, with assets and rights under their responsibility, so that they can establish the technical conditions of the detailed design.

7. SUBMISSION OF THE FINAL DOCUMENTATION BY THE DEVELOPER

Once the public information, hearing and consultation procedures with the affected public administrations and interested parties have been completed, the processing unit will transfer the reports and allegations received to the developer so that the latter can make the necessary modifications and adaptations to the design, environmental impact study and sectoral project (project of regional interest), and present the final documentation. The developer will have a period of 1 month to submit the final documents adapted to continue with the procedure.

BODY RESPONSIBLE		<p>The processing unit will be the:</p> <ul style="list-style-type: none"> • Corresponding local head office of the Vice-presidency and Regional Ministry of the Economy, Enterprise and Innovation. • Directorate General for Energy Planning and Natural Resources (in the case of wind farms whose implementation affects more than one province).
PROCESSING		<p>The processing unit will send the reports and submissions received to the developer for their conformity and/or consideration in the drafting of the project:</p> <ul style="list-style-type: none"> • Implementation project. • Environmental impact assessment. • Sectoral project (project of regional interest) in order to make modifications and adaptations to each of these documents.
PURPOSE	Yes	
DEADLINES	1 month	<ul style="list-style-type: none"> • Deadline for the developer to submit the final adapted documents in order to continue with the procedure. • If the documentation is not submitted within the indicated period, it will be understood that the developer has withdrawn the application for administrative authorisation and the application will be filed with no further actions. The application will be filed by the processing unit, which will communicate it to the competent body.
ONLINE PROCESSING	Yes	IN408A - Authorisation of electricity production facilities.
IN PERSON	No	
LEGISLATION		<ul style="list-style-type: none"> • Law 8/2009, of 22 December, regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund (Art. 33.15).

Once the documentation submitted by the developer has been received and analysed, the processing unit will issue the **final favourable report**, if applicable, and will transfer the file to the competent body.

Subsequently, the processing unit will issue, or request, from the local head office where the installation is located, the report relating to the regulations on industrial electrical installations.

8. ENVIRONMENTAL ASSESSMENT

The competent body will then, within 10 working days of receipt, review the environmental impact assessment file before forwarding it to the environmental body.

The competent body will send the request for the ordinary environmental impact assessment and supporting documentation to the environmental body within 10 working days of the completion of its documentary review and, if necessary, the remedy of any deficiencies detected.

The environmental body may decide, if necessary, to reject the application for the commencement of the ordinary environmental impact assessment within 10 working days of its receipt.

The environmental body will carry out a formal analysis of the dossier and check that it is complete. If not, the environmental body will require the competent body to complete it within 3 months.

Once the dossier has been formally completed, the environmental body will complete the technical analysis of the dossier. If during the analysis it is found that any of the mandatory reports are insufficient, the environmental body will request the competent body to complete the reports within 2 months.

The environmental body will have a period of 3 months for the technical analysis of the file and the drafting of the environmental impact statement, starting from the receipt of the complete environmental impact assessment file, which may be extended by an additional month for justified and duly motivated reasons. This period will be reduced to one month when the environmental impact assessment is verified by an environmental collaboration body⁶.

⁶ / Ordinary environmental assessment will apply to the following projects:

For wind farms with 50 or more wind turbines, more than 30 MW or located less than 2 km from another wind farm; or with more than 10 wind turbines or 6 MW of power when developed in protected natural areas.

Projects not included in these cases must be subject to a simplified environmental assessment, except for installations intended for self-consumption that do not exceed a total power of 100 kW.

This catalogue considers the possibility of the project authorisation being submitted to the ordinary environmental assessment procedure, as this is the most frequent case in the processing of new wind farms.

Environmental collaboration entities are regulated by Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.

Article 41. Environmental collaboration entities

1. Environmental collaboration entities are entities with legal personality and full capacity to act which, once the requirements set out in this Article have been met, complete the following actions in the territory of the Autonomous Community of Galicia, in the manner to be determined by the regulation:

- a) Verification of the conformity of plans, programmes and projects to be submitted to environmental assessment with the applicable regulations.
- b) Collaboration in the processing of environmental assessment procedures, in particular in carrying out the public information and consultation processes and in the technical analysis of the files.
- c) Collaboration on the follow-up of environmental pronouncements.
- d) Collaboration on environmental inspection functions.

The environmental impact statement will have the status of a mandatory and determining report, which will conclude on the significant effects of the development on the environment and, if applicable, will establish the conditions under which it may be developed during the execution and operation and, where appropriate, the cessation, dismantling or demolition of the development, as well as the preventive, corrective and compensatory measures.

The environmental body will have 10 working days to publish the environmental impact statement or the decision authorising or rejecting the project in the Official Gazette of Galicia as soon as it has been drawn up.

9. PRIOR ADMINISTRATIVE AND CONSTRUCTION AUTHORISATION

The positive environmental assessment required for the design, as well as having the distance compliance report and the permit for access and connection to the transport and distribution network will be essential requirements for the granting of prior administrative and construction authorisation.

The Directorate General responsible for energy will issue a decision on the granting of the **prior administrative authorisation** and the administrative construction authorisation of the wind farm within a maximum period of 2 months from the date of receipt of the complete documentation by the competent body responsible for resolving the procedure.

The prior administrative and construction authorisation will expressly state that the developer will have a period of 3 years from the date of its granting to apply for the corresponding operating authorisation⁷.

⁷ / Article 34 of Law 8/2009, of December 22, which regulates the use of wind power in Galicia and creates the wind canon and the Environmental Compensation Fund

10. APPROVAL OF THE SECTORAL PROJECT (PROJECT OF AUTONOMOUS INTEREST)

Once the procedures for the instruction of the procedure relating to the sectoral project (project of regional interest) have been completed, the Council of the Regional Government of Galicia, at the proposal of the person in charge of the regional ministry responsible for energy, and with the prior mandatory report of the body responsible for land-use planning, which must be issued within a maximum period of 2 months, will approve the **sectoral project (project of regional interest)**, with the modifications or corrections it deems appropriate.

In accordance with the provisions of Article 61 of Law 1/2021, of 8 January, on territorial planning in Galicia, after final approval by the Council of the Regional Government, the approved project must be registered on the **Territorial and Urban Planning Register of Galicia** on the part of the Directorate General of Territorial and Urban Planning.

Once registered and for its entry into force, the final approval agreement and its regulatory provisions must be published in the Official Gazette of Galicia and in the electronic office of the Regional Government of Galicia, as well as the electronic address where the full content of the instrument and the points required by the regulations on environmental assessment may be consulted.

11. DECLARATION OF PUBLIC UTILITY

Once the prior authorisation and construction authorisation have been resolved, or jointly with these, the Directorate General responsible for energy may agree to grant recognition of the public utility of the installation, without prejudice to the competence of the Council of the Regional Government, in the event of opposition from public bodies or other public law entities.

The declaration of public utility will in any case imply the need to occupy the property and the acquisition of the rights affected, entailing urgent occupation for the purposes of initiating the compulsory purchase procedure.

11.1 PROCESS AND DECLARATION OF COMPATIBILITY OR PREVALENCE

When the developer of the wind farm requests the recognition of public utility, but the owner of another public interest located in the same territorial area opposes its declaration, on the grounds that the authorisation and subsequent installation of the wind farm would be detrimental to it, the Administration will proceed to determine the compatibility or incompatibility of the opposing uses, declaring, in the event of incompatibility, the prevalence of one of them.

The procedure will be initiated by the Directorate-General with competency for energy, once the developer has requested recognition of the public utility as soon as it becomes aware of the existence of uses that may be incompatible. The processing body will hear the affected right-holders, granting them a period of 15 days to make submissions. Once the hearing has been completed, it will forward the file to the competent body, which will issue a report on the compatibility or incompatibility of the use affected within 20 working days.

Where the compatibility or prevalence arises between uses in which the regional ministry with competency for energy is competent for authorisation, the declaration of public utility and, if applicable, the declaration of compatibility or prevalence will be made by the head of the regional ministry in the field of energy within a maximum period of 2 months from receipt of the complete documentation. Failure to reach an express decision within the aforementioned period will have the effect of a rejection, and the appropriate appeals may be lodged.

In the event that the authorisations or authorising titles for the uses are the responsibility of more than one regional ministry, the declaration of public utility of the wind farm and, if applicable, the declaration of compatibility or prevalence will be made by the Council of the Regional Government, to which the file will be sent with the report of the affected regional ministries, within a maximum period of 2 months from the receipt of the complete documentation. Failure to reach an express decision within the aforementioned period will result in the rejection, and the appropriate appeals may be lodged.

12. MUNICIPAL PROCEDURES

Once the developer has the prior administrative and construction authorisation and ownership of the necessary land (or the transfer of ownership has taken place in the event of having to resort to the compulsory purchase procedure) and the sectoral project (project of regional interest) has been given final approval, the municipal procedures can commence.

12.1 POSSIBILITY OF SUBMITTING PRIOR CONSULTATIONS TO THE LOCAL AUTHORITY

With regard to the municipal procedures that the developer will have to carry out, the first thing to bear in mind is the need to consult, in advance, the regulations that have been approved by the local authority where the activity is to be carried out, in the exercise of its regulatory powers.

If the buildings or installations planned in the design are located in areas bordering two or more municipalities, it would be appropriate for the developer to ensure that he is familiar the municipal boundaries by consulting the National Geographic Institute for the current boundary line⁸.

In order to ensure that the necessary documentation for the start of the activity is properly presented, the developers have the possibility of submitting written enquiries to the local authority, which must be accompanied by all the data and documents that clearly identify the information they are required to provide.

12.2 PAYMENT OF APPLICABLE TAXES, IF ANY

It is particularly relevant at this point to **consult the tax by-laws** of the local authority, in order to satisfy the taxes related to the establishment of the activity which, if applicable, would have been the object of the taxation agreement, highlighting the following:

Payment of the fee for granting the licence/presentation of prior notification	
PROCESSED BY	Local government.
DESCRIPTION	<p>Local entities may establish fees for any provision of services or administrative activities of local competence, and in particular for the following:</p> <ul style="list-style-type: none"> • Granting of urban planning licences required by land and urban planning legislation or carrying out administrative control activities in cases where the licence requirement is replaced by the presentation of an affidavit or prior notification. • Granting of licences for the opening of establishments or the completion of administrative control activities in those cases in which the requirement for a license is replaced by the presentation of an affidavit or prior notification. • Other cases linked to the provision of services or the performance of administrative activities of local competence. <p>The applicable local regulations should be consulted in all cases.</p>
DOCUMENTATION	<ul style="list-style-type: none"> • Settlement document or self-assessment (where applicable).
MANDATORY	Yes
	In those municipalities where its imposition is agreed.

8 / The graphic representations presented by the IGN are not always updated with modern techniques that allow a precise determination of the existing legal boundary line between some municipalities. In this case, the developer could request an update of the boundary line, which they could register on their own initiative, as permitted by Article 17.2 of Royal Decree 1545/2007, of 23 November, regulating the National Cartographic System.

ONLINE PROCESSING Yes	Through the municipal electronic offices (or those of the Provincial Council, where applicable).
LEGISLATION	<ul style="list-style-type: none"> • <u>Royal Legislative Decree 2/2004, of 5 March, approving the revised text of the Law regulating local finance.</u> • Tax ordinances of the municipality.

Payment of the tax on constructions, installations and works (ICIO)

PROCESSED BY	Local government.
DESCRIPTION	<ul style="list-style-type: none"> • The ICIO is an indirect tax, which may be levied at the discretion of the local authority, on the completion, within the municipality, of any construction, installation or work for which the corresponding building or urban planning licence must be obtained, whether or not said licence has been obtained, or for which the presentation of an affidavit or prior notification is required, provided that the issuing of the licence or the control activity corresponds to the local authority concerned. • The tax is payable by the owners of the construction, installation or work, whether or not they are the owners of the property on which the construction, installation or work is carried out, i.e., whoever bears the expenses or the cost of carrying out the construction, installation or work. • The taxable base of the tax is constituted by the real and effective cost of the construction, installation or work (material execution cost), in the terms set out in the local finance regulations, and the tax rate will be set by each local authority, although this rate may not exceed 4 %. • The municipality may establish optional rebates on the rate of this tax, including, if so regulated in the municipal tax by-laws, of a rebate of up to 95% of the tax in favour of construction, installations or works that are declared to be of special municipal interest or utility due to circumstances linked, among other factors, to the creation of employment. • The municipality may require self-assessment by the taxable subject or their proxy. <p>The applicable local regulations should be consulted in all cases</p>
DOCUMENTATION	<ul style="list-style-type: none"> • Settlement document or self-assessment (if applicable).
MANDATORY Yes	In those municipalities where its imposition is agreed.
ONLINE PROCESSING Yes	Through the municipal electronic offices (or those of the Provincial Council, where applicable).
LEGISLATION	<ul style="list-style-type: none"> • <u>Royal Legislative Decree 2/2004, of 5 March, approving the revised text of the Law regulating local finance.</u> • Tax ordinance of the municipality concerned.

However, the developer must consult the elements of other municipal taxes related to the subsequent exercise of the activity that are not addressed in this catalogue, such as business tax or property tax, among others.

12.3 WORKS INTENDED FOR THE DEVELOPMENT OF AN ACTIVITY

In cases where the creation of a new wind farm is planned, the commencement of the activity will require works to be carried out, so the first thing the developer should know is that all acts of transformation, construction, building and use of the land and subsoil require, for their lawful exercise, **the granting of a municipal licence or the presentation of a prior notification to the local authority**, depending on the act in question.

Application for a municipal building permit

PROCESSED BY

Local government.

DESCRIPTION

The following acts shall be subject to **municipal licensing**, without prejudice to the authorisations that may apply in accordance with the applicable sectoral legislation:

- The acts of construction and use of land and subsoil which, in accordance with the general building regulations, requires a construction design.
- Interventions on properties declared to be of cultural interest or listed due to their unique cultural, historical, artistic, architectural or landscape characteristics or value.
- Demolitions, except those arising from resolutions of proceedings for the restoration of urban planning legality.
- Earth retaining walls, when their height is equal to or greater than one and a half metres.
- Major earthworks and levelling works.
- Parcelling, segregation or other acts of division of land on any class of land, when they do not form part of a reparcelling project.
- The first occupation of buildings.
- The establishment of any installation for residential use, whether temporary or permanent.
- The cutting of tree masses or shrub vegetation on land incorporated into urban transformation processes and, in any case, when such cutting arises from legislation for the protection of the public domain, except for those authorised on rural land by the competent forestry bodies.

All acts of occupation, construction, building and use of land and subsoil not mentioned above are subject to the system of **prior urban planning notification**.

DOCUMENTATION

The licence application shall contain the following information and documents:

- Identification details of the natural or legal person developing the project and, where applicable, the person representing it, and an address for the purpose of notifications.
- Sufficient description of the characteristics of the act in question, detailing the basic aspects of the act, its location and the building or property concerned, as well as its cadastral reference.
- Proof of payment of municipal taxes.
- Applications for licences referring to the execution of works or installations must be accompanied by a complete design drawn up by a competent technician, in the form and with the content indicated in the applicable regulations.
- Designs shall be accompanied by the corresponding design management document, which shall identify the technical personnel to whom it has been entrusted.
- Where technical design is not required, the application shall be accompanied by a descriptive and graphic report defining the general characteristics of the work and the building on which it is intended to be carried out.
- In the case of applications for a licence for first occupation of buildings, a certificate of completion from a competent technician stating that the works have been fully completed and comply with the licence granted.

- Environmental assessment document, if required for the intended use of the works.
- Copy of the environmental authorisation or report, along with other sectoral authorisations, concessions or reports where legally required.
- If applicable, the certificate issued by the municipal conformity assessment bodies.

Given that the purpose of the work is the development of an activity, this circumstance shall be expressly stated and, together with the application for the licence, the documentation required in relation to this shall be submitted.

This information should be supplemented by consulting the local regulations applicable in each case.

DEADLINES

Licence applications will be resolved within **3 months** of submission of the application with complete documentation at the local authority registry. However, when an application for planning permission is accompanied by a certificate of conformity, the deadline for the resolution of the procedure may be 1 month from the submission of the application with the complete documentation, including the certificate of conformity with the local authority register. This period may be reduced to 15 calendar days in certain cases⁹.

MANDATORY

Yes

In cases where it is mandatory depending on the act to be carried out.

ONLINE PROCESSING

Yes

Through the municipal electronic offices.

LEGISLATION

- Law 2/2016, of 10 February, on the land of Galicia.
- Decree 143/2016, of 22 September, approving the Regulations of Law 2/2016, of 10 February, on land of Galicia.
- Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.
- Applicable municipal by-laws.

Prior notification for completion of works

PROCESSED BY

Local government.

DESCRIPTION

All acts of occupation, construction, building and use of the land and subsoil that are not subject to a licence are subject to the prior urban planning notification system. In particular, they are subject to the prior notification regime:

- The execution of minor works or installations.
- The use of land for the development of commercial, industrial, professional activities or services or other similar activities.
- The use of air rights over buildings and installations of any kind.
- Modification of the use of part of the buildings and installations, in general, when they are not intended to change the characteristic uses of the building or to introduce a residential use.

⁹ / Articles 54.3 and 55.2 of Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia: Designs of electricity production and self-consumption installations from renewable sources, including their evacuation infrastructures, for whose substantive energy authorisation procedure the affected town council was consulted when the mandatory and binding report was sought, as well as low voltage electricity distribution installations.

- The extraction of granulates for construction and quarrying, even if it takes place on public land and is subject to concession or administrative authorisation.
- Extraction of minerals, liquids and any other matter, as well as discharges into the subsoil.
- The installation of greenhouses.
- The placing of posters and billboards visible from the public highway, provided they are not in enclosed premises.
- Property enclosures and fences.

DOCUMENTATION

The notification must be accompanied by the following documentation:

- Identification details of the natural or legal person developing the project and, where applicable, of the person representing it, as well as an address for the purpose of notifications.
- Technical description of the characteristics of the act in question or, where applicable, legally required technical design.
- Express manifestation that the prior notification submitted complies in all its terms with the applicable urban planning regulations.
- Copy of the authorisations, administrative concessions or sectoral reports when they are legally required of the applicant, or accreditation that their concession was requested. For these purposes, in the event that the reports have not been issued within the legally established period, this circumstance shall be accredited.
- Authorisation or environmental assessment document, if required by the intended use of the works.
- Proof of payment of the compulsory municipal taxes.
- If applicable, certificate issued by the municipal conformity assessment bodies provided for in these regulations.
- Document formalising the transfer, if applicable.
- Date of commencement and completion of works.

Given that the purpose of the work is the development of an activity, this shall be expressly stated and, together with the prior notification, the documentation required in relation to this shall be submitted.

This information should be supplemented by consulting the local regulations applicable in each case.

DEADLINES

In the case of prior urban planning notifications, the developer, prior to the execution of the act in question, shall notify the local authority of their intention to carry out the act at least 15 working days before the date on which they intend to commence execution.

Within 15 working days following the notification, the local authority, without prejudice to the verification of compliance with the requirements, may declare the documentation submitted to be complete or require that any deficiencies be remedied, adopting in this case, in a reasoned manner, the provisional measures deemed appropriate, communicating them to the interested party by any means that allows acknowledgement of receipt.

In general terms, once the 15 working day period has elapsed, the presentation of the prior notification, complying with all the necessary requirements, constitutes authorisation for the commencement of the acts of use of the land and subsoil subject to this, without prejudice to the subsequent powers of verification, control and inspection by the respective local authority.

When an urban planning notification is presented together with a certificate of conformity, it will enable, with immediate effect from its presentation at the registry of the local authority, the performance of the act that constitutes the purpose, without prejudice to the subsequent powers of verification, control and inspection by the respective local authority.

MANDATORY

Yes

In cases where a licence is not required for the works to be carried out.

ONLINE PROCESSING

Yes

Through the municipal electronic offices.

LEGISLATION

- Law 2/2016, of 10 February, on the land of Galicia.
- Decree 143/2016, of 22 September, approving the Regulations of Law 2/2016, of 10 February, on land of Galicia.
- Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia.
- Applicable municipal by-laws.

In the case of designs for the construction of new wind farms, before submitting the application for a licence, developers must take into account the following aspects:

- When the acts of building and use of land and subsoil are carried out on land in the public domain, the developer will be required to have the prior authorisations or mandatory concessions granted by the owner of the public domain¹⁰.
- A licence may not be granted, or a prior urban development communication may not be presented without the prior granting of urban development or sectoral authorisations from other public administrations when applicable.

In addition, as the purpose of the works is the development of an activity, a specific regime is established¹¹ which determines that the promoter **must expressly state this circumstance** and submit the following documentation to the town council:

- The identifying details of the natural or legal person developing the activity or establishment and, where applicable, the person representing that person, and an address for the purpose of notifications.
- An explanatory report on the activity to be carried out, detailing its basic aspects, its location and the establishment where it is to be carried out.
- Proof of payment of the compulsory municipal taxes.
- A declaration by the owner of the activity, where applicable, signed by competent technical personnel, stating that all the requirements for the activity are met and that the establishment complies with the health and safety and other conditions established in the urban development plan.
- The design and the technical documentation required by the nature of the activity or installation, drawn up and signed by the competent technical person.
- The environmental authorisation or declaration, where applicable.
- The rest of the authorisations and sectoral reports that are mandatory.
- If applicable, the certificate issued by a municipal conformity assessment body .

10 / It is worth highlighting the need, where applicable, to process the authorisation procedure for the occupation of the public port domain, in the ports of the Autonomous Community of Galicia. Where necessary, depending on the specific project

11 / Article 24.2 of Law 9/2013, of 19 December, on entrepreneurship and economic competitiveness in Galicia; Article 11.2 of Decree 144/2016, of 22 September, approving the single regulation of integrated regulation of economic activities and opening of establishments; and Article 364 of Decree 143/2016, of 22 September, approving the Regulation of Law 2/2016, of 10 February, on land in Galicia.

13. OTHER FORMALITIES PRIOR TO THE EXECUTION OF WORKS

Once the municipal authorisation has been obtained, the developer must notify the competent body one month in advance of the start date of the works, confirming compliance with all the conditions prior to the start of the works which, if applicable, may have been required in the sectoral reports.

The developer must deposit a security guarantee to ensure compliance with the corrective measures and to cover the repair of any possible damage that may be caused to the environment and the cost of restoration, in accordance with the provisions of Decree 455/1996, of 7 November, on environmental security deposits.

Deposit of the security to ensure compliance with the corrective measures and to cover the repair of possible environmental damage included in the environmental impact statement.

DESCRIPTION

The administrative body competent to grant authorisation for projects, works and activities that could affect the environment, under the terms of Law 1/1995, of 2 January 1995, on environmental protection in Galicia, may, when such authorisation imposes corrective measures, require the constitution of a personal guarantee by means of a security deposit that sufficiently guarantees compliance and the repair of possible damage and the cost of restoration.

The provision of the guarantee, to the full satisfaction of the requesting administrative body, will be a precondition for the exercise of the activity or commencement of the work to which the authorisation refers.

The amount of the guarantees will be fixed by the competent body granting the authorisation, on the proposal of the environmental body.

DOCUMENTATION

In order to provide a guarantee, it is necessary for the person providing the guarantee to know, in order to be able to cover them, the following data that must appear on the receipt:

- Name or company name of the constituent or guarantor and tax identification number (NIF).
- The rule imposing the provision of the security guarantee or deposit, the purpose for which it is provided and the authority to which it is provided.

Once the security deposit has been lodged in accordance with the method chosen (cash, guarantee, surety insurance or security), the *Caja General de Depósitos* (General Deposit Box) will provide the interested party with the corresponding receipt for the lodgement of the security guarantee or deposit.

MANDATORY

Yes

Caja General de Depósitos (General Deposit Box) - Electronic Presentation.

ONLINE PROCESSING

Yes

Caja General de Depósitos (General Deposit Box).

LEGISLATION

- Decree 455/1996, of 7 November 1996, on environmental bonds.

14. EXECUTION OF WORKS AND APPLICATION FOR OPERATING AUTHORISATION

The developer may then begin to carry out the works. During implementation, the monitoring reports on the environmental conditions set out in the environmental impact statement will be submitted to the competent body at the intervals indicated in the environmental impact statement.

Once the execution of the works has been completed, the director or project manager must issue the corresponding completion certificate.

The developer may then submit the corresponding application for operating authorisation to the territorial body of the regional ministry responsible for energy that processed the file. This application must be accompanied by the certificate of completion signed by the competent technical or technical expert.

The operating authorisation will be granted by the territorial body of the regional ministry responsible for energy matters which processed the file, within a period of one month once the technical checks deemed appropriate have been carried out.

In the event that the processing unit is the Directorate General responsible for energy, an operating permit will be requested in each of the provinces where the installation is located.

Operating authorisation

BODY RESPONSIBLE		Territorial body of the Regional Ministry responsible for energy that processes the file or Directorate General (in the event that it affects more than one province).
DESCRIPTION		<ul style="list-style-type: none"> Once the project has been executed, the corresponding application for authorisation to operate will be submitted to the territorial body of the regional ministry responsible for energy that processes the file. In the event that the processing unit is the Directorate General responsible for energy, an operating permit will be requested in each of the provinces where the installation is located. Once the operating authorisation has been granted, the financial guarantee provided for in Royal Decree 1183/2020 and deposited by the developer will be cancelled.
DOCUMENTATION		<ul style="list-style-type: none"> Application for operating authorisation. Certificate of completion signed by a competent technician or technical expert, stating that the installation was completed in accordance with the specifications contained in the construction authorisation, as well as with the applicable requirements of the technical regulations.
MANDATORY	Yes	For the start of the activity.
DEADLINES	1 month	The operating authorisation will be granted by the territorial body of the regional ministry responsible for energy that processes the file, within a period of one month, following the technical checks deemed appropriate.
ONLINE PROCESSING	Yes	IN408A - Authorisation of electricity production facilities.
IN PERSON	No	
LEGISLATION		<ul style="list-style-type: none"> Law 8/2009, of 22 December, regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund (Art. 35).

Once the operating authorisation has been obtained, the developer will carry out the necessary procedures with the grid manager (transmission or distribution) to bring the installation into operation; once all the necessary documents have been formalised with the grid manager, the definitive registration on the administrative register of electricity production can be requested.

15. PRIOR NOTIFICATION OF ACTIVITY AND OTHER
PROCEDURES PRIOR TO START-UP

Once the operating authorisation has been granted, the developer must submit the prior notification to the local authority for the commencement of activity, with no further requirements other than the identifying details of the owner and the reference of the prior notification or the urban planning licence that covered the work carried out and the certificate of completion of the work signed by the competent technical expert, and, where appropriate, the acoustic certificate¹².

12 / Article 11 of Decree 106/2015, of July 9, on noise pollution in Galicia

Prior notification for the commencement of the activity after execution of works

PROCESSED BY	Local government.
DESCRIPTION	When the activity requires the execution of works or installations, the activities may not begin or develop until the works or installations are completely finished and the corresponding prior notification is presented to the local authority.
DOCUMENTATION	<ul style="list-style-type: none"> • Identifying data of the holder. • Reference of the prior notification or planning permission that covered the work carried out. • Certificate of completion of the works signed by a competent technical expert, • Acoustic certificate (where applicable). <p>This information should be supplemented by consulting the local regulations applicable in each case.</p>
MANDATORY	Yes The submission of a prior notification that fulfils the necessary requirements authorises the commencement of the activity or the opening of the establishment to which it refers, without prejudice to the verification and subsequent control actions established by the local authority.
ONLINE PROCESSING	Yes Through the municipal electronic offices.
LEGISLATION	<ul style="list-style-type: none"> • Decree 144/2016, of 22 September, approving the single regulation of integrated regulation of economic activities and opening of establishments. • Law 9/2013, of 19 December, on entrepreneurship and economic competitiveness in Galicia. • Law 9/2021, of 25 February, on administrative simplification and support for the economic regeneration of Galicia. • Applicable municipal by-laws.

16. COMMENCEMENT OF ACTIVITY AND PAYMENT OF THE WIND FARM LEVY

Once all the above-mentioned procedures have been completed, the developer may commence the activity and put the wind farm into operation.

From the moment the activity begins, when the accrual occurs, the promoter will have to pay the annual **wind energy** tax levied by the Autonomous Community of Galicia that taxes the generation of adverse environmental effects and impacts on the natural environment and, therefore, on the territory, through the installation of assets used for the production of wind energy.

Prior to this, the developer must register the wind farm in the Galician Wind Farm Electronic Census (CEPEG, as per its Galician acronym), through the Virtual Tax Office (form 007).

Payment of the wind farm levy

BODY RESPONSIBLE

Tax Authority of Galicia

DESCRIPTION

- The wind energy tax is a tax levied by the Autonomous Community of Galicia on the generation of adverse environmental effects and impacts on the natural environment and, therefore, on the territory, through the installation of assets used for the production of wind energy and located in the territory of the Autonomous Community of Galicia.
- Payment will be made on the date on which the operating permit for the wind farm is granted and on the first day of the calendar year in subsequent years.
- The taxable base is the sum of the wind turbine units existing in a wind farm located in the territory of the Autonomous Community of Galicia.
- Bonus: it may be applied for when, as a result of the modification of a wind farm through the replacement of wind turbines by others of greater power, their number is reduced without changing the base section. The amount of the quota in that period will be reduced by a percentage resulting from multiplying the number of reduced wind turbine units by 10.

DOCUMENTATION

- Application for authorisation from the Directorate of the Galician Tax Agency for access to the Virtual Tax Office and a user form in accordance with the models that you will find in the Virtual Tax Office.
- Form 007: initial declaration of wind farm data through form 007.
- Form 012: self-assessment using form 012 of the tax using the computer applications on the website of the Galician Tax Agency (Atriga).

MANDATORY

Yes

DEADLINES

1 MONTH:

Taxpayers must, as a general rule, submit an initial declaration of the data of the fleet entered on form 007 electronically to Atriga, within a period of one month from the day following the date of accrual and, in all cases, prior to payment and electronic submission of the self-assessment.

20 DAYS:

Taxpayers must file form 012 annually within the first 20 calendar days of January, except in the first calendar year of operation of the fleet, when they must file form 012 within the first 20 calendar days of the second month following the month in which payment is made.

ONLINE PROCESSING

Yes

The self-assessment must be made through the Virtual Tax Office of the Galician Tax Agency.

IN PERSON

Partial

Payment can be made by electronic payment or in person at any of the authorised collaborating entities.

LEGISLATION

- Order of 27 January 2014 approving the rules for the application of the wind energy tax.
- Law 8/2009, of 22 December, regulating the use of wind energy in Galicia and creating the wind energy tax and the Environmental Compensation Fund (Chapter I, Title III).

This document was drawn up, for purely informative purposes, by the General Vice-Secretariat for Business Support of the Second Vice-Presidency and Regional Ministry of Economy, Enterprise and Innovation, as a means of consultation and simplification of the applicable regulations, and its content is therefore not binding.

All the information contained in this catalogue is taken from the legislation in force at the time of its publication, and must always be construed in accordance with it, therefore the catalogue is a document subject to continuous evolution.

