

MINOR MODIFICATIONS TO THE BOUNDARIES OF THE WORLD HERITAGE PROPERTY

ARCHAEOLOGICAL AREA AND THE PATRIARCHAL BASILICA OF AQUILEIA

January, 2018

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Area of property

The area prosed to be recognised as a Buffer zone to the World Heritage site "Archaeological Area and Patriarchal Basilica of Aquileia" (Ref. 875bis) sorrounds completely the core zone of the site with the following extension.

Buffer Zone: 245,09 haCore Zone: 155,43 ha

- Buffer Zone + Core Zone: 400,52 ha

Description of the modification

The creation of a Buffer Zone for the UNESCO-designated site "Archaeological Area and the Patriarchal Basilica of Aquileia" is intended to officially identify an area surrounding completely the Core Zone of the World Heritage site, drawn based on the synthesis of different active systems of legal and managerial protection (Municipal Master Plan, Ministerial constraints and Legislative Decree in force) already in place, creating therefore a recognized limit with the purpose of additional protection of the World Heritage Site.

Starting from the North-West corner, the perimeter follows the course of the river Terzo, (in this part the river also constitutes the municipal border of Aquileia); then, it proceeds to the South over the confluence with the river Natissa and follows the river Natissa for a short trait.

Turning to the East, the perimeter follows the limit of the archaeological constraint on agricultural lands called "The Small Baths" (established in 1968), then the landscape fluvial constraint of Natissa (150 meter of buffer from the riverside: Galasso Law 431/85 and Legislative Decree 42/2004) in the area of relatevely recent (70s) urban development (Law 167, P.E.E.P. zone), and it extends to the South following the perimeter of the archaeological constraint.

Towards South-East the Buffer Zone perimeter includes the archaeological constraint of San Felice (established in 1968); then, it turns to the North following the fluvial buffer of the Roggia del Mulino di Monastero, including completely the archaeological constraint of Villa Raspa (established in 2004).

Reached the North-East corner, the perimeter turns to the West following the main drainage canal until the municipal border of Aquileia with a former missilistic base and then follows the agricultural land properties' borders, intercepts the road SR 352 to the South of a former military barrack and includes the archaeological constraints of S.Stefano (established in 1972) to reconnect over the existing rural roads to the starting point on the river Terzo.

Justification for the modification

Since 2009 The World Heritage site is managed by Fondazione Aquileia, a legal entity participated by the Italian Ministry of Cultural Heritage, Activities and Tourism, the Region Friuli Venezia Giulia, the Province of Udine, the Municipality of Aquileia and the Archdiocese of Gorizia. Fondazione Aquileia is part of the enhancement bodies instituted by article 115 of Legislative Decree 42/2004 (so-called "Code of Cultural Heritage").

The agreement between the State and the Region has outlined the Foundation as a tool for preparing strategic plans, encouraging the development of cultural tourism, co-financing interventions, indirectly managing the valorisation activity, carrying out research, conservation and restoration of the assets granted.

Thus, among its statutory objectives Fondazione Aquileia has the strategic planning for the protection and valorisation of the heritage. Consequently, it has embraced the duty and the responsibility to prepare and implement a Management Plan for the World Heritage site.

After having prepared detailed researches and analysis on the state of the property and updated existing documentation, Fondazione Aquileia has coordinated a technical table for the preparation of the Management Plan, including all the institutional stakeholders with direct involvement in the management of the site:

- Ministry of Cultural Heritage, Activities and Tourism
 (UNESCO Office and regional departments Superintendence for Archaeology, Fine Arts and Landscape and Museum Coordination of Friuli Venezia Giulia)
- Region Friuli Venezia Giulia
- Province of Udine

- Municipality of Aquileia
- Archdiocese of Gorizia

This process of direct involvement of the stakeholders had the aim to identify a shared vision and common objectives, to establish a synergy in the management of the site for its preservation and its enhancement. The representatives of each institution met three times between May 2016 and October 2017 to coordinate, share documentation, prepare a final version of the Management Plan and finally adopt it.

In 1998 the creation of a Buffer Zone for the World Heritage property was identified as a recommendation by ICOMOS at the time of the evaluation of the nomination, and again in 2017, with the decision 41 COM 8B.45 (concerning the Minor Boundary Modification for the inclusion of the Necropolis in the Core Zone).

Having recognised this in both Periodic Reports (2006 and 2014), it has been a clear priority of the Site Manager and of the technical table to implement this recommendation and proceed to identify such area.

Therefore, alongside the process of development of the Management Plan, another operating technical table with the specific purpose was set, with the participation of Fondazione Aquileia, the Municipality and the Ministry of Cultural Heritage, represented by the UNESCO Office delegate.

In the early stage a fundamental work was conducted on the identification of all the active legal instruments of protection and related boundaries in the territory of Aquileia, inside and outside the Core Zone. This essential documentation and its updating process have been facilitated by the parallel (ongoing) work for the creation of the Landscape Regional Plan by the Region Friuli Venezia Giulia and also by a work conducted by the Superintendence of Friuli Venezia Giulia, which georeferenced all existing constraints on the territory of Aquileia, in order to insert them in a national digital database. The Italian Legislation (art. 135 of Legislative Decree 42/2004) assigns to the regional government the creation and the adoption of Regional Landscape Plan (*Piano Paesaggistico Regionale, PPR*), which contains also a specific reference dedicated to World Heritage Properties present in the region. It is worth to mention that the process of development of the Management Plan, with the establishment of the technical table, facilitated the convergence of these works in progress by the different institutions, enabling the

recollection of all these updated documents, and thus resulting in an increased knowledge on the current state of the property.

The analysis of the core area of the Aquileia World Heritage Site, of its surroundings and of all the instruments for its protection, led to the current proposal for the Buffer Zone, which was shared with the participants of the Management Plan technical table. The Buffer Zone proposal was approved by all stakeholders and was included in the final version of Management Plan with a dedicated chapter (2.4) and clearly identified as a priority action to be implemented.

As already indicated by ICOMOS in the evaluation of the nomination, the strict designation to agricultural use of the land surrounding the Core Zone could be considered as a protection of the site already in place. Our analysis of the state of the property has not only confirmed this fact, but also that the legal system of constraints in force inside the Core Zone and within the area of the proposed Buffer Zone constitute a system of effective higher protection around the Core Zone already in force.

With the awareness to set these protections clear, having embraced the ICOMOS recommendation to identify a Buffer Zone, the perimeter was drawn as to include and integrate these systems, as well as to be clearly identifiable, retracing, for instance, natural boundaries such as the fluvial auctions.

Contribution to the maintenance of the Outstanding Universal Value

The area identified as a Buffer Zone contributes to the maintenance of the OUV of the site as it surrounds completely the inscribed property, providing with complementary legal restrictions, placed on its use and development, an added layer of protection to the site. The majority of the Buffer Zone consists of cultivated fields, the destination of use prescribed by the Municipal Master Plan controls development in the area and protects the rural landscape.

The boundaries of the World Heritage Site "Archaeological Area and Patriarchal Basilica of Aquileia" include the entire surface of the known Roman town. Only a minor part of the site has been excavated and the majority of it lies under open cultivated fields inside the Core Zone.

The area proposed as a Buffer Zone includes private areas located outside the Roman city walls, subject to active archaeological constraints, that protect areas with high density of archaeological remains. These areas and the buffer along the exiting ancient roads, protected by article 26 of the Municipal Master Plan (PRGC), refer to the Roman Aquileia; therefore, these regulating constraints in the proposed Buffer Zone contribute to the maintenance and enhancement of the site OUV. In fact the archaeological remains are protected by the applied constraints and by the norms of the urban planning, and in case authorised interventions, the documented archaeological investigation contributes to increase the knowledge of the site.

Implications for legal protection

NATIONAL LEGISLATION

The *Codice dei Beni Culturali e del Paesaggio* – Code of the Cultural and Landscape Heritage, Legislative Decree January 22nd, 2004 no.4 (available in English at http://www.unesco.org/culture/natlaws/media/pdf/italy/it cult landscapeheritge2004 engtof.pdf) protects cultural heritage on the entire national territory, establishing that no alteration or modification that might be disruptive of its intrinsic characteristics are admissible and that intervention on protected areas are subject to authorisation from the appropriate departments of the Ministry of Cultural Heritage, Activities and Tourism (Superintendence). According to the same national law, each intervention related to the landscape that has been recognised of public interest needs to receive authorisation by the competent office (Superintendence or regional/municipal administration).

AREAS SUBJECT TO ARCHAEOLOGICAL CONSTRAINTS

The application of the protective norm known as "vincolo", constraint, consists in a legal regime, which is no longer the "common" one of private property, but the "special" and "derogatory" one of private property of public interest, which, in the name of the cultural interest to be safeguarded, establishes the owner's obligations of conservation and limitations in the use of the asset.

The restriction applies to the private property use and requires special approval by the local representative of the Ministry of Cultural Heritage, Activities and Tourism for any intervention to be implemented in the identified area, subject to the constraint. Any other level of the planning of the territory has to integrate it and act accordingly.

• Archaeological constraint "Fonzari" (established 27/07/1968)

Normative reference: Law 1089/39



It entails a limited sector of the South/West suburban area of the Roman Aquileia on the southern side of the river Natissa. In this area,which is also included in the buffer area of the river, today hosting a parking lot, previous investigations revelead the presence of furnaces.



• Archaeological constraint "S.Felice" (established 07/09/1968)

Normative reference: Law 1089/39



The protective norm refers to the suburban area located to the South-East of the Roman city, comprehending also a vast portion of cultivated fields. In this area there are known archaeological evidences of diverse use (furnaces, and the remains of the Basilica of San Felice).



• Archaeological constraint "Small Baths" (established 07/09/1968)

Normative reference: Law 1089/39



The protection measure is related to a vast sector of the South-West periurban area of the Roman city, next to the river Natissa. This area qualifies for a residential destination in connection to the river: here, several archaeological evidences are known, results of old excavations, among which a villa, attributed to the Imperial family (Augustus, Tiberius).

• Archaeological constraint "Fondi Ritter" (established 12/01/1972)

Normative reference: Law 1089/39



Today, this vast portion of territory is characterised by a series of cultivated fields located to the North of the settlement of Monastero. This area was part of the North Eastern suburb of the Roman city, with evidences of diverse destination of use (funerary and residential) linked by a road investigated at the end of 19th century.



• Archeaological constraint "Santo Stefano" (established 24/10/1972)

Normative reference: Law 1089/39



The constraint involves a part of the Santo Stefano area, in the Northern sector of Aquileia. This area, which is external to the Roman city, lays in the proximity of the walls. It is known for being an area of diverse use destinations in the Roman time (funerary, residential, productive) also including a road connecting via Annia and via Postumia.



• Archaeological constraint "PEEP Zone 167" (Established 02/02/1977)

Normative reference: Law 1089/39



The name refers to *Piani di Edilizia Economica Popolare/P.E.E.P.*(Economic Social Housing Plans) and related law that Municipal government could implement in their Master Plan to establish economic residential areas. This area of relatevely recent urban development has been subject to an archaeological constraint as it is an area outside the Roman city's walls, belonging to the peri-urban area of the Roman city. It is also included in the buffer fluvial area of Natissa river.

• Archaeological constraint "Villa Raspa" (established 16/12/2004)

Normative references: Legislative Decree 368/20th October 1998, 165/30th March 2001, 42/22nd January 2004, Decree of the President of the Republic 173/10th June 2004



This is the most recent protective measure implemented and it was determined following the construction works for the building of semi-detached houses. It refers to an external area of the Roman city, characterised by evidences of diverse destinations of use (residential/productive, funerary) gravitating on the road towards Tergeste (modern Trieste).



LANDSCAPE CONSTRAINTS

A consistent portion of the Buffer Zone refers to Law n.431 8th August 1985, later transposed in the Codex of Cultural Heritage (Legislative Decree n.42/2004, see art.142) identifies a continuous buffer of 150 m on each side of the river banks, where no building construction is allowed and every other intervention is subjected to approval of the Superintendence. The protection of the landscape and the views of the rivers is particularly relevant in Aquileia, where the water system shaped the territory in the ancient times and still constitute today the weft of the lands.

LOCAL ADMINISTRATION

PIANO REGOLATORE COMUNALE / PRGC -MUNICIPAL MASTER PLAN

The *Piano Regolatore Comunale - PRGC* -Municipal Master Plan is a urban planning tool of that regulates the use of the municipal territory and divides the area in different zones, subject to related norms. The major part of the municipal area is dedicated to agricultural production, about 2741 ha., i.e. 74,2%.

The Municipal Master Plan, has not only adopted the areas subject to constraint and related regulations among its norms as required, but it has also further increased the protection of the archaeological heritage, delimitating other areas of "archaeological interest" in accordance with the Superintendence, and creating a specific norm (art.26) that protects the buffer along the roads connecting the town.

Moreover, it has identified the protection and enhancement of its agricultural landscape as cultural and environmental heritage as a key objective of its planning.

The proposed Buffer Zone include the following areas of the PRGC.

- Area E represents the majority of the proposed Buffer Zone;
 it is differentiated in E4 Landscape-agricultural interest: this include areas carachterised by elements of the natural or cultural landscape, or in their proximity;
 - E5 preminent agricultural interest: this identifies an area carachterised by arable lands, including also vineyards and orchards, while E6, agricultural interest, is

carachterised only by arable lands. In these areas the new building construction requires approval through detailed plan that must take into account the accordance of every intervention with the agricultural landscape. In the specific case of expansion of an existing complex/building, this cannot exceed 20% (E4) or 30% (E5 and E6) of the current surface.

- Art. 26 relates to buffers along roads, rivers, burial grounds. The buffer extends to 30 m for the regional roads, 20 for the provincial roads and 10 for the local roads. This protects the heritage with reference to the possibility of discovering of graves and other settlements along the ancient roads connecting the Roman city of Aquileia(via Giulia Augusta, via Annia, via per Tergeste, via per Emona). Only actions of ordinary and extraordinary maintainance, restoration, and renovation of existing building are allowed, as well as expansions up to 150 m2, for existing buildings, only for hygenic-sanitary reasons, when approved by the institution owning the road or by the Superintendence.
- In the Southern sector some areas areas belong to the historic urban settlement, with residential destination of use (A2). In this area in order to prevent any significant alteration of the current state, such as the interdiction of the insertion of elements considered incompatible with the landscape or the interdiction of any modification to the soil and excavations, where there is the concrete possibility of presence of archaeological finds. Other areas are indicated as A1: archaeological complexes (already investigated) or areas of archaeological interest. These areas were identified and delimited with the agreement of the Superintendence. In this area in order to prevent any significant alteration of the current state, such as the interdiction of the insertion of elements considered incompatible with the landscape or the interdiction of any modification to the soil and excavations, where there is the concrete possibility of presence of archaeological finds.

The rest of the Buffer Zone comprises a very small portion of the residential area, and some minor productive/artisanal areas and public infrastructures.

Implications for management arrangements

The Buffer Zone proposal was approved by all the institutional stakeholders (Ministry of Cultural Heritage Activities and Tourism, Region Friuli Venezia Giulia, Archdiocese of Gorizia, Municipality of Aquileia, Fondazione Aquileia) and therefore included in the final version of the Management Plan. The document was officially approved by a vote of the Council of the Municipality of Aquileia on November 28th 2017, (see attachment nr.1, official English translation of the resolution).

During the preparation of the Management Plan the participatory process with the local community and all the non-institutional stakeholders, aimed at raising awareness of the values and significance of the site, also the Buffer Zone proposal was presented and explained in both the methodology for its identification as well in its purpose and functioning. The participatory process was conducted with several meetings open to be public, and also through the direct involvement of the Committee of Agenda 21 of Fondazione Aquileia.

As the identification of a Buffer Zone for the World Heritage Site was recognised as a priority action by all the managerial and institutional stakeholders, the process of its definition has been included among the priority activities of the plan.

The analytical reviews of all documents and cartographic tools necessary for the preparation of the Management Plan and this current proposal led the managerial stakeholders to the definition of a project of a digital multi-layered map of archaeological potential. This activity was included in the Action Plan of the Management Plan approved in November 2017 (see attachment nr.2, extract of the MP with the description of the project)

Through the superimposition of the updated archaeological map of Aquileia with the existing cartographic tools and the Municipal Master Plan, the aim of this activity is to create a tool able to locate the archaeological remains or their potential presence, in order to reference decisions on protection, management and planning activities. Beside this, the creation of such an instrument will contribute to increase the knowledge of the site through the georeferentiation of the existing archaeological map and other maps, systematising also archaeological, archival and bibliographic data.

In 2017 this project was presented for the call of proposal for the funds provided by Law nr.77/2006 "Special measures for the protection and fruition of Italian sites of cultural, landscape and environmental interest, included in the World Heritage List, placed under the protection of UNESCO". This law provides, in fact, financial measures to support projects related to the enhancement, communication and fruition of the Italian World Heritage Sites; having received the approval of the Commission of the Ministry, the project is now in its early stage of development.

The following tables provide an overview of the existing legal restrictions on the areas of the Buffer Zone described in the previous chapters.

Area of the proposed Buffer Zone subject to constraint	Excerpt of the Constraint Decree - Interdictions
"Fonzari" Established in 1968	"It is forbidden any new construction (both buildings or roads) even temporary; it is forbidden to proceed with any tools, to excavations and breakdowns for agricultural use, for sewage pipelines, or for any other need, exceeding the depth of more than 50 cm and the use of multiple-furrow ploughs is in any case prohibited; the planting of electric poles or similia must be preceded by archaeological surveys of the area, in order to determine the points where these new installations do not affect archaeological elements"
"San Felice" Established in 1968	The same as above
Piccole Terme- Small Baths Established in 1968	The same as above
"Santo Stefano" Established in 1972	"The area described above is declared of interest particularly important under the law of 1 June 1939, n° 1089/39, and is therefore subject to all the rules of protection contained in the law itself".
"PEEP zone 167" Established in 1977	"It is forbidden to construct new buildings also temporary and to expand existing buildings; existing buildings cannot change destination of use; every

	intervention needs to be previously presented to the Superintendence; it is forbidden to proceed to excavations and breakdowns for agricultural use exceeding the depth of 40 cm and the use of multiple-furrow ploughs is in any case prohibited."	
"Fondi Ritter" Established in 1972	"The area is declared of particularly important interest under the law of 1 June 1939, n ° 1089/39, and is therefore subject to all the rules of protection contained in the law itself".	
"Villa Raspa" Established in 2004	"It is declared of archaeological interest, pursuant to Legislative Decree 22nd January 2004, no. 42 and therefore subject to all the protection provisions contained in aforementioned Legislative Decree".	
River Buffer	It consists in a continuous buffer of 150 m on each side of the river banks, where no building construction is allowed and every other intervention is subjected to approval of the Superintendence.	

PRGC- Municipal Master Plan areas	PRGC Norms
E4 area of agricultural interest	a) residential buildings according to the needs of the farmer b) buildings related to the company production facilities (not industrial stalls, warehouses and rustic outbuildings) c) small structures, fixed or mobile, to be used as a shelter for tools and equipment for the cultivation of the fields, for owners without farm. The structure should not will not exceed 20 square meters (gable roof, with a maximum height of 2.50 m), and should be realized with materials and shapes suitable for the rural context (to strictly exclude sheet metal and similar construction lacking architectural quality) The intervention should be notified to the municipal administration through a declaration at the start of the activities. d) extensions of the buildings up to a maximum volume of 20% of the existing ones, for proven hygienic-building reasons, maintaining the typology and the architectural characteristics e) allowed, and as far as possible, favoured interventions to enhancement the planting of hedges and rows of trees and tree-zones along the rural streets, waterways, ditches and borders of properties. Other prescriptions for the buildings: -limit of 0,03 m³/ m² - maximus height 7,50 m - for letter b) only up to 10% of the surface of the plot of land Interdictions: -the reduction of existing hedges and rows of trees and tree-zones along the rural streets, waterways, ditches and borders of properties

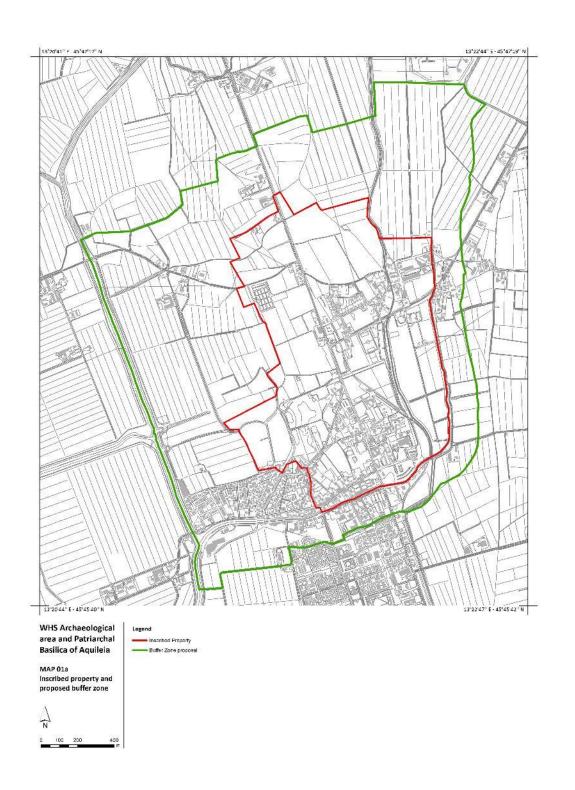
E5 area of preminent agricultural interest	Same intervention allowed as E4- with the following differences: d) extensions of the non-residential buildings up to a maximum volume of 30% of the existing ones, for proven hygienic-building reasons, maintaining the typology and the architectural characteristics And the following additions: f) construction of greenhouses (maximum height 4,5 m, not exceeding 50% of the surface of the plot, not exceeding 500 m²/ha= g) the construction of an accommodation for the owner/custodian of the farm is allowed, up to 300
E6 area of agricultural interest	m³ Same intervention allowed as E5- with the following differences: d) extensions of the non-residential buildings up to a maximum volume of 30% of the existing ones, for proven hygienic-building reasons, maintaining the typology and the architectural characteristics, not exceeding 300 m³ Limit of 0,02 m³/ m²
A1 Archaeological complexes or area of archaeological interest	-Interventions for the protection, restoration and enhancement of archaeological complexes are allowed, as well as the functional interventions for study, observation, public use of the heritage and values, safeguarded on the basis of projects developed by the competent organs of the Ministry of Cultural Heritage or with its approval. - The plan of the archaeological park and the projects referred to in the preceding paragraph may provide for the construction of cultural and service facilities for research, study, observation of the cultural heritage, as well service facilities for visitors (such as areas for resting/refreshing and pathways), and the realization of technical infrastructures and of soil defence, as well as of minor technical devices.
Art. 26 Road Buffer	Only actions of ordinary and extraordinary maintainance, restoration, and renovation of existing building is allowed, as well as expansions up to 150 m ³ , for existing buildings, only for hygenic-sanitary reasons, when approved by the institution owning the road or by the Superintendence.

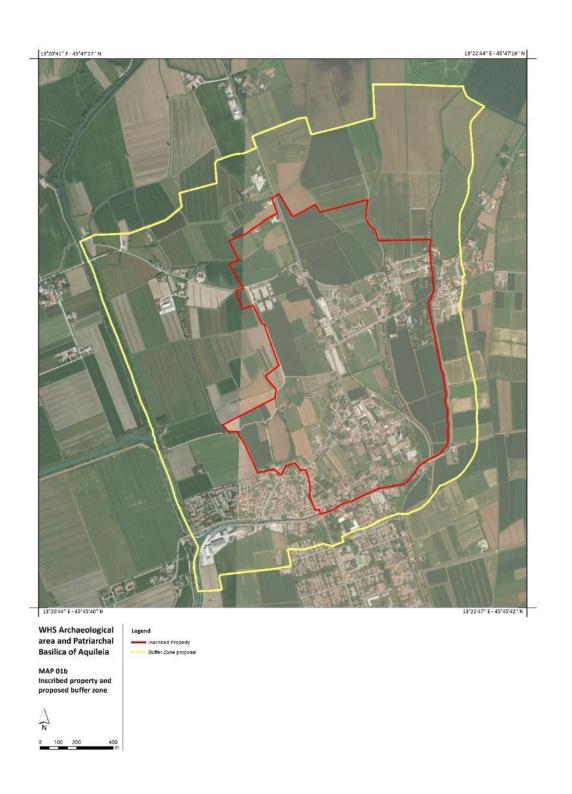
To resume, the territory included in the proposed Buffer Zone consists mainly of agricultural lands, where nearly no development occurred in the past 20 years, and the urban planning in force limits in any case the potential new building construction only to residential use of land-owners/farmers, or minor intervention to support agricultural activities; it limits also the surface, the height and the characteristics of the possible building construction, in order to preserve the rural landscape integrity and its values.

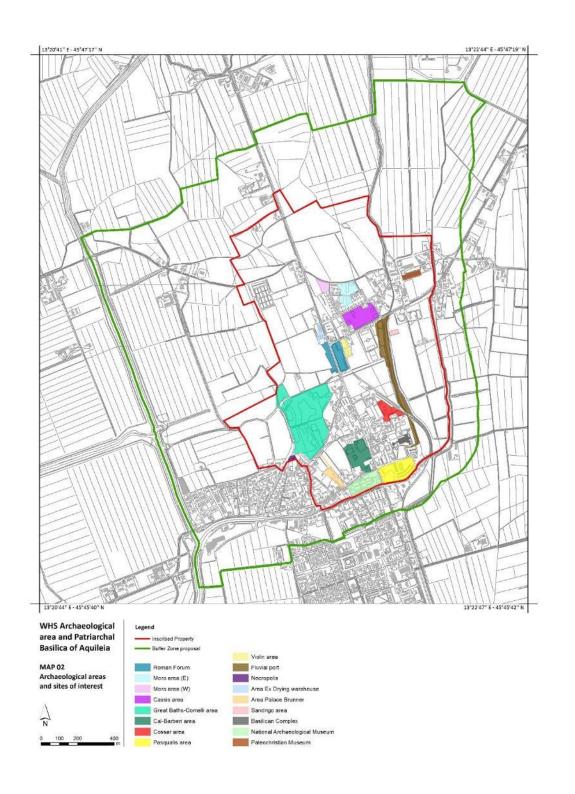
The protection, created by the areas subject of constrains established between 1931 to 2004, combined with the urban planning areas and its norms, creates an integrates a system of control placed on the use and development of the territory, which is active and respected. The river buffers, that entail as a belt on three sides (West, South, East) of the proposed Buffer Zone, enforce the preservation of the visual integrity of the rural, fluvial landscape and its identity.

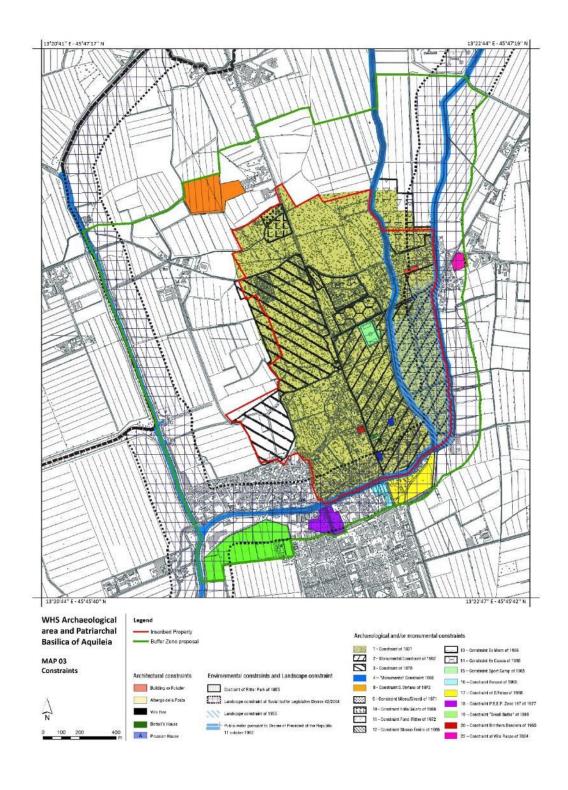
The Archaeological area and Patriarchal Basilica has been a World Heritage Site for nearly 20 years, the strict existing system of protection already in force, although not formally identified as a Buffer Zone, has been effective and has contributed for two decades to preserve the site OUV; the current proposal aims to officially recognise this system and ensure the continuous protection of the World Heritage Site for the future.

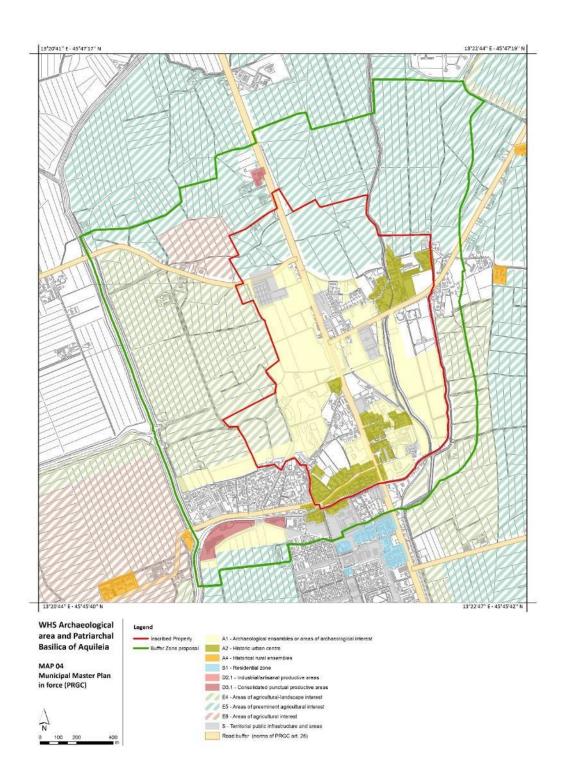
In fact, once the Buffer Zone will be approved by the World Heritage Committee the administration of the Municipality of Aquileia will officially recognise it, with the modification of the PRGC, Municipal Master Plan, adopting the perimeter in its documents and continuing to actively promote the preservation, the enhancement and awareness of the OUV of the site, as defined in the Management Plan.

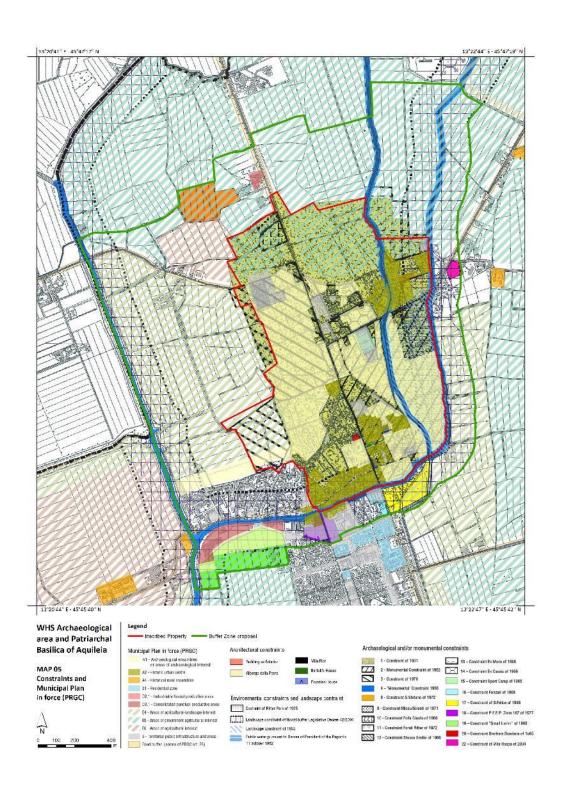












Additional Information

Attached to the document digital copies of:

1. Resolution nr.37 of the City Council of Aquileia

(copy of the original and official translation)

2. English translation of an extract of the Management Plan

(Project: Map of archaeological potential)

3.English translation of Legislative Decree 42/2004 – Code of Cultural Heritage and Landscape

(retrieved from:

http://www.unesco.org/culture/natlaws/media/pdf/italy/it cult landscapeheritge2004 engtof.pdf on 22nd September 2017)

- 4. Copies of Legislative Decrees for the establishment of archaeological constraints (in chronological order: Fonzari, S.Felice, Small Baths, Fondi Ritter, S.Stefano)
- 5. Maps:

Map 01a – Inscribed property and proposed buffer zone

Map01b- Inscribed property and proposed buffer zone on orthophoto

Map02- Archaeological areas and sites of interest

Map03- Constraints

Map04- Municipal Master Plan in force(PRGC)

Map05-Constraints and Municipal Master Plan in force

PHOTOGRAPHS



From the bell tower of the Basilica to the South



From the bell tower of the Basilica to North-West

PHOTOGRAPHS



From the bell tower of the Basilica to the South

Credits: all pictures from the Annex B5 of the Regional Landscape Plan of Region Friuli Venezia Giulia (2017)



VERBALE DI DELIBERAZIONE DEL CONSIGLIO COMUNALE

ORIGINALE

ANNO 2017 **N. 37 del Reg. Delibere**

1

DGGETTO: APPROVAZIONE DEL "PIANO DI GESTIONE DEL SITO UNESCO AREA ARCHEOLOGICA DI AQUILEIA E BASILICA PATRIARCALE".

L'anno 2017, il giorno 28 del mese di Novembre alle ore 20:30 nella sala consigliare si è riunito il Consiglio Comunale. Fatto l'appello nominale risultano:

		Presente/Assente
Spanghero Gabriele	Sindaco	Presente
Scarel Alviano	Consigliere	Presente
Contin Luisa	Consigliere	Presente
Zucchet Elisabetta	Consigliere	Presente
Moscatelli Andrea	Capo Gruppo	Presente
Sverzut Maurizio	Consigliere	Presente
Puntin Alessandro	Consigliere	Presente
Ventura Roberta	Consigliere	Presente
Digiusto Gabriele	Consigliere	Presente
Furlan Ylenia	Consigliere	Presente
Paulin Evelyne	Capo Gruppo	Presente
Zerbin Francesco	Capo Gruppo	Presente
Boccalon Serena	Consigliere	Presente
Mattiuzzo Giulia	Consigliere	Presente
Donat Alberto Filippo	Consigliere	Presente
Folla Massimiliano	Consigliere	Presente
Basile Alberto	Consigliere	Presente

Assiste il Soramel dr. Stefano.

Constatato il numero degli intervenuti, assume la presidenza il Sig. Spanghero Gabriele nella sua qualità Sindaco ed espone gli oggetti inscritti all'ordine del giorno e su questi il Consiglio Comunale adotta la seguente deliberazione:

OGGETTO PROPOSTA DELIBERA:

Approvazione del "Piano di gestione del Sito Unesco Area archeologica di Aquileia e Basilica Patriarcale".

IL CONSIGLIO COMUNALE

PREMESSO

- Che il sito Unesco di Aquileia è iscritto nella World Heritage List dal 1998 in virtù della presenza di un enorme patrimonio archeologico, in gran parte ancora da indagare, riconducibile ad una delle più grandi e importanti città dell'Antico Impero Romano dell'area del Mediterraneo e della Basilica Patriarcale, che svolse un ruolo decisivo nella diffusione del Cristianesimo in Europa nel primo Medioevo;
- Che ilComitato del Patrimonio Mondiale ha adottato la "Dichiarazione di Budapest" nel 2002, per sottolineare l'importanza di un'adeguata gestione del patrimonio, invitando tutti i partner a sostenere la salvaguardia del Patrimonio Mondiale attraverso degli obiettivi strategici fondamentali, cercando di assicurare un giusto equilibrio tra conservazione, sostenibilità e sviluppo;
- Che in ambito nazionale, la legge 20 febbraio 2006, n. 77 "Misure speciali di tutela e fruizione dei siti italiani di interesse culturale, paesaggistico e ambientale, inseriti nella "lista del patrimonio mondiale", posti sotto la tutela dell'UNESCO" introduce i Piani di gestione;
- Che l'obiettivo primario del Piano di gestione è quello di assicurare un'efficace protezione del bene, per garantirne la trasmissione alle future generazioni e quindi deve tener conto delle differenze tipologiche, delle caratteristiche e delle necessità del sito, nonché del contesto culturale e/o naturale in cui si colloca:
- Che il Piano di Gestione deve essere in un documento dinamico in grado di modificarsi e di recepire aggiornamenti e integrazioni conseguenti al mutare delle condizioni, all'evoluzione del contesto, allo sviluppo economico e alle dinamiche connesse alla fruizione turistica del sito in questione;
- Che nel Piano di Gestione sono previste azioni di monitoraggio per dare effettiva possibilità al documento di interagire con gli enti del territorio rappresentanti della comunità;

CONSIDERATO

- Che su invito dell'Amministrazione Comunale Aquileiese è stato avviato l'iter che ha condotto alla promulgazione della Legge Regionale 18/2006 che all'art. I recita: "La Regione riconosce nella città di Aquileia un patrimonio culturale fondamentale per l'identità del Friuli Venezia Giulia e una risorsa determinante per lo sviluppo economico del più vasto ambito territoriale di cui essa è parte e ne promuove la valorizzazione, sulla base di un'intesa programmatica con i competenti organi dello Stato, sostenendo l'iniziativa coordinata delle amministrazioni pubbliche per la realizzazione di un parco archeologico vivo integrato nel tessuto sociale e urbanistico aquileiese e inserito nel circuito dei musei e dei siti di interesse storico archeologico di rilievo nazionale";
- Che all'art. 2 della suddetta L.R 18/2006 si esplicita che: "Per le finalità dell'articolo 1, sulla base di appositi accordi stipulati con il Ministero per i beni e le attività culturali, ai sensi dell'articolo 112 del decreto legislativo 22 gennaio 2004, n. 42 (Codice dei beni culturali e del paesaggio, ai sensi dell'articolo 10 della legge 6 luglio 2002, n. 137) e successive modifiche, la Regione promuove, insieme con il medesimo Ministero, la costituzione di una fondazione per la valorizzazione archeologica e urbanistica di Aquileia, di seguito denominata Fondazione Aquileia.";
- Che nello Statuto della Fondazione Aquileia tra le Finalità e le Attività rientrano a pieno titolo tutte le azioni promosse e messe in atto per la gestione e la valorizzazione del sito Unesco di Aquileia e quindi anche le attività afferenti alla redazione del Piano di Gestione;

PRESO ATTO

- Che per ottemperare agli obblighi che discendono dalla legislazione nazionale, è emersa la necessità di dare corso alla redazione del Piano di Gestione con cui sottoporre a costante monitoraggio la situazione del sito, le idee progettuali di valorizzazione e quant'altro coinvolga il contesto territoriale afferente il sito stesso:
- Che il percorso articolato e complesso che è stato svolto negli anni, tanto per l'unicità e le particolarità del sito aquileiese quanto per la volontà di un'analisi attenta e dettagliata di tutte le problematiche, è giunto a conclusione;
- Che in particolare nell'ultima fase di redazione è stata avviata e promossa un'ulteriore fase di consultazione e confronto con la convocazione di tavoli di lavoro Istituzionali, con rappresentanze degli enti del territorio, e di tavoli di partecipazione tematica riassunti in Turismo e Trasporti, Imprenditoria, Cittadinanza e Associazioni per affinare ulteriormente i contributi e rendere attiva la possibilità di una partecipazione alla redazione del Piano di Gestione;
- Che nella seduta del Comitato del Patrimonio Mondiale tenutasi lo scorso luglio a Cracovia (PL) è stata inserita nella Core Zone l'area del Sepolcreto romano rappresentando una buona prassi già in uso, consolidando e rafforzando la coerenza delle attività proprie del Piano di Gestione elaborato che appare appunto già funzionante nei fatti;
 VISTO
- Che il Piano di Gestione è stato presentato alla cittadinanza in un incontro pubblico e successivamente ha trovato l'approvazione unanime del Consiglio d'Amministrazione della Fondazione Aquileia;
- Che l'iter procedurale si intenderà completato con l'invio del documento pianificatorio al Ministero dei Beni e della Attività Culturali e del Turismo e al Centro del Patrimonio Mondiale di Parigi per il recepimento dello stesso;
- Le varie comunicazioni intercorse nel tempo ed in particolar modo l'ultima comunicazione della Fondazione Aquileia con lettera prot. 3719/2017 con cui è stato assunto il documento "Piano di gestione del Sito Unesco Area archeologica di Aquileia e Basilica Patriarcale".

- VISTO lo Statuto Comunale;
VISTO il D.L. TU 267/00 e successive modifiche ed integrazioni;
con voti espressi per alzata di mano daconsiglieri presenti e votanti;
DELIBERA
 di approvare il "Piano di gestione del Sito Unesco Area archeologica di Aquileia e Basilica Patriarcale"; di inviare la presente deliberazione alla Fondazione Aquileia e quindi a tutti i componenti del Tavolo Istituzionale rendendo pubblica l'approvazione disponendone la pubblicazione sui siti istituzionali unitamente al documento;
E, stante l'urgenza di deliberare in merito con voti espressi nelle forme di legge, con voti favorevoli n, contrari n, astenuti n su n Consiglieri presenti e votanti
DELIBERA

Di dichiarare il presente atto IMMEDIATAMENTE ESEGUIBILE ai sensi del comma 19 dell'articolo 1 della L.R. 11.12.2003 N. 21 e s. m. e i..

PARERE DI REGOLARITÁ TECNICA

Ai sensi dell'art. 49 del Decreto Legislativo n. 267/2000 del T.U.EE.LL. e successive modifiche ed integrazioni, si esprime parere favorevole alla regolarità tecnica della proposta di deliberazione.

Comune di Aquileia, 28 novembre 2017

II Responsabile del Servizio GABRIELE SPANGHERO

IL CONSIGLIO COMUNALE

VISTA la proposta di deliberazione che precede;

CON voti 11 favorevoli e 6 astenuti (Zerbin, Boccalon, Mattiuzzo, Donat, Basile, Folla)

DELIBERA

DI APPROVARE E FAR PROPRIA ad ogni effetto di legge la proposta di deliberazione che precede.

E, stante l'urgenza di deliberare in merito con voti favorevoli unanimi espressi nelle forme di legge,

DELIBERA

Di dichiarare il presente atto IMMEDIATAMENTE ESEGUIBILE ai sensi del comma 19 dell'articolo 1 della L.R. 11.12.2003 N. 21 e s. m. e i..

Letto, confermato e sottoscritto,

Il Sindaco Spanghero Gabriele Il Segretario Comunale Soramel dr. Stefano

ATTESTAZIONE DI PUBBLICAZIONE

Si attesta che la presente deliberazione viene pubblicata all'Albo pretorio on line dal 30/11/2017 al 14/12/2017 per quindici giorni consecutivi, ai sensi della L.R: n.21/2003 e successive modificazioni.

Comune di Aquileia, lì 30/11/2017

II Responsabile della Pubblicazione dr. Stefano Soramel

ATTESTATO DI ESECUTIVITA`

La presente deliberazione è divenuta esecutiva il giorno 28/11/2017, poiché dichiarata immediatamente esecutiva (art.1, comma 19 della L.R. 11/12/2003 n. 21 come modificato dall'art.17 della L.R. 24/05/2004 n. 17).

Lì 28/11/2017

Il Segretario Comunale Soramel dr. Stefano

Elenco firmatari

ATTO SOTTOSCRITTO DIGITALMENTE AI SENSI DEL D.P.R. 445/2000 E DEL D.LGS. 82/2005 E SUCCESSIVE MODIFICHE E INTEGRAZIONI

Questo documento è stato firmato da:

NOME: STEFANO SORAMEL

CODICE FISCALE: SRMSFN68E08L483V DATA FIRMA: 30/11/2017 15:01:51

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NOME: SPANGHERO GABRIELE

CODICE FISCALE: SPNGRL68S23E098T DATA FIRMA: 30/11/2017 15:12:12

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CITY OF AQUILEIA

MINUTES OF CITY COUNCIL RESOLUTION

ORIGINAL

YEAR 2017

n. 37 of Resolutions Register

RE: APPROVAL OF "MANAGEMENT PLAN OF THE ARCHAEOLOGICAL AREA AND PATRIARCHAL BASILICA OF AQUILEIA UNESCO SITE"

In the year 2017, on the 28th day of November, at 20.30, the City Council of Aquileia met in the chambers. The roll was checked and resulted as follows:

		Present/Absent
Spanghero Michele	Mayor	Present
Scarel Alviano	Councillor	Present
Contin Luisa	Councillor	Present
Zucchet Elisabetta	Councillor	Present
Moscatelli Andrea	Group Leader	Present
Sverzut Maurizio	Councillor	Present
Puntin Alessandro	Councillor	Present
Ventura Roberta	Councillor	Present
Digiusto Gabriele	Councillor	Present
Furlan Ylenia	Councillor	Present
Paulin Evelyne	Group Leader	Present
Zerbin Francesco	Group Leader	Present
Boccalon Serena	Councillor	Present
Mattiuzzo Giulia	Councillor	Present
Donat Alberto Filippo	Councillor	Present
Folla Massimiliano	Councillor	Present
Basile Alberto	Councillor	Present

Acting as assistant: Soramel Stefano

After checking the number of participants, Mr. Spanghero Gabriele acts as Chairman in his quality of Mayor and reports about the items listed in the agenda, on which the City Council adopts the following resolution:

RESOLUTION PROPOSAL:

Approval of "Management Plan of the archaeological area and Patriarchal Basilica of Aquileia Unesco site".

WHEREAS,

- Aquileia Unesco site has been included in the World Heritage List since 1998 by virtue of its huge archaeological heritage, largely yet to be unveiled, referred to one of the greatest and most important cities of the Ancient Roman Empire in the Mediterranean Area, and of the Patriarchal Basilica, which played a key role for the spreading of Christianity throughout Europe in the High Middle Ages;
- the World Heritage Committee adopted the "Budapest Declaration" in 2002, to highlight the importance of managing heritage correctly, and called on all Unesco partners to support the protection of the World Heritage by fixing basic strategic targets and attempting to strike a balance between conservation, sustainability and development;
- the Italian law n.77 dated 20th February 2006 on "Special measures for the protection and access to the Italian sites of cultural, landscape and environmental value included in the 'world heritage list' protected by UNESCO" provides for Management Plans;
- the primary objective of a Management Plan is to ensure efficient protection of heritage and guarantee it will be handed over to the next generations; therefore, it must take into account the different types, characteristics and special needs of such sites, as well as their cultural and/or natural surroundings;
- a Management Plan must be a dynamical document capable of being modified, updated and integrated as the conditions, surroundings, economic development and patterns of tourist impact of the site will change;
- a Management Plan includes monitoring actions aimed at effectively enabling it to interact with the administrations representing the local community;

CONSIDERING THAT

- upon the initiative of the Municipal Administration of Aquileia, steps have been taken to obtain the promulgation of the Regional Law n. 18/2006, whereby "the Regional government ackowledges that the city of Aquileia encompasses a fundamental cultural heritage for the identity of Friuli Venezia Giulia and a crucial resource for the economic development of a larger territory, where Aquileia belongs and contributes to its enhancement. Based on a policy agreement with the competent State bodies, we support the coordinated action of public administrations to implement a lively archaeological park integrated with the social and urban tissue of Aquileia and included in the circuit of the museums and sites with historic and archaeological value of national stance";

- article 2 of the above mentioned Regional Law 18/2006 reads: "For the purposes of article 1, based on special agreements with the Ministry of cultural heritage and activities, under article 112 of the legislative decree n.42 dated 22nd January 2004 (Code of cultural and landscape heritage, pursuant to article 10 of the Law n.137 dated 6th July 2002) and following modifications, the Regional government promotes, along with the Ministry, the establishment of a trust for the archaeological and urban enhancement of Aquileia, hereinafter called Fondazione Aquileia";
- the Statutes of Fondazione Aquileia fully include among the Scope and Activities of the trust all sorts of actions adopted and implemented to manage and enhance Aquileia UNESCO site, and therefore also the activities related to the preparation of the Management Plan;

ACKNOWLEDGING THAT

- to fulfil the obligations resulting from the Italian legislation, the need has arisen to start preparing a Management Plan with the aim of guaranteeing that the conditions of the site, the projects for its enhancement and all other issues related to its surroundings will be constantly monitored;
- the path taken in the last years a varied and complex one on grounds of the unique and special character of the site of Aquileia, and because of the will to implement a studied and detailed analysis of all the issues at stake has now been completed;
- upon the final step of preparation of the Plan, steps have been taken to get advice and exchange ideas during round tables with the local institutions and thematic dialogue tables with representatives of Tourism and Transports, Entrepreneurs, Citizens and Associations with the aim of increasing the quality of contributions and the chances of participation to the preparation of the . Management Plan;
- during the meeting of the World Heritage Committee held in Krakow (Poland) last July, the Roman Necropolis of Aquileia was included in the Core Zone for being an example of good practice, thus strengthening the consistency of the actions inherent to the Management Plan, which proves to be already in factual operation;

WHEREAS,

- the Management Plan was presented before the citizens during a public meeting and was later unanimously accepted by the Board of Directors of Fondazione Aquileia;
- the procedural steps will be considered completed as soon as the Plan is transmitted to the Ministry of Cultural Heritage and Activities and Tourism, and to the World Heritage Centre in Paris for adoption;
- all communications over time and, in particular, the latest communication by Fondazione Aquileia by letter prot. 3719/2017, whereby the document named "Management Plan of the archaeological area and Patriarchal Basilica of Aquileia Unesco Site" was approved;

HAVING REGARD TO the Municipal Statutes;

HAVING REGARD TO the Legislative Decree TU 267/00 and following modifications and integrations;

with ______ votes expressed by show of hands by _____ attending and voting Councillors;

NOW, THEREFORE, BE IT RESOLVED

- 1. that the CITY COUNCIL hereby approves and adopts the "Management Plan of the archaeological area and Patriarchal Basilica of Aquileia Unesco Site";
- 2. to transmit this resolution to Fondazione Aquileia and then to all the participants to the institutional round table, and make this resolution publicly known by means of the publication on the institutional sites, along with the document.

And, considering it is urgent to deliberate	thereupon by votes	expressed in compliance v	with the
law, with votes in favour,	votes against,	abstained, out of	
attending and voting Councillors			

BE IT FURTHER RESOLVED

to declare the present document IMMEDIATELY ENFORCEABLE under paragraph 19 of article 1 of the Regional Law n.21 dated 11.12.2003 and following modifications and integrations.

CERTIFICATION OF TECHNICAL COMPLIANCE

Under article 49 of the Legislative Decree n.267/2000 of the T.U.EE.LL. and following modifications and integrations, I hereby express my opinion in favour of the technical compliance of the resolution proposal.

City of Aquileia, 28th November 2017

The Head of Department
GABRIELE SPANGHERO

HAVING REGARD TO the resolution proposal above;

WITH 11 votes in favour and 6 abstained (Zerbin, Boccalon, Mattiuzzo, Donat, Basile, Folla)

BE IT RESOLVED

that the CITY COUNCIL hereby APPROVES AND ADOPTS for all legal effects the resolution proposal above.

And, considering it is urgent to deliberate thereupon with unanimous votes in favour expressed in compliance with the law.

BE IT FURTHER RESOLVED

to declare the present document IMMEDIATELY ENFORCEABLE under paragraph 19 of article 1 of the Regional Law n.21 dated 11.12.2003 and following modifications and integrations.

Read, approved and signed

The Mayor

Spanghero Gabriele

The City Clerk

Soramel Stefano

CERTIFICATION OF PUBLICATION

It is hereby certified that this resolution will be published online in the Municipal notice board from 30/11/2017 to 14/12/2017 for fifteen consecutive days, pursuant to the Regional Law n.21/2003 and following modifications.

City of Aquileia, 30/11/2017

The person in charge of Publication Stefano Soramel

CERTIFICATION OF ENFORCEABILITY

This resolution has become enforceable as of 28/11/2017, since it was declared immediately enforceable (art. 1 paragraph 19 of Regional Law n.21 dated 11/12/2003, modified by art. 17 of Regional Law n.17 dated 24/05/2004).

On 28/11/2017

The City Clerk
Stefano Soramel

List of signatories

THIS DOCUMENT WAS DIGITALLY SIGNED UNDER D.P.R. 445/2000 AND FOLLOWING MODIFICATIONS AND INTEGRATIONS

This document was signed by:

NAME:

STEFANO SORAMEL

TAX CODE:

SRMSFN68E08L483V

ON:

30/11/2017 AT 15:01:51

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NAME:

SPANGHERO GABRIELE

TAX CODE:

SPNGRL68S23E098T

ON:

30/11/2017 AT 15:12:12

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TRIBUNALE DI UDINE

VERBALE DI GIURAMENTO DI TRADUZIONE

L'anno 2018 (DUEMILADICIOTTO) il giorno 15 (QUINDICI) del mese di GENNAIO avanti al sottoscritto funzionario giudiziario del TRIBUNALE DI UDINE è comparso il perito Sig. RAFFAELLA GRASSELLI nato il 18 OTTOBRE 1968

a UDINE residente in UDINE, VIA SUSANS 21/1

identificato con CARTA IDENTITA' nº AU 5857639

rilasciato/a UDINE

da Comune di UDINE il 18.02.2014

Codice Fiscale n° GRS RFL 68R58 L483T

Il quale chiede di asseverare con giuramento l'acclusa traduzione dalla

lingua ITALIANA alla lingua INGLESE

effettuata per conto di FONDAZIONE AQUILEIA

MARCA DA BOLLO

Il Funzionario Giudiziario, previe le ammonizioni di legge, invita il traduttore al giuramento di rito, che egli presta ripetendo:

"GIURO DI AVER BENE E FEDELMENTE ADEMPIUTO ALLE FUNZIONI AFFIDATEMI AL SOLO SCOPO DI FARE CONOSCERE LA VERITA' ".

L.C.S.

IL FUN

Marca DA BOLLO
adelle Finanze

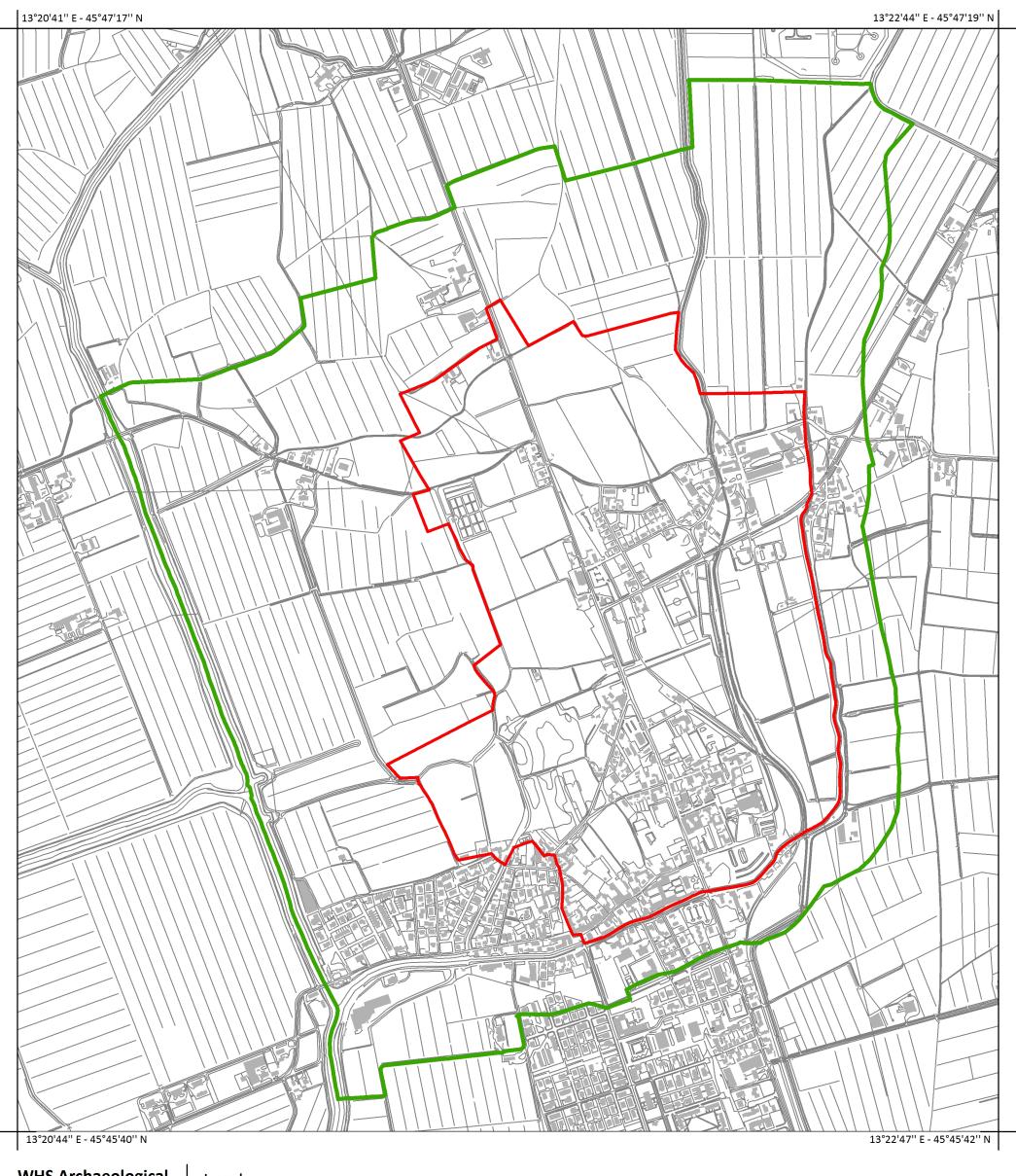
Comparisor

English translation of an extract of the Action Plan of the Management Plan for the WHS of Aquileia – November 2017-

Map of archaeological potential	PIANTA DI AQVILEIA	
Reference objectives	1. To systematize the knowledge of the site 2. To implement actions for the enhancement of the site	
Description of the project	The project aims to develop a map of archaeological potential (or archaeological risk), that is an instrument of knowledge and management of the territory, through a digital multi-layered map, realized through the GIS software, able to systematize data related to the presence of archaeological remains or to the potential of their presence. The realization of this instrument requires the synergic cooperation of the local stakeholders and the Superintendency in order to share existing documentation and realize an instrument on a common cartographic base, through the superimposition of the updated archaeological map of Aquileia with the Municipal Master Plan. The aim is to create a tool able to define the archaeological potential of the different areas and to reference decisions on future protection, management and planning activities, passing from a simple mapping of the archaeological areas to a conscious use of the territory. It is an instrument that can be immediately spent on urban planning. On the institutional level, it presents two priority objectives: to become a tool to support the planning of interventions on the territory and to facilitate the management system of the archaeological heritage.	
Typology of the project	□ Network project X Local project	
Activities of the project	The systematization of knowledge and location of archaeological potential will be carried out through: - archaeological maps - archival and bibliographic data; - data from other archaeological studies and surveys; - photo interpretation, that is the study of anomalies identified by analysing the aerial photographs available, including orthophotos and satellite images; - field surveys and / or inspections in the conditions of better observability of the surface;	

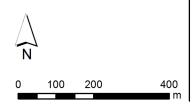
English translation of an extract of the Action Plan of the Management Plan for the WHS of Aquileia – November 2017-

	The synthesis of these data on a digital and georeferenced cartographic basis will be superimposed on cartographic maps already available, constituting therefore a multi-level reading system.		
	It will provide for:		
	- conscious decision-making process of the management in consideration of the archaeological potential of the different territorial contexts;		
	- defining coherent specific regulations for excavation and / or modification of the underground.		
Stakeholder responsible	Municipality of Aquileia, Fondazione Aquileia		
Stakeholders involved	MiBACT/ Superintendence/ Region FVG		
Funding	To be defined		
Time of realization	1 year		
Time indications	X in programma	□ long-term	
	□ in progress	□ medium-term	
	□ ongoing	X short-term	
	 Increased knowledge of the site as well as protective measures to safeguard the territory and its cultural heritage. 		
Expected results	 Opportunities for the enhancement of the archaeological heritage that will be made possible by the integration of planning with the landscape design of the transformations. 		
	 Speeding up of the preliminary planning, as it will no longer be necessary to check the obligatory archaeological interest for public works and potentially required for private ones. 		
Results' indicators	- Number of users of the digital map		



WHS Archaeological area and Patriarchal Basilica of Aquileia

MAP 01a Inscribed property and proposed buffer zone



Inscribed Property
Buffer Zone proposal