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ID 1722 | MIND THE GAP: TERRITORIAL GOVERNANCE AND SPATIAL PLANNING SYSTEMS IN THE WESTERN BALKAN REGION

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ABSTRACT: Starting from the 1990s, an increasing number of studies and reports focussed on the heterogeneous landscape for territorial governance and spatial planning in Europe. The geographical coverage of these comparative analyses broadened over time, paralleling the progression of the EU integration process. However, until now the Western Balkan countries have been ignored by the majority of the studies, mostly due to their fragmentation and geopolitical instability. As the pre-accession negotiation proceeds, such analytical gap should be overcome through the collection of evidence that may support the EU in developing a more sound and effective cohesion policy. This paper makes a first step in sketching out and comparing the evolution of the territorial governance and spatial planning in the Western Balkan Region since the late 1980s. More specifically, it first presents a general overview of the geographical and socio-economic situation, to then explore the evolution of the administrative and legal frameworks for spatial planning as well as of the tools that characterise each national context. Highlighting similarities and differences between the countries at stake, our work exposes the complexity of the subject and sets the stage for further research on the matter.

KEYWORDS: Spatial planning system, Territorial governance, Western Balkan Region, European integration, Transition.

1 INTRODUCTION

Modern spatial planning systems rose as a consequence of the Industrial Revolution, when increasing urbanisation rates, and the movement of population away from agriculture towards the industrial and services sectors created substantial development pressures across countries. In response, most government established procedures to channel these pressures and resolve conflicts between competing

land uses. Over time legislations was introduced in each country to establish the principle that public authorities are empowered to monitor and control territorial development and prepare plans, identifying what types of development would be permitted and where. In this light, territorial governance and spatial planning system may be defined as the system of institutions allowing and determining the spatial organization of social and economic life within a particular national context, through multiple processes of vertical (between policy levels) and horizontal (between policy sectors and between public and private subjects) coordination (Janin Rivolin, 2012).

The evolution and consolidation of territorial governance and spatial planning systems occurred at different times in different European countries from the late nineteenth century onwards, depending on political attitudes towards the acceptability of public powers over land regulation and development (which may be regarded as infringing on individual rights to exploit private property) and varying perceptions of the value of planning in different contexts. Hence, the specific histories and geographies of particular places, and the way these interlocked with national institutional structures, cultures and economic opportunities contributed to generate a highly heterogeneous set of territorial governance and spatial planning systems in Europe.

The fascination of taking an international view of planning lies exactly in the great diversity to be found within spatial planning systems and approaches that have evolved in the countries, as demonstrated by the proliferation of comparative research on territorial governance and spatial planning systems in the European Union (EU), since the late 1980s (Davies et al. 1989, Newman & Thornley, 1996; CEC, 1997; Nedović-Budić, 2001; ESPON, 2006; COMMIN, 2007; Reimer et al., 2014; ESPON & TU Delft, 2017). Over time, these analyses have broadened their geographic scope to include the new countries joining the enlarging EU (Table 1). However, despite their central geographical position and the advancement of pre-accession negotiations for most of them, the countries of the Western Balkan Region (WBR) have been left out from almost all comparative attempts, mostly due to their geopolitical instability as well as to the fragmentation that characterizes this area. With many of these countries soon to become full EU member states, their exclusion creates a gap in the empirical analysis and theoretical understanding of spatial planning in Europe. This gap must be overcome, if the EU aims to promote an economic, social and territorial cohesion policy to the benefit of all its citizens (ESPO, 2015).

This paper reflects on the evidence collected by the authors in more than a decade of comparative spatial planning research in Europe and, in particular, on the polymorphic territorial governance and spatial planning environment that characterizes the WBR (Figure 1). In doing so, it sketches out and compares the evolution of the territorial governance and spatial planning systems of six countries in WBR from the fall of the communist regimes until the present day. Such evolution is understood as a consequence of various driving forces: on the one hand, the transition of the countries under scrutiny from centrally planned to market oriented economic models and their progressive embedding within the broader globalization and EU integration processes (Cotella & Janin Rivolin, 2010, 2015; Stead & Cotella, 2011); on the other hand, the complex path-dependency deriving from the specific national historical, geographical and socio-economic contexts which determine the actual direction of transformation as a reaction to external and internal stimuli (one hand, the transition of the countries under scrutiny from centrally planned to market oriented economic models and their progressive embedding within the broader globalization and EU integration processes (Cotella & Janin Rivolin, 2010, 2015; Stead & Cotella, 2011); on the other hand, the complex path-dependency deriving from the specific national historical, geographical and socio-economic contexts which determine the actual direction of transformation as a reaction to external and internal stimuli (one hand, the transition of the countries under scrutiny from centrally planned to market oriented economic models and their progressive embedding within the broader globalization and EU integration processes (Cotella & Janin Rivolin, 2010, 2015; Stead & Cotella, 2011); on the other hand, the complex path-dependency deriving from the specific national historical, geographical and socio-economic contexts which determine the actual direction of transformation as a reaction to external and internal stimuli (Table 2; Figure 2,3).

Study	Geographical coverage
Davies et al, 1989	DE, DK, FR, NL, UK (England)
Newman & Thornley, 1996	AT, BE, DE, DK, FR, IE, IT, LUX, N, NI, PT, SE, UK, Eastern Europe
CEC, 1997	AT, BE, DE, DK, ES, FI, FR, GR, IE, IT, LUX, NI, PT, SE, UK
Nedović-Budić, 2001	CZ, HU, SL
ESPON, 2006	AT, BG, BE, CY, CZ, DE, DK, EE, ES, FI, FR, GR, HU, IE, IT, LT, LUX, LV, MT, NL, PL, PT, RO, SE, SK, SL, UK
COMMIN, 2007	BY, DE, DK, EE, FI, LT, LV, NO, PL, RU, SE
Reimer et al., 2014	BE (Flanders), CZ, DE, DK, FI, FR, GR, IT, NL, PL, TR, UK,
ESPON & TU Delft, 2017	AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FL, FR, GR, HR, HU, ICE, IE, IT, LT, LUX, LV, MT, N, NI, PL, PT, RO, SE, SK, SL, UK

Source: Authors' Elaboration

Table 1 - The geographical coverage of comparative analyses of spatial planning systems in Europe.
Source: Authors' Elaboration



Figure 1 - Western Balkan Countries included in the analyses

After defining what the study considers as territorial governance and spatial planning systems, and deriving from the latter the main variables for the comparative analysis, the paper provides an overview of the development of spatial planning in the WBR during the socialist period and introduces the main drivers that have shaped the current development and consolidation of the territorial governance and spatial planning systems in the six countries under study. Section four constitutes the core of the work, and explores and compares the countries on several variables: (i) the administrative and legal framework for spatial planning; (ii) the main planning authorities involved; (iii) the spatial planning instruments produced at each territorial level; (iv) the main spatial planning issues and (v) the future challenges.

Overall, the paper produces an initial comparative overview of the territorial governance and spatial planning systems of the Western Balkan countries, that highlights the heterogeneity and the fluidity of this complex landscape. In so doing, it allows a formulation of a preliminary conclusions and considerations for further more extensive analysis.

DATA	AL	BIH ⁶	KO	FYROM	MNE	SRB
Territorial Surface (km ²)	28 748	51 210	10887	25 713	13 812	88 361
Population (2015)	2 889 167	3 810 416	1 801 800	2 078 453	622 159	7 095 383
Population Change 1990-2015 (%)	- 12,0	- 15,8	- 3,2	0,4	2,6	- 6,5
Urban Population (%) 2015	57	39,7	49	57	64	55
Total GDP (Billion US\$) 2015	13,2	18,3	6,8	10,1	4,5	40,2
GDP per Capita (USD) 2015	4543	4801	3785	5093	7268	5663
GDP growth 2014 - 2015 (%)	2,8	3	3,9	3,6	3,1	0,7

Table 2 - Geographical and Economic Information
Source: World Bank Data¹

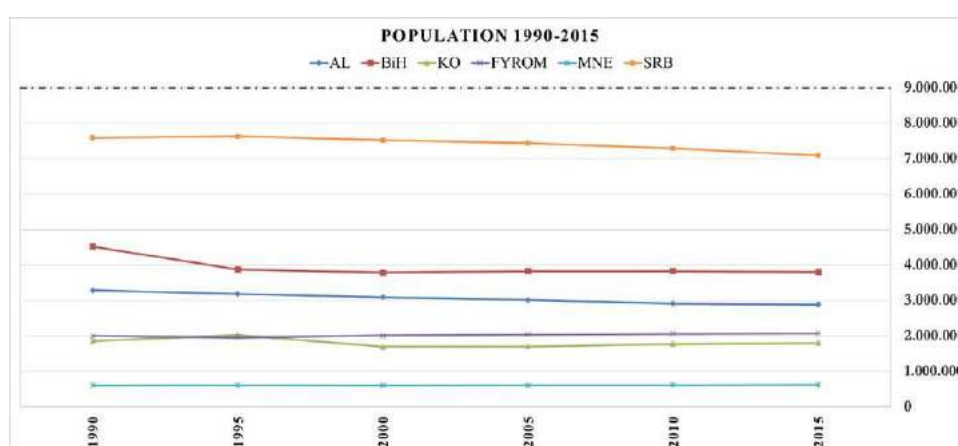
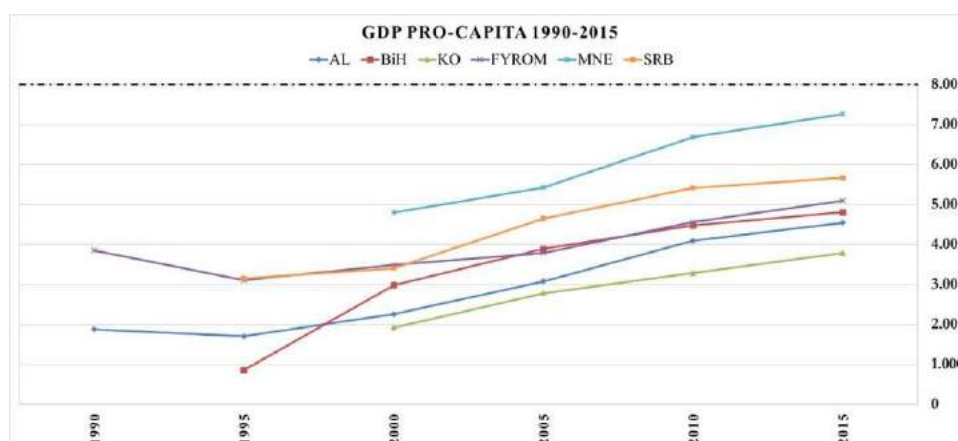


Figure 2 - Population trend in the Western Balkan Region



2 SPATIAL PLANNING IN THE WESTERN BALKAN REGION: TRADITIONAL ARRANGEMENTS AND MAIN DRIVERS OF CHANGE

Spatial planning after WWII in the countries of WBR was often referred to as a subordinate to centralized economic planning, which represented a key function of a communist state. Albania was characterized by a strong top-down communist model with centrally-controlled spatial planning, where local urban authorities had responsibility for development coordination but lacked decision-making power. On the other hand, Yugoslavia detached itself from the Soviet centralised planning model during the 1950s and developed 'a participatory system of integral (i.e. comprehensive or integrated) planning' (Nedović-Budić et

al., 2011:430) that had a partially decentralized system within each of the individual republics (Hirt & Stanilov, 2009). The regime that operated in the former Yugoslavia was a form of 'market-socialism' operating through 'societal self-management' and decentralized decision-making processes, with the municipality being the basic local government unit holding considerable executive power (Nedović-Budić et al., 2011). Still, until the late 1960s, some of the main issues of planning practice in Yugoslavia were seen as bureaucracy, political complacency of planning organizations, technocracy of their employees and the lack of wide and transparent public participation (Petovar, 2012). Internally, the main driver of socialist development in this early post-WWII period, was described as the 'renewal strategy', with the mission to restore the function of the urban tissue destroyed in the war and to provide housing for new workers and their families who migrated from rural to urban areas under the state-sponsored industrialization.

The Albanian State continued to play a dominant role in planning and plan approval throughout the 1970s (Eskinasi, 1995), when the 1976 Constitution banned private property completely (including private plots in rural areas) and reduced public engagement to a symbolic role (Mele, 2011). By this time in former Yugoslavia urban land was in societal (public) ownership, while most of land in rural areas was privately owned. However, both Albania and former Yugoslavia witnessed processes of land nationalization under the communist government (Turnock, 1989). In both contexts, land ownership allowed the State to act as the main pillar of the urbanization process, 'central investor' and initiator of urban development (Petovar, 2012).

In post-WWII former Yugoslavia planning professionals were educated mainly in the field of engineering and architecture and operated in a technocratic mode that excluded any economic justification of planning proposals. Nevertheless, the profession evolved rapidly with the successful introduction of spatial planning degrees and an integrated approach to planning from late 1970s (Cavrić, 2002). This coincided with the establishment of planning as an interdisciplinary field on its own (i.e., separate from architecture, economics or engineering) in both the realms of education and practice. In parallel to the innovation in planning practice, the later era of the 1970s and 1980s saw the institutionalization of extensive public participation that became a legally mandated element of the planning process (Law on Planning and Construction, 1961; 1974). The decentralized system that promoted 'cross acceptance' in the decision-making process was practiced in Yugoslavia for more than a decade ahead of some of the traditional market-economy societies (Cullingworth, 1997), with most scholars referring to this period as a 'golden age' of planning and development (Vujošević & Petovar, 2006). Similar, although less radical transformations of the planning system were by mid 1980s evident in Albania as well (Nientied, 1998).

At the beginning of the 1990s, systematic regime changes, political pluralization and socio-economic reforms were initiated in the WBR, as a consequence of the collapse of the Soviet Union and the subsequent dismantling of communist institutions in all satellite countries (Mojović et al., 2009). Post-communist Europe saw a multi-dimensional process of transition to democracy, market and decentralized governance, as it became increasingly influenced by globalization and Europeanization processes (Tsenkova & Nedović-Budić, 2006; Faludi, 2014; Cotella & Berisha, 2016a, 2016b). The introduction of market economic principles occurred through a series of macroeconomic reforms that entailed rapid privatization and the almost complete withdrawal of State aid, in turn leading to the shutting down of numerous production plants, growing unemployment and increasing social costs (Brada, 1993). The already existing heterogeneity of WBR countries was reinforced by these processes and the new economic systems that worsened the situation of the weakest countries and widened the regional disparities. At the same time, the disintegration of former Yugoslavia during the 1990s and the Albanian civil war in 1997 (as a consequence of the financial crises, the so-called pyramid schemes) emerged as major destructive and disruptive forces with regard to the ongoing transition.

As it will be argued in the following section, the transformation of territorial governance and spatial planning in each context depended on the system's capability to follow and adapt to each of those transition processes. The influence of each countries' distinctive pre-socialist, socialist and post-socialist past affected its capability to transform through a concurrence of path-dependent logics that contributed to a variety of outcomes in terms of both territorial governance and spatial planning (Tosics, 2004; Tsenkova & Nedović-Budić, 2006; Cavrić & Nedović-Budić, 2007; Szelenyi, 1996; Enyedi, 1998; Petrović, 2005).

3 TERRITORIAL GOVERNANCE AND SPATIAL PLANNING AFTER 1989

The initial period of the post-socialist transition of 1990s in most countries of the WBR was characterized by a fluid, unregulated institutional framework. According to Hirt and Stanilov (2009), this ‘institutional vacuum’ was dominated by private economic interests close to the political establishment. Various authors claim that the transition was mostly characterized by extreme ‘battles for capital’ manifested in the form of accumulation and grab for resources and ‘investors’ urbanism’, with urban land being a major target in this process (Vujošević, 2003). Within the complex framework of political and economic transition, the privatization of land and housing in Albania and almost all public housing stock in the former Yugoslavia took place (Hirt & Stanilov, 2009). At the same time, encroachment on public space and illegal construction rose to a major scale. In Yugoslavia this phenomenon worsened due the social consequences of the wars and in particular the increasing demand for housing by refugees and internally displaced persons (Žegarac, 1999), with spatial planning abandoning the mentioned ‘golden age’ and losing ‘the ground beneath its feet’ (Vujošević & Petovar 2006). At the same time, Albania remained stuck with socialist perplexed procedure of obtaining building permits and intensified rural-urban migration, that overwhelmed the capital city of Tirana with 25 per cent of informal housing developed during the 1990s (Deda & Tsenkova, 2006).

The turn of the millennium brought forward a renewed enthusiasm for the transition to democracy, economic liberalization, marketization and political decentralization, also as a consequence of the normalization of the geopolitical tensions that had characterised the previous decade. Most of the countries reformed and/or amended their legislative frameworks for spatial planning multiple times (Figure 4), as a consequence of growing influence of globalization and EU integration, and in the attempt to accelerate the procedures of obtaining construction permits, to adapt to the administrative and institutional re-organization, to legalize informal development, and to include public participation.

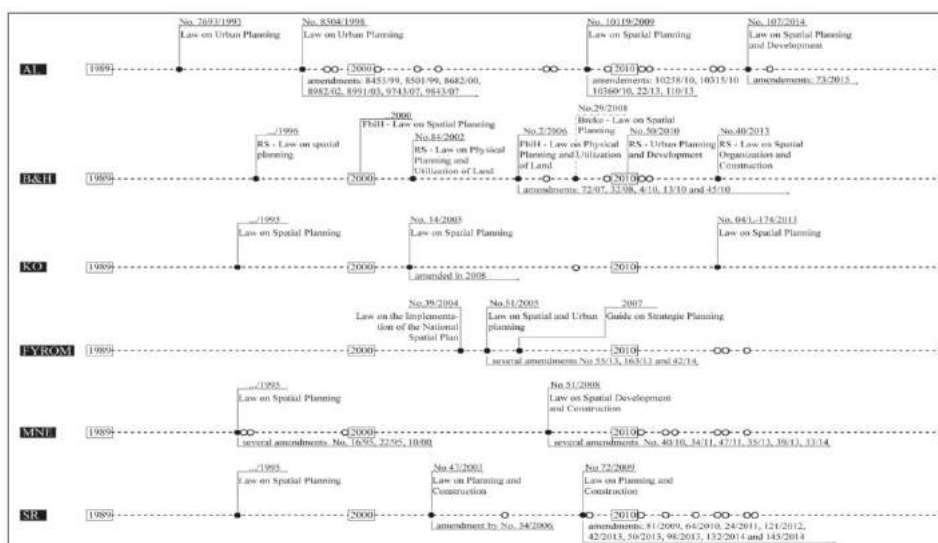


Figure 4 – The main Spatial Planning reforms since 1990 until 2016.

Within these evolving circumstances, planning professionals are required to possess new types of knowledge and skills with respect to market forces, while aiming to recognize and balance a variety of interests of new stakeholders within the decision-making process (Vujošević & Nedović-Budić, 2006). Post-socialist transformation of Western Balkan region countries also means that spatial planning practice should be able to recognize and meet the specific needs of the local context in which it is carried out. Thus, it should be able to confirm the prevailing political culture and adapt to the institutional framework, acknowledge the resources and constraints of local development, and deal with the variety of interests, as well as traditions, at both national and local level (Friedmann, 2004). This means that the countries are to direct their spatial planning systems in line with a variety of internal and external factors. In order to understand current tendencies and possible future trends related to spatial planning, the following subsections presents and compares the key characteristics of current spatial planning systems in the countries under study.

3.1 ADMINISTRATIVE SUBDIVISION AND MAIN SPATIAL PLANNING AUTHORITIES AT EACH TERRITORIAL LEVEL

The current administrative organization of the countries included in this research is the result of a major process of restructuring that started in the early 1990s. The process of a post-socialist (de)centralization contributed to a different configurations of administrative hierarch in each country (Table 3). Indeed, in most of them, the administrative restructuring process was driven by new internal process (above all political, geographical, functional, economic and historical and contingent factors), with the exception of BiH and KO where a prominent role, in state restructuring, was played by the international community.

In this regard, the Albanian system represents an outcome of the recent administrative and territorial reform implemented from 2014 . The reform is based on the law which reduced the number of local administrative units from 373 to 61 with the aim to improve coordination at the local level and to reduce the existing territorial differences (primarily the economic and demographic regional disparities). In line with this perspective, the government is engaged on reforming the number and role of Qarku (districts), reducing the present 12 Qarku (districts) to only three or four administrative regions. In the case of BiH, the existing administrative subdivision is the result of the Dayton Peace Agreement signed in 1995. The agreement structured the BiH system in four levels: the central government, two independent Entities - the Federation of Bosnia and Herzegovina (FBiH) and Republic of Srpska (RS). While the Brčko District has been introduced few years later in 1999 , the cantonal level that further subdivide FBiH in cantons and the local level represented by the municipality and large cities such are Sarajevo and Banja Luka. The territorial administration system of KO includes only two levels of government, the national and the local, both instituted for the first time in the 2000 by the UNMIK mission and later ratified by the Republic's Parliament in 2008. This subdivision aimed at reducing the internal ethnic conflicts recognizing that 27 municipalities have Albanian majority, 10 Serb and 1 Turkish (Mamusha). Similarly, also the FYROM and MNE administrative systems are characterised by two levels: the central and the local. However, FYROM also introduced 8 statistical regions that include the all rural and urban municipalities, while the Special Law on the Territorial organization of MNE organized the territory in municipalities and the capital. Finally, the territory of SRB includes one autonomous province Vojvodina, cities, municipalities and the capital city of Belgrade as special territorial unit .

	AL	BIH	KO	FYROM	MNE	SRB
Central	Albanian Government	Government of Bosnia Herzegovina	Government of KO	Government of Macedonia	Government of MNE	Government of SRB
Meso Level 1	12 Qarku/District	Entities (FBiH and RS) District of Brčko	-	-	-	Autonomous Province Vojvodina + 3 other NUTS-2 regions
Meso Level 2	-	FBiH – 10 Cantons	-	-	-	-
Local	61 Municipalities including the city of Tirana	FBiH - 79 Municipalities, including the city of Sarajevo RS – 62 Municipalities including the city of Banja Luka	38 Municipalities including the city of Prishtina	80 Municipalities including the City of Skopje	21 Municipalities including the city of Podgorica	150 Municipalities, 23 cities and the city of Belgrade

Source: Authors' Elaboration

Table 3 - Administrative Subdivision of the countries of the Western Balkan Region.

As shown in the Table 3, the territorial administration system is different from one country to another. Adopting an historical perspective, the process of decentralization contributed at introducing new administrative levels, reorganizing the existing one or open up new statistic regions, while, simultaneously, at the local level has been reduced the number of local unites given more importance to the important cities as the capitals. It is interesting to note that in many cases the process of decentralization remains on

the paper while the central level has a considerable power. Differently from the other countries, in BiH the state level institutions remain fundamentally weak while the entities are largely autonomous.

The reasons behind these differences vary, ranging from the consequence of settlement of the war consequences in the case of BiH and KO to historical and geographical reasons. Be that as it may, the unique territorial subdivision of each country had important implications on the subsequent adjustments of the legislative frameworks for spatial planning and led to the introduction of a variable bodies responsible for spatial planning and territorial development, and to a differential distribution of spatial planning competences among administrative levels (Table 4).

	AL	BIH	KO	FYROM	MNE	SRB
Central	Council of Minister National	No Planning Authorities at the national level	Ministry of Environment and Spatial Planning	Ministry of Environment and Spatial Planning	Ministry of Sustainable Development and Tourism	Ministry of Construction, Traffic and Infrastructure
	Territorial Council		Institute for Spatial Planning	Ministry of Transport and Communications	Republic Institute for Urban Planning	
	Ministry of Urban Development			Agency for Spatial Planning		
	National Territorial Planning and Development Agencies					
	Other Ministries competent					
Meso 1	Qarku Council	Entities' Ministries and Departments	-	-	-	Ministry of Construction, Traffic and Infrastructure Province Secretariat for Urbanism and Environmental Protection for Vojvodina
Meso 2	-	FBiH - Cantonal ministries in charge of physical planning	-	-	-	-
Local	Municipal Administration (Council, Mayor, Department for Urban Planning)	Municipal Administration (Council, Planning Departments)	Municipal Administration (authority responsible for spatial planning and management)	Municipal Administration Local Planning Agency, local planning enterprises public and private	Municipal Administration Local Development Agency, local planning enterprises public and private	City/Municipal Administration (Department for Urban Planning) Local Planning Agency / Institute public and private
	Private local planning agencies	Private local planning agencies				

Source: Authors' Elaboration

Table 4 - Main bodies responsible for spatial planning within each country

While in the majority of countries the national level authorities hold relevant responsibilities, in case of BiH they do not have any spatial planning competencies due to the specific political sub-division of the country. Additionally, in all countries except in BiH, the ministries are in charge of decision-making at national level in the field of urban development, environment and spatial planning. Some differences are present within MNE Ministry which focuses its responsibilities on sustainable development and tourism, and SRB Ministry which positions spatial planning under the field of construction, traffic and infrastructure. However, it

should be mentioned that the name of Serbian Ministry changed several times since 1989. Albanian spatial planning system also allows for specific competences in the hands of the Council of Minister and of the Territorial Council at national level. In addition, AL and FYROM have an Agency for Spatial Planning, While KO and MNE feature Institutes for Urban Planning which operate at the national level and is specifically responsible for the development of spatial planning tools. A similar agency existed in Serbia until it was revoked in 2014.

When it comes to the meso level, KO, FYROM and MNE have no spatial planning authorities. On the contrary, in AL the Qarku councils hold specific planning competences in relation to each district. Moreover, the case of SRB represents a particular case in relation to other countries of the WBR. Although the country has no official regional administrative subdivision except for the Autonomous Province of Vojvodina, it adopted a Nomenclature of Territorial Units for Statistics (NUTS) which are recognized as units of planning, but not as administrative units. National government and Ministry are responsible for adoption of Regional Spatial plans (based on NUTS division) and Spatial Plans of Special Purpose. Moreover, there is a Province Secretariat for Urbanism and Environmental Protection which is in charge of the territory of Autonomous Province Vojvodina.

Unlike other countries, BiH meso level represents the highest level of decision-making in the field of spatial planning. In Bosnia and Herzegovina both the FBiH and the RS features Ministries in charge of spatial planning. In particular, in the FBiH spatial planning lies within the competence of the Federal Ministry for Physical Planning, while in the RS are shared by the Government, the National Assembly and the Ministry for Spatial Planning, Civil Engineering and Ecology. In Brčko District, the main authority is the Department for Spatial Planning and Property Legal Affairs. In addition to this, each Canton of the FBiH (meso-level 2) features a Cantonal Ministry that share spatial planning responsibilities with municipal authorities and planning departments at the local level.

When it comes to the local level, local authorities are in charge of spatial planning in all countries, with SRB that further articulates different competences for municipalities and cities. In AL, KO and BIH competences are shared between the municipality council, the mayor and the department for urban/spatial planning. In FYROM, MNE and SRB, the municipal/city administration consists of local council, assembly, mayor, departments for urban planning and other public administration bodies that provide norms and standards for development. Additionally, these countries feature Local Planning Agencies and enterprises which can be public or private. What is important to notice is that in AL, KO and BIH spatial planning is under authority jurisdiction of local administration, while in FYROM, MNE and SRB besides administration there are also public and private enterprises in charge of spatial planning (mainly dealing with drafting of plans). Nevertheless, local public enterprises are not fully autonomous bodies - they closely cooperate with local administration and are often partly financed from the budget. However, the existence of these enterprises can still be observed as a sign of decentralization of planning activity, where most of the existing planning enterprises in ex-Yugoslav countries are established in 1960s.

3.2 SPATIAL PLANNING INSTRUMENTS AND ALLOCATION OF DEVELOPMENT RIGHTS

The administrative heterogeneity that characterises the WBR and the number of bodies responsible for spatial planning contribute the existence of number of instruments developed and implemented within each context, their character, and the coordination and integration within the various levels. Hence, this section will aim to present and explain the system of plans at national, regional and local level in the countries of the WBR. Moreover, it will aim to address the common trends as well as differences in the process of allocation of development rights, which is usually addressed as the main goal of each spatial planning system (Janin Rivolin, 2012).

Most of the countries included in this research (with the exception of BiH) assign spatial planning competences of the significance for the country development to the bodies at the national level, while the development of binding and more detailed spatial plans and instruments lies under the authority of the local government units, and local planning agencies in some cases. Although more strategic and less detailed in nature, spatial plans at national level in WBR are still considered as 'zoning' plans, if observed in relation to planning instruments in Western Europe which tend to move away from spatial and resort to strategic planning (Knapp et al, 2015). A common feature between all of the countries in this research is that they should follow a hierarchy of plans. This means that the local level plans should be in line with the

regional level plans, which should be in line with the national level plans (Table 5). Although the terminology of planning instruments varies between the countries, they show similarities when it comes to their scope and role, and it is possible to distinguish between three groups. First of all, there are national spatial plans that cover the entire territory of a country and are visionary, future-oriented and have 'strategic' elements. Their scope, content and coverage of these tools are wider than city-level urban plans, but less detailed. Second group features sectoral/spatial plans that usually focus on determined sectors/areas, for example, the National Sectoral Plans of AL. The third category includes those spatial plans which are adopted for particular projects of national and/or public interest. In AL these are called Detailed plans for areas of national importance, while in most other Western Balkan countries there exist plans of 'special purpose' (SRB, MNE) 'special zones' (KO) or 'special interest' (FYROM). Overall, it can be argued that in most of the WBR planning activity at national level aims at influencing the future strategic distribution of activities, environmental protection, planning and development of projects of national interest, indicating the regional and national priorities for economic and social development, amongst other things. National level plans are more strategic and less oriented towards defining norms and standards or land-use. Nevertheless, they still have a strong spatial and regulatory character (see for example the Zoning Map of KO introduced in 2013). Their main role is the coordination of local spatial plans, the organization of networks of settlements and infrastructures, and often also the horizontal and vertical coordination of decision-making.

	AL	BIH	KO	FYROM	MNE	SRB
National Level	General National Plan (GNP)	-	Spatial Plan of KO	Spatial Plan of the Republic of Macedonia	Spatial Plan of the Republic of MNE	Spatial Plan of the Republic of SRB
	National Sectoral Plans (NSPs)	-	Spatial Plans for Special Zones	Spatial plan of special interest for the country	Spatial Plan of Special Purpose	
	Detailed plans for areas of national importance	-	Zoning Map of KO		Detailed Spatial Plan State Location Study	Spatial Plan of the area of Special Purpose (SPSP)
Meso Level 1		FBIH - Spatial Plan of the Federation of BiH, Spatial Plan of areas with special features				
	Sectoral Plans at Qarku Level (SPQL)	RS - Spatial Plan of Republika Srpska, Spatial plan for an area with special purpose	-	-	-	Regional Spatial Plan
Meso Level 2		Brčko - Spatial Development Strategy				
		FBIH - Spatial Plan of cantons Cantonal Spatial Plan of areas with special features	-	-	-	Spatial Plan for the Territory of the Province of Vojvodina
Local Level	General Local Plan (GLP)	FBIH - Municipal Spatial Plan, Urban Development plan, and Detailed planning documents ¹³	Municipal Development Plan	General Urban Plan (GUP) Regulation plan for GUP	Spatial-Urban Development Plan (SUDP)	Spatial Plan of the Unit of Local Administration General Urban Plan (GUP)
	Sectoral Local Plans (SLPs)	RS - Municipal Spatial Plan or Spatial plan of a self-government unit, Urban Development Plan, Zoning Plan, and Detailed Plans ¹⁴	Municipal Zoning Map	Detailed Regulation Plan (DUP) Urban Plan for Villages	Detailed Regulation Plan (DUP)	General Regulation Plan (GR)
	Detailed Local Plans (DLPs)	BD - Spatial Plan of the District, Urban Development Plan and Detailed Implementation Documents ¹⁵	Detailed Regulatory Plan	Urban Plan Outside of Populated Spaces Urban-technical documentation	Urban Development Project Local location study	Detailed Regulation Plan (DUP) Urban Project (UP)

Source: Author's Elaboration

Table 5 - Planning Instruments for each Administrative Level
Source: Author's Elaboration

13 The law in power of the Federation foreseen two kind of Detailed Plans, the Regulation Plan and the Urban Planning Projects.

14 The law currently into force in Republika Srpska identified three kind of Detailed plans, the Regulatory Plan, Urban Planning Projects and Parcellation Plan.

15 The DIP - Detailed Implementation Plan is constituted by several planning tools at the local level such as: (i) the Zoning Plan, the Regulation Plan, the Urban Planning Projects and the Parcellation Plan.

Differently from the national level, not all of the countries of the WBR contain planning instruments at regional level (Table 5). In AL the only plans produced at the Qarku level is of sectoral nature, and aim at enhancing vertical coordination within the various sectors. On the other hand, SRB produces Regional Spatial Plans for the NUTS regions (explained in the section 4.1) at national level. These spatial plans still have more strategic and less regulatory character and serve for coordination of balanced territorial development, although SRB does not recognize regional administrative subdivision with the exception of the province of Vojvodina which has its own Spatial Plan for the Territory of the Province of Vojvodina.

The main exception to this trend is BiH, which features numerous planning documents at the meso level of the Entities FBIH and RS as well as of the FBIH cantons. Is interesting to note that in both Entities FBIH and RS, planning documents have similar characteristics; the spatial plan focuses on defining a shared long-term vision and strategy for the entire territory of respectively FBIH and RS, while the spatial plan of areas with special features/purpose establishes measures for planning implementation, hence, are considered more regulative and less strategic. On the other hand, the Brčko District produces a Spatial

Development Strategy that defines the long term goals of spatial planning (for 20 years), by establishing principles and goals of spatial planning area development, selecting priorities and instituting protection measures. When it comes to the FBiH Cantonal planning documents, these are of two kinds: the Spatial plans of Cantons of more strategic character, and the Cantonal Spatial Plans for areas with special features, that are of regulatory nature. Countries such as KO, FYROM and MNE do not have planning instruments at the meso level.

Finally, in order to direct spatial development, planning instruments at local level play a crucial role in balancing national and regional priorities, and local interests. In this regard, each country structured its planning system in line with its spatial, economic, social, political and environmental needs and perspectives. While national and meso level plans are usually described as spatial and more strategic in their nature, local plans in most WBR countries are characterized as urban/regulatory plans which provide substantive guidance, define norms and standards for spatial development.

Most of the countries of the Western Balkan Region included in this research vary in relation to terminology of local level plans, but also in their scope and possibilities to ensure development rights on the location. This section will aim to outline some general trends – similarities and differences between these spatial planning instruments within each country context.

Countries of the WBR usually recognize two types of planning instruments at the local level. These are legally defined as spatial (BiH, MNE and SRB) and general urban plans (all WBR countries) and are developed for cities and/or municipalities. As mentioned in the beginning of this section, local plans are to be aligned with the regional and national level plans. This kind of hierarchy of planning instruments is present at the local level as well, where detailed plans are to be in line with the general and spatial plans for cities/municipalities.

Spatial plans in BiH, MNE and SRB are developed for the purpose of defining main urban and rural land-use zones, natural areas under protection, infrastructural corridors, as well as other priorities of the local development. What is common for these plans is that they are adopted at the level of local municipality and contain rather strategic, but also to some extent regulative guidelines for future development. In BiH there are Municipal Spatial Plans which represent a strategic long-term plans with the main purpose is to harmonize the strategy of the Entities level (and Cantonal, in case of FBiH) to the local strategic priorities; In MNE there is a Spatial-Urban Development Plan which defines strategic objectives of spatial and urban development of the local government unit (municipality), in line with the planned economic, social, ecological and cultural-historical development.

Besides spatial plans in these three countries, all of the countries of the WBR have some form of general/regulatory urban plans at the local level. It can be argued that these local planning instruments have less strategic and more regulatory nature. Urban planning is considered to be the key instrument of land-use planning at local level. In international terms, it is often described as 'zoning'. General urban planning dates back to the socialist era. It has been under the authority of local communities for over 50 years, satisfying very important decentralization criterion within the sector of urban planning and construction.

These plans are usually separated in three groups based on their level of details. Firstly, there are general (AL, SRB, FYROM) or development plans (BiH, KO, MNE) which propose long-term strategic priorities of city/municipality development, land-use, intensity of development, borders of urban areas, and more. Secondly, there are city/municipality general and development plans which are more detailed than the first group. Although differently labeled (table 5), these plans are present in most of the WBR countries. In the Albanian case there are also Sectoral Local Plans which aim to enhance implementation of national and local sectoral strategies and programs. In KO, Municipal Zoning Map represents a regulatory document that determines the land-use and action measures for public and private investment for all the territory of the municipality. The lowest level of general planning instruments in WBR countries are so-called detailed plans. These plans define land-use and specific norms and standards for construction. In all of the mentioned countries these plans are obligatory for issuing of a construction permit, as further elaborated. Besides these, some planning systems include additional local planning instruments which work 'in concert' with the formal planning system and have similar, or even more detailed content than detailed plans. In the case of MNE these are Local Location Studies, in FYROM it is urban-technical documentation, while in SRB these are characterized as Urban Projects. These planning instruments can

serve for obtaining of the construction permit, and in some cases can even affect changes of the higher-level plan.

Allocation of the development rights, as well as the procedure for issuing building and construction permits represent some of the key points in relation to each planning system (Table 6). In all of the countries included in this research, the development rights are established by plans, both at the national and local level. In all of the countries of the Western Balkan Region, the process of allocation of development rights is operationalized in two main steps: (i) obtaining the urban/technical conditions which establish the land-use, norms and standards of development, and (ii) obtaining the construction permit, which allows for initiation of development process. Nevertheless, in order to complete the process of development and allow for its actual use, the developer needs to obtain an additional 'Use permit' in all of the countries mentioned in this research.

There is a general trend of accelerating the planning process in order to enhance issuance of development rights in WBR countries. For example, in SRB the construction permit can be obtained based on four different plans, while in most other countries based on three different plans (Table 6). Moreover, it should be mentioned that in all countries national-level plans can allow for issuance of development rights. For example, plans of special purpose (available in all WBR countries) can work as 'parallel' planning instruments that can allow for issuance of construction permit, besides the local level plan. In most WBR countries, these developments are proclaimed as 'in the public and national interest'. It is interesting to note that the legal framework of MNE recognizes this kind practice through Spatial Plan of Special Purpose where the 'national and public interest' is mostly concerned with the coastal/tourist development. Nevertheless, planning practice which enables national level documents to allow issuance of construction permits are not unusual when developing projects of national interest (for example infrastructural corridors) even in other Western European countries.

Besides the possibility to allocate development rights through national level planning instruments, in all of the WBR countries the detailed plans are the ones which provide sufficient guidance to allow issuance of construction permits. Nevertheless, additional planning documents which are not part of the formal system of plans can also enable issuance of construction permit in cases such are FYROM, SRB or MNE. For example, the planning system of FYROM recognizes this kind of practice through so-called urban-technical documentation where development rights are issued for the zones of 'the special interest'.

	Planning Instruments that may allocate development rights			Development rights Procedure (main steps)
	National	Meso	Local	
AL	Detailed plans for areas of national importance	-	General Local Plan and Detailed Local Plan	Development permit, construction permit and Use permit
BIH	-	FBiH - Spatial Plan of areas with special features RS - Spatial plan for an area with special purpose	FBiH - Detailed Spatial Plan RS - Zoning Plan and Detailed Plans BD - Detailed Implementation Documents	Development Permit, Construction Permit and Use permit
KO	Zoning Map of KO	-	Municipal Zoning Plan and Detailed Regulatory Plan	Terms of Construction and Construction Permit and Use permit
FYROM	-	-	Detailed Urban Plan (DUP), Urban Plan for Villages, Urban Plan Outside of Populated Spaces, Urban-Technical Documentation	Urban/technical conditions and Construction Permit and Use permit
MNE	Spatial Plan of Special Purpose (SPSP)	-	Detailed Urban Plan (DUP), Urban Development Project, Local Location Study	Urban/technical conditions and Construction Permit and Use permit
SRB	Spatial Plan of the area of Special Purpose (SPSP)	-	Spatial Plan of the Unit of Local Administration, General Regulation Plan (PGR) and	Urban/technical conditions and Construction Permit and Use permit

Detailed
 Regulation Plan
 (DUP)
 Urban Project
 (UP)

Source: Authors' Elaboration

Table 6 - Planning instruments responsible of allocation development rights and procedures

4 MAIN FINDINGS

This section will aim to highlight some of the main findings which were derived from previous analysis on the characteristics of the administrative subdivision and spatial planning instruments in WBR countries. It can be argued that a particular nature of spatial planning systems in the WBR countries is reflected through a variety of administrative levels and bodies which hold responsibilities in relation to spatial planning practice, as well as a number of planning instruments for the implementation of development goals. Nevertheless, this particular nature of planning systems seems to be influenced by both path dependency as well as adjustment to market economy. These affect the specific pace of changes and challenges on the spatial planning agenda of WBR countries.

The territorial administration system is different from one country to another, where KO, FYROM and MNE have two levels of administration - the central (national) level, and the local level (municipalities and cities). On the other hand, countries such as AL, BiH and SRB have additional regional level of planning. This particular administrative subdivision of the WBR countries can be related to the path dependent nature of each system. On the other hand, if looking at the institutional setting in all of the WBR countries, it is important to note a tendency for (de)centralization of spatial planning by abolishing the role of public planning enterprises and assigning spatial planning activity solely under the jurisdiction of local administration. These public planning enterprises date since the socialist era and served to satisfy the criterion of decentralization of planning activity, where each municipality in Yugoslavia had its own institute (larger cities) or directorate (municipalities). Today AL, KO and BiH do not fully recognize such planning institutions, while in other countries of the WBR there is a strong tendency for their abolishment as well.

When it comes to the system of plans, WBR countries apply a variety of planning instruments at each level. It is common for all countries that they follow a hierarchy of plans, where national, regional and some local plans have a strategic rather than a strong regulatory dimension. Nevertheless, spatial planning in WBR countries is often characterized as 'zoning' within international terminology, and due to their spatial, besides strategic elements (maps). Hence, although national planning instruments do not have a strong regulatory nature, an exception from this practice are plans for the area of special purpose which are prepared for the areas of national interest of the country and contain land-use, norms and standards for development.

Differently from the national level, only AL, BiH and SRB contain planning instruments at regional level. These spatial plans still have more strategic and less regulatory character and serve for coordination of balanced territorial development. While regional spatial plans in AL aim at enhancing vertical coordination within the various sectors, SRB produces Regional Spatial Plans for the NUTS-2 regions (4.1) at national level, with the exception of the province of Vojvodina which has its own regional spatial plan. It should be highlighted that the highest level of planning in BiH is the meso level of the Entities FBiH and RS, as well as of the FBiH cantons, where plans for both Entities have similar characteristics.

While national and meso level plans are usually described as spatial and more strategic in their nature, local plans in most WBR countries are characterized as urban/regulatory plans which provide substantive guidance, define norms and standards for spatial development. These plans are legally defined as spatial (BiH, MNE and SRB) and general/detailed urban plans (all WBR countries) and are developed for cities and/or municipalities. Hence, urban planning is considered to be the key instrument of land-use planning at local level, and it serves to satisfy the decentralization criterion of urban planning practice which dates back to the socialist era.

Comparing each planning system in terms of allocation development rights, it is interesting to note that in each country the development rights are issued in coherence to plans provision both at the central (or entity level) and the local level. Here there are two observations to underline, the fact that all systems are

similarly framed in terms of allocation development rights, and, that not only local plans may allocate the right to develop. Across all cases, local urban plans are considered as the ones that provide sufficient data on the possibilities and constraints for development, and as such can allow for allocation of construction permits. Nevertheless, all of the countries in this research show that plans at the central and entities level are also able to allocate development rights within specific site and condition. Secondly, in some cases even planning documentation which is not part of the formal planning system can serve for allocation of construction permits.

This kind of practice points out at 'dual nature' of national level planning instruments which contain regulatory as well as strategic elements. Moreover, it points out at potential (re)centralization of planning systems, where national planning instruments can bypass the local, regulatory ones. On the other hand, the fact that at least three different planning documents in each WBR country can allocate development rights, point out at the tendency for acceleration of planning process in line with the requirements of market economy which may cause ambiguities in coherent implementation of plans.

5 CONCLUSION

Due to their complex past, fragmentation and geopolitical instability, the WBR countries have been excluded from the majority of studies on spatial planning and territorial governance. Hence, this paper represents a step towards overcoming such analytical gap, and through collection of evidence that may support the EU in developing a more sound and effective cohesion policy. The main aim of this paper is to sketch out and compare the evolution of territorial governance and spatial planning in the Western Balkan Region. More specifically, it analysed geographical and socio-economic tendencies, administrative and legal framework, as well as spatial planning instruments in the countries of the WBR.

Based on the evidence presented in this research, it can be argued that spatial planning systems of the WBR are complex systems with path dependent nature in relation to socialist/communist era and later transitional stages, but also face a variety of challenges in adjustment to the requirements of market economy and EU perspective. In that light, contribution of such comparative analysis is to highlight similarities and differences between the development processes of the WBR countries, explore their development path and hence provide basis tackling future challenges.

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ID 1746 | SYDNEY IS NOT AUSTRALIA: WHAT CAN AUSTRALIAN TRANSPORTATION PLANNING POLICY MAKERS LEARN FROM THE EUROPEAN DIMENSION OF PLANNING?

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ABSTRACT: There is much that Australian policy-makers could (and should) learn from their European cousins. Vettoretto (2009) identifies “good governance” as one of the central strengths of Europe’s planning and policy-making practice, noting that policy-making should support, among other things, regulation through sense-making, strategic representation and advocacy. These tenets make the European approach to planning attractive to communities that feel isolated or left out of broader strategies for economic development that inform transportation planning. However, the transfer of European planning concepts to the Australian context, particularly for transportation, faces an uphill battle (as per Pojani & Stead, 2015). Australia’s major transportation planning agendas appear more interested on increasing mobility and urban densities in capital cities at the expense of improving regional community sustainability and connectivity. This has the effect of making busy transport systems busier, and promotes a classist system for promoting economic growth – not just between cities and regional areas, but between biggest city and next biggest cities, and so on. The density of international flights to Sydney and Melbourne make it commonplace, and often a pragmatic requirement, for residents who live anywhere other than the South East of the Australian continent to fly first to one of these two cities to access connecting international flights. This is the equivalent of having to fly from New York to Miami to fly to Lisbon, or from Lisbon to Istanbul to fly to South Africa. The inconvenience of having to fly South to fly North (intercontinentally) is only exacerbated for regional communities that first have to fly to a capital city, then on to Sydney or Melbourne, then on to their international destination. This makes international mobility the most inaccessible for the communities already provided with the least infrastructure, and struggling to maintain