

STATE OF THE ART REPORT

on the Existing Planning Systems and their
Application in Ecological Corridor Identification
and Management in the Carpathians



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State of the Art Report on the Existing Planning Systems and their Application in Ecological Corridor Identification and Management in the Carpathians

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Elaborated in the frame of Work Package 3 “Knowledge Source Base”, WP leader: Zuzana Okániková

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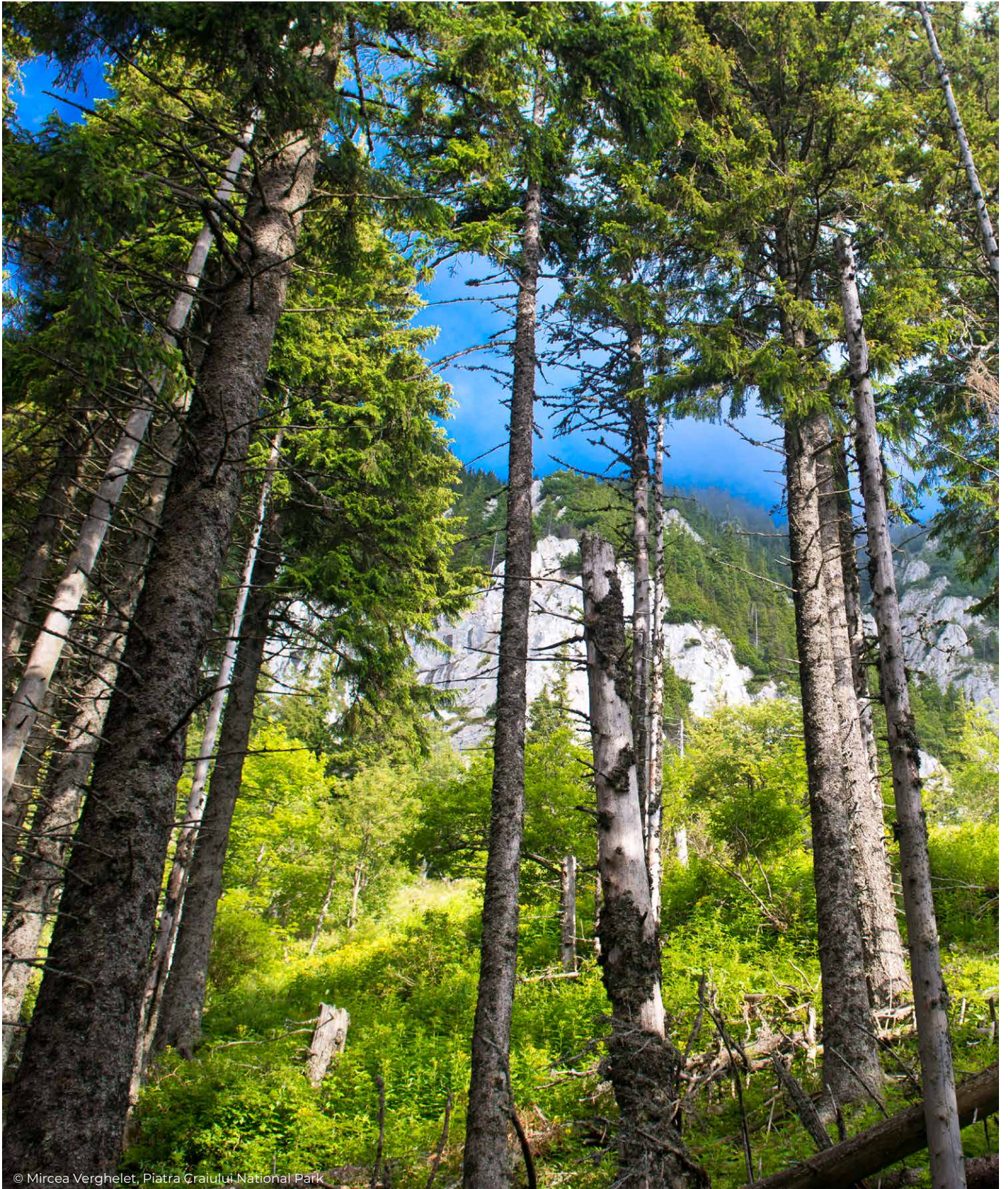
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RELEVANT POLICY FRAMEWORKS AND LEGISLATION FOR SPATIAL PLANNING

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Spatial planning is the most important tool for balancing the needs of the society, economy and the environment. Spatial planning offers institutional, technical and policy framework for managing the territorial dimension of sustainability, while safeguarding the values of our habitats, ecosystems and landscapes. The key role of spatial planning is to promote a more rational arrangement of activities. Spatial planning differs from one country to another, but there are major similar characteristics:

- » Spatial planning is concerned with identifying long- or medium-term objectives and strategies for territories,
- » Dealing with land use and physical development,
- » It is a distinct sector of government activity, and
- » It has an important coordinating role between sectoral policies (Koresawa and Konvitz, 2001).

Using a questionnaire we collected information about the spatial planning system of the Czech Republic, Hungary, Slovakia, Serbia and Romania and offer an overview about the major characteristics of the national systems.

1.1 Responsible institutions at all territorial levels related to spatial planning

Levels of planning

Due to the fact that the analysed countries are mostly decentralized unitary countries, the

regional level plays a considerable role in spatial planning, but mostly with limited competences. Spatial planning is primarily performed at national, regional and local level.

The national level forms the framework for spatial development and the regions elaborate more detailed spatial plans, but with active control of the national level. In the case of Serbia, the Ministry of Construction, Transport and Infrastructure elaborate the regional plans as well.

National level

Spatial planning represents a complex, multi-sectoral approach, thus responsibilities are very often shared on national level between ministries, which is also the case even in the analysed countries. In the case of Hungary, the national level is extremely fragmented due to the shift of competencies in the last years: land use planning and all the planning activities related to EU co-financing are delegated to the Cabinet Office of the Prime Minister, but several other tasks, such as strategic spatial planning or spatial development or rural development based on Hungarian funds belong to other ministries. In Slovakia, the responsibilities are also shared: the Office of the vice-Prime Minister for Investment and Informatisation responsible for spatial planning, the Ministry of Transport and Construction responsible for land-use planning; the Ministry of Environment responsible for landscape planning, and the Ministry of Agriculture and Rural Development responsible for rural development.

CZECH REPUBLIC	HUNGARY	SERBIA	SLOVAKIA	ROMANIA
Ministry of Regional Development	Cabinet Office of the Prime Minister (use of EU-funds, rural development, land use planning), Ministry of National Development , (spatial development), Ministry of National Economy (strategic spatial planning) Ministry of Agriculture (rural development)	Ministry of Construction Transport and Infrastructure - MCTI	Office of the vice-Prime Minister for Investment and Informatisation (spatial planning) Ministry of Transport and Construction (land-use planning) Ministry of Environment (landscape planning) Ministry of Agriculture and Rural Development (rural development)	Ministry of Regional Development and Public Administration , Ministry of Culture and National Patrimony; Ministry of Environment and Climate Change

Table 1. Actors on national level

Regions, Special areas

Essentially, the regional level represents NUTS3 regions in the analysed countries. In Hungary, the NUTS2 regions ceased to have competencies in spatial planning and development during a reform in 2011 and the major regional competencies are delegated to the counties (NUTS3). In Romania, Regional Development Strategies and Regional Spatial Plans are elaborated for the NUTS2 regions by the central government. The county

councils (NUTS3) in co-operation with the Ministry of Regional Development elaborate the County Territorial Development Strategies and land use plans. In Slovakia, the 8 NUTS3 self-governmental regions have the right to elaborate regional spatial plans. In the Czech Republic, the NUTS3 regions have competencies in spatial planning. In Serbia, the NUTS2 regions do not have competencies; just the region of Vojvodina has stronger autonomy with the right to elaborate a spatial plan.

	Decision making body and spatial plans at regional level				
	SERBIA	SLOVAKIA	CZECH REPUBLIC	ROMANIA	HUNGARY
NUTS2	Ministry of Construction, Transport and Infrastructure			Sectoral Ministries and Regional Development Agencies	
	Regional Spatial Plans, Province and Belgrade Metropolitan Area Spatial Plans for Special Purpose Areas			Regional Development Strategies and Regional Spatial Plan	
NUTS3	Authorities of the Vojvodina Province	Self-governmental Region Ministry of Transport and Construction	Regional council	Ministry of Regional Development, and Public Administration and County Councils	County Self-governments
	Regional Spatial Plan for Vojvodina Province Special Purpose Areas	Programme of social and economic development of the self-governmental region, Land-use plan; Landscape-ecological plan	Regional Development Strategy, Development Principles	County territorial development strategies Inter County Plan; Frontier Zonal Plan; Metropolitan, peri-urban plan of major cities and municipalities	County Spatial Development Strategy, Land use plan
Special regions	Regional Spatial Plan of the Belgrade Metropolitan Area			Spatial Plan of the Bucharest-Ilfov Region	Land use plan of Budapest Agglomeration Land use plan of Balaton Recreational Region

Table 2. Spatial plans and decision making institutions at regional level

Local level

All countries have the strongest authority in land use planning. The local level is responsible for the lowest level of state government (local level plans, zonal plans, building permissions). In some countries, alongside the general local plan, specific and more

detailed plans are elaborated for certain areas of the settlement.

In Romania, at local level (World Heritage sites, tourism areas of national interest, historical monuments etc.) special zonal plans are elaborated for the protected areas by the local government and central bodies (a responsible ministry).

Table 3. Summarizes the main actors directly responsible for spatial planning and elaboration of spatial plans.

Main actors in spatial planning		
Czechia	Responsible institution	Competence
National	Ministry of Regional Development	<p>The Ministry is the central administrative authority in the cases of town and country planning and</p> <ul style="list-style-type: none"> a) executes the state supervision in the cases of town and country planning, b) procures the spatial development policy and the planning materials necessary for that, c) keeps records of the planning activity, d) performs other activities pursuant to this Act. <p>The Ministry ensures methodical support for the implementation of contemporary knowledge of town and country planning, urban planning, architecture and constructional and technical knowledge, as well as of public priorities in building development and building industry, especially within protection of life and health, care of the environment and preservation of cultural, archaeological and natural heritage.</p> <p>The Ministry establishes the structural component of the state to solve conceptual questions of theory and practice in the sphere of town and country planning, urban planning and architecture. The Ministry may delegate with this activity the already existing structural component of the state.</p>
Regional	Regional Office of Administrative Region	<ul style="list-style-type: none"> a) procures the development principles and, in the cases stipulated by the law, the regulatory plan for the areas and corridors of the supra local importance, b) procures the non-statutory planning materials, c) is the respective authority within the planning permission proceedings and within the proceedings pursuant to special regulations, within which it is decided on changes in the territories, which refer to more administrative units of the municipalities with the extended powers, d) is the respective authority within the planning permission proceedings on the programs, which require the environmental impact assessment) issues the planning permission in cases stipulated under the law, e) determinates the building office relevant to the planning permission in cases stipulated under the law, f) enters the data into the register planning activity for its administrative unit, g) performs other activities pursuant to this Act.

Local	Municipal authority	<p>a) procures the plan and the regulatory plan of the municipal territory,</p> <p>b) procures the planning materials,</p> <p>c) at the request of the municipality it procures the plan, regulatory plan and the planning study within its administrative district,</p> <p>d) at the request of the municipality it procures the restriction of the developed area within its administrative district,</p> <p>e) it is the respective authority within the planning permission proceedings in terms of application of town and country programmes, if it does not issue the planning permission,</p> <p>f) it is the respective authority within the proceedings pursuant to special regulation, within which it is decided on the changes in the area,</p> <p>g) submits the motion to enter the data into the register of the planning activity,</p> <p>h) performs other activities pursuant to this Act.</p>
Hungary	Responsible institution	Competence
National	Cabinet Office of the Prime Minister Ministry of National Economy	<p>Elaborates the Partnership Agreement, coordinates the use of EU-funds, rural development</p> <p>Elaborates National Land Use Framework Plan, spatial development</p> <p>Elaborates National Development Strategy</p> <p>Land use plans of priority regions</p>
Regional	County Self-government	<p>Elaborates County Land Use Framework Plan</p> <p>County Development Strategy</p> <p>Coordinates rural development activities</p>
Local	Local Self-government	Elaborates the master plan of the settlement and Building Code
Serbia	Responsible institution	Competence
National	The Ministry of Construction, Transport and Infrastructure - MCTI	<ul style="list-style-type: none"> » The elaboration of the National Spatial Plan » The elaboration of the Regional Spatial Plans, with exception of regional plans for Vojvodina Province and Belgrade Metropolitan Area » The elaboration of the Spatial Plans for Special Purpose Areas, with exception of spatial plans for Vojvodina Province territory » The elaboration of National Strategy for Integrated and Sustainable Urban Development (1st elaborated 2018) » Issues the location and building permit for constructions of national and regional importance
Regional	Authorities of the Vojvodina Province	<p>The elaboration of the Regional Spatial Plan for Vojvodina Province in accordance with National Spatial Plan</p> <p>The elaboration of the Spatial Plans for Special Purpose Areas at the Vojvodina Province territory</p>
Local	Authorities of the Local Municipality	<ul style="list-style-type: none"> » The elaboration of the Spatial Plan for Municipality Territory » The elaboration of the General Urban Plan for urban area » The elaboration of detailed regulation plans » Issues the location and building permit for constructions of local importance » Implementation of all adopted local plans – spatial and urban plans, sectoral plans, programs and projects

Slovakia	Responsible institution	Competence
National	Office of the Vice-prime minister for investment and informatisation (spatial planning) Ministry of Transport and Construction (land-use planning) Ministry of Environment (landscape planning) Ministry of Agriculture and Rural Development (rural development)	National regional development strategy Spatial development perspective Territorial System of Ecological Stability
Regional	8 Self-governmental region	Elaborates: Program of social and economic development of the self-governmental region Program of social and economic development of a group of municipalities Land-use plan of the region Land-use plan of self-governmental region Landscape – ecological plan at the regional level Land-use plan of a group of municipalities
Local	Local self-government	Elaborates: Program of social and economic development of a municipality Land-use plan of a municipality Landscape – ecologic plan at the municipal level
Romania	Responsible institution	Competence
National	The Ministry of Regional Development and Public Administration	a) The elaboration, under the Prime Minister's coordination, of the Territorial Development Strategy of Romania and of the public policies according to its objectives; b) Elaboration of sections of the National Spatial Plan; c) Elaboration of the Regional Spatial Plan, structured in sections for each development region, which substantiate the regional development plans.
Regional	Authorities of the county public administration (County Council)	a) Taking over the provisions of the national, regional and zonal spatial planning schemes, as well as the priority investments of national, regional or county interest, within the spatial and urban planning documentation for the administrative territories of the county localities; b) The elaboration of the County Spatial Plan and of the spatial zonal plans of county interest; c) Endorsement of the urban and spatial planning documents belonging to the administrative-territorial units of the county.
Local	Local government authorities and the mayor	a) The local council coordinates and responds to the entire urbanization activity carried out on the territory of the administrative-territorial unit and ensures the observance of the provisions included in the approved territorial planning and urbanization documentation for the realization of the urban development programme of the commune or city constituencies;

Table 3. Main actors and competence in spatial planning

1.2 Types and hierarchy, main content and relation of spatial plans

Spatial planning in all countries has a highly hierarchical system. A higher level of planning is binding for a lower level. Generally, higher level plans are not so detailed and mostly establish a spatial framework for development defining principles and guidelines (national, regional). They usually do not include details related to issues in the competency of the local level.

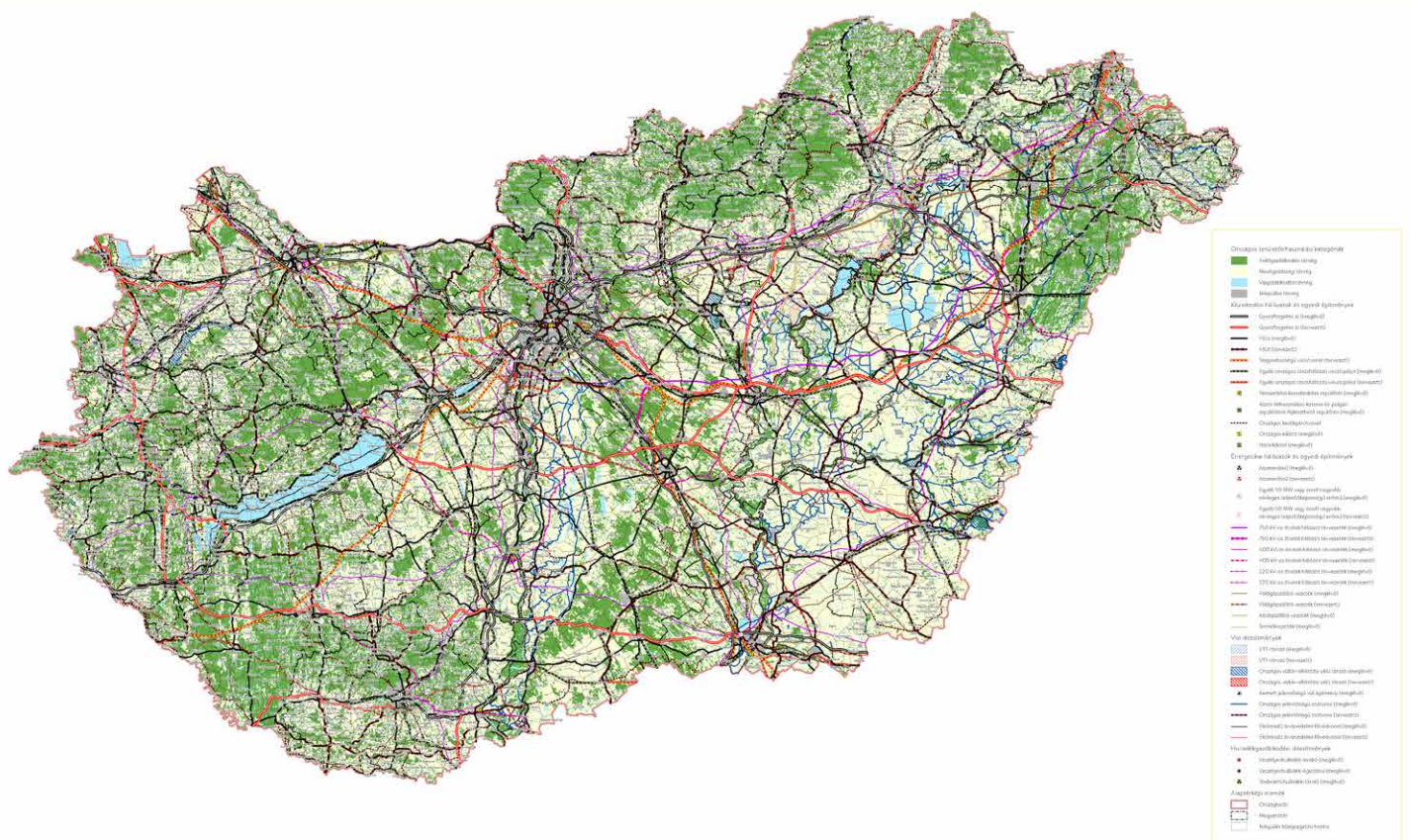
Spatial planning mostly covers two types of planning: social-economic, strategic approach and land use planning. In Hungary, the two approaches exist parallel at all territorial levels. We can also see a strong regulatory approach at the local level: the National Land Use Framework Plan contains a structural plan and regulation zones. Following the structural plan of the country, the settlements have to designate at least 71% of the land use form, for example agricultural areas, in their local plan. In Hungary, forests have a significant role in spatial planning according to the present regulation; a special zone of forests is defined in the national plan where the settlements with at least 95% of the zone area have to designate as forests.

Figure 1. Structural Plan of Hungary from The National Land Use Framework Plan

ORSZÁGOS TERÜLETRENDEZÉSI TERV

2. melléklet: Az Ország Szerkezeti Terve

0 10 20 30 40 50 km
Adatok forrása: AM, BFKH, BM, ITM, LTK, ME, NÉBIH, OVF, SZIE-TTI



Készült a Lechner Tudásközpont Területi, Építészeti és Informatikai Nonprofit Kft. Térbeli Szolgáltatások Igazgatóságán, 2018. december



At regional level, strategic plans and land use plans are mostly elaborated in a parallel way with the exception of Serbia where a spatial plan is elaborated.

In Serbia, Romania and Hungary, there are regions with special conditions, mostly the capital region or recreational areas of national importance for which specific regional plans are elaborated and adopted by the state.

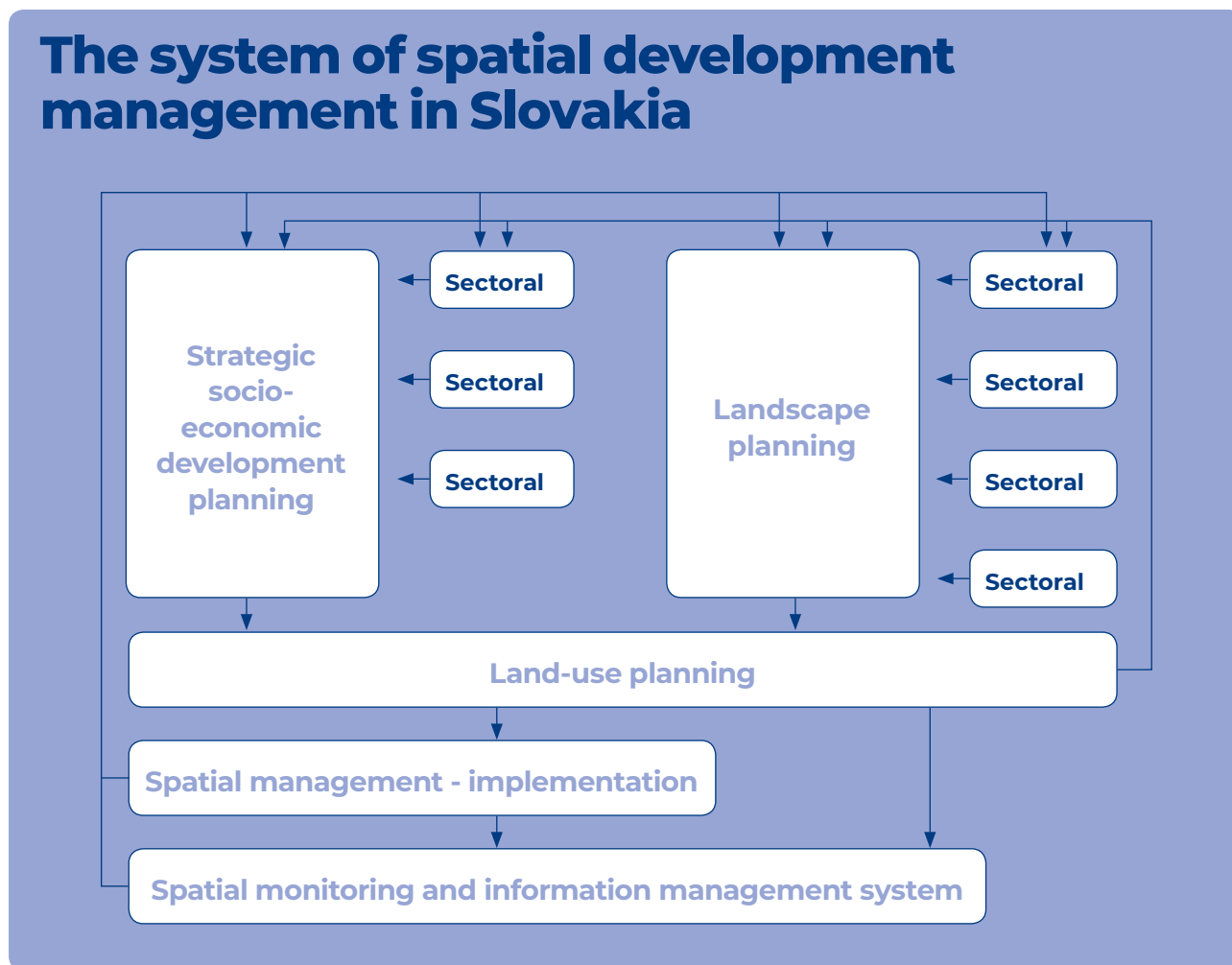
Regional level land use plans mostly focus on the functional organisation of the space determining the basic elements of the settlement structure and interrelations between them and highlight areas and corridors of supra local importance, determine the requirements for their utilization, and coordinate the planning activities of municipalities.

In Serbia, there is in fact no division of planning such as development and land use planning; a spatial plan is elaborated for the regions only with areas

of national importance: the Spatial Plan for Special Purpose Area is a more detailed plan elaborated with regulation for designed zones of special purpose development. In most of the countries, there are special areas (at least the metropolitan area of the capital region) which require special attention.

The elaboration of strategies and land use plans is based on detailed analysis of social, economic, environmental and landscape conditions, but in most of the countries, landscape planning does not occur as an independent planning activity. Alongside the strategic and land use plans in Slovakia, the Landscape Ecological Plan is the document elaborated as part of the procurement of land-use plans at regional and municipal level, with the focus on landscape ecological analysis, assessment and optimisation of functional use in line with landscape ecologic potentials and limitations for the development.

Figure 2. System of spatial planning and management in Slovakia



In all countries, a regional level can influence a local level, but mostly the local level/the municipality is the strongest actor in physical planning. Alongside the

general local plan, in some countries, specific, more detailed plans are elaborated for certain areas of the settlement.

Spatial planning instruments		
Czechia	Strategic	Land use planning instrument
National	Strategic framework of Sustainable development in CR	Spatial Development Policy of the Czech Republic
Regional	Regional Development Strategy	Development Principles
Local	Strategic Development Plan	Plan Regulatory plan
Hungary	Strategic	Land use planning instrument
National	Spatial Development Strategy	National Land Use Framework Plan
Regional	County Spatial Development Strategy	County Land Use Framework Plan
Local	Local Development Strategy	Land Use Plan
Serbia	Strategic	Land use planning instrument
National	National Urban Development Strategy	National Spatial Plan
Regional		Regional Spatial Plan
Local		Municipality Spatial Plan General Urban Plan Plan of General Regulation Plan of Detailed Regulation Design Project
Slovakia	Strategic	Land use planning instrument
National	National Regional Development Strategy	Spatial Development Perspective
Regional	Program of social and economic development of the self-governmental region Program of social and economic development of a group of municipalities	Land-use plan of the region Land-use plan of self-governmental region Landscape – ecologic plan at the regional level Land-use plan of a group of municipalities
Local	Program of social and economic development of a municipality	Land-use plan of a municipality
Romania	Strategic	Land use planning instrument
National	Spatial Development Strategy of Romania	National Spatial Plan
Regional	Regional development strategies County territorial development strategies	Regional Spatial Plans Inter County Plan; Inter-urban or Inter-communal Zone Plan; Frontier Zonal Plan; Metropolitan, peri-urban plan of cities and municipalities.
Local	Development Strategy of the Town / Commune	General Urban Plan of the Town / Commune

Table 4. Planning branches

1.3. How is ecological network integrated into the spatial planning system in your country?

The ecological networks in **all of the analysed countries integrated** into the spatial planning system but **in different ways or levels**. In this chapter, we give just a general overview about the formulation of ecological network in the spatial plans of the partner countries. We give a more detailed comparison analysis about the differences and gap analysis in report 3.3.2.

Spatial plans are an important source that highlights the importance of landscape and nature protection between different sectors, so in all countries we find provisions for ecologic network in spatial plans.

In **the Czech Republic**, establishing and managing ecological networks in various spatial scales have been included in the nature conservation and landscape management legislation.

The **Territorial System of Ecological Stability** of the Landscape (TSES) is the only nature conservation tool constituting an ecological network in the landscape in the Czech Republic. This nature conservation tool is integrated in the spatial planning system. Act No.

114/1992 Gaz., as amended later, defines the TSES as an interconnected system of both natural and altered, but still semi-natural ecosystems. The TSES consists of three basic elements – **biocentres, biocorridors** and **interactive elements**. A biocentre is a habitat or a system of habitats which by its state and size enables permanent existence of a natural or modified, but semi-natural ecosystem. Biocentres are divided into existing and planned. Biocorridor (biotic dispersal & migration corridors) is an area which does not enable permanent long-term existence of the critical part of organisms, but it facilitates their migration and/or dispersal between biocentres: thus, it makes a real interconnected network from isolated biocentres. The third components of TSES are interactive elements, small areas/patches/plots (often spatially isolated) that provide favourable conditions for some plants and animals significantly affecting the functioning of ecosystems in the cultural landscape.

The TSES is defined at three interconnected levels – supra-regional, regional and local. There is a dense network of local corridors (of approx. 1 km) linking local biocentres (1 to 3 hectares). The function of regional biocentres is to preserve the sub-national biodiversity. At the regional level, corridors have a width ranging from 20 to 50 metres, and a length ranging from 300 to 1,000 metres. The supra-regional level includes biocentres with an area of more than 1,000 hectares (Görner, Kosejk, 2011).

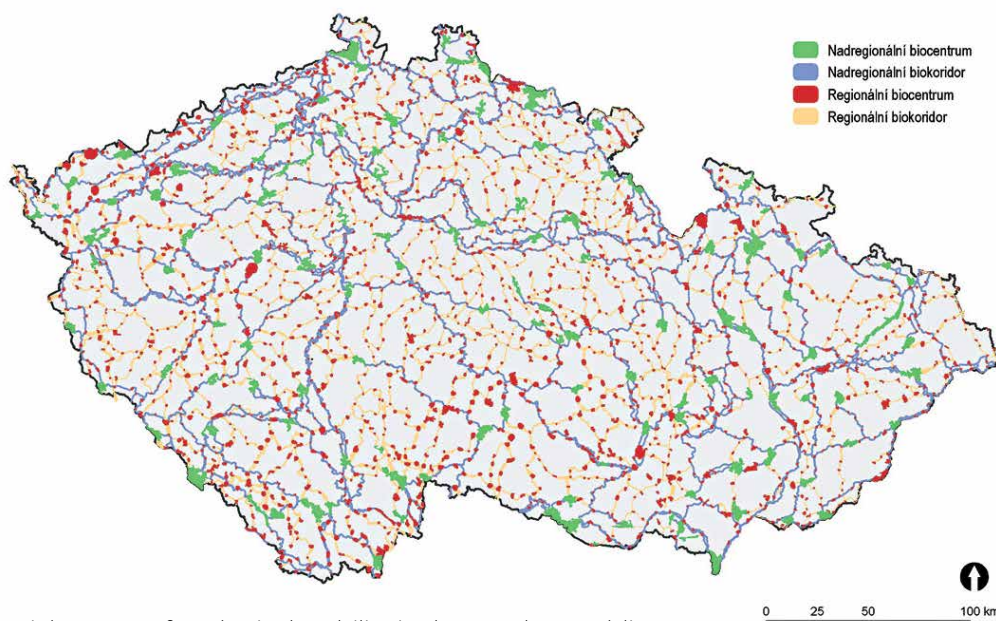


Figure 3. Territorial system of Ecological Stability in the Czech Republic (<http://www.ceeweb.org/work-areas/priority-areas/green-infrastructure/maps/>)

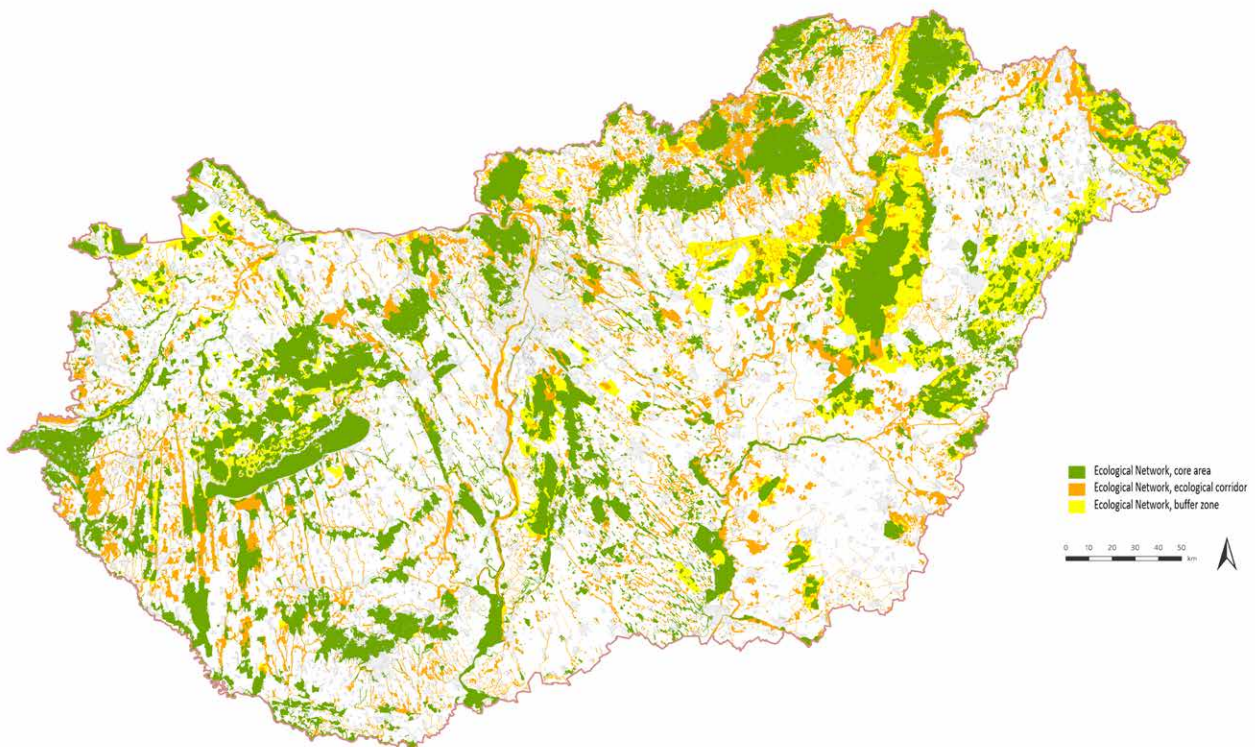
In **Hungary**, the ecological network is integrated into the spatial plans. The National Land Use Plan; the County Land Use Framework Plans, and Land Use Plans for so called priority regions (e.g. the Lake Balaton Recreation-al Area and the Budapest Metropolitan Region) contain regional tasks to protect the environment, landscape and nature, and the Regulation Plans (zoning of regulation packages on a map) of the Spatial Plans contain the exact zone of the **National Ecologic Network**. The national ecologic network zone includes the **core areas, the buffer zones and the ecological corridors** as well. The spatial plans are arranged in a hierarchical structure, each plan must be in concordance with the plan on the higher level. Guidelines for special landscape types can also be found within the frames of development plans. In the zone of core areas and ecological corridors, the rules restrict the designation of areas for the development, placement of transport infrastructure and new surface mines, as well as prescription that the utility lines fit into the landscape.

In the core area and ecological corridor, new areas for building cannot be designated in case the urban

area is surrounded by the core area or ecological corridor. New built up areas can be designated just in the frame of an official land-use regulation procedure.

The zone of the National Ecological Network is entrenched in the municipal planning of settlements. The National Development Concept of 2011 formulates guidelines for the development and protection for landscape areas of national importance such as Lake Balaton, Danube region, or Lake Tisza. The land use plans (master plans) of the settlements follow the structure of the higher (spatial) level land use plans.

In **Serbia**, the Nature Protection Act (2009, 2010, 2016) the protection and management of ecological corridors is not clearly defined; it is treated as part of ecological network without specified obligations or restrictions. In the Regulation on Ecological Network (2010), ecological corridors are defined as part of ecological network, the possibility to establish the buffer zone for them is given, and the basic protection measures are listed. There is a serious problem with legislative that does not support the protection and management of ecological



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Figure 4. National Ecologic Network of Hungary

corridors. This is most reflected in the regulation for water sectors and construction. It is these sectors that conflicts with the protection and regulation of ecological corridors are most reflected in.

Legislation for the spatial planning and construction sector does not provide provisions relating to ecological corridors. Ecological corridors are indirectly covered by the provisions relating to the protection of nature and landscape. In spatial planning practice, ecological corridors have been formally developed in spatial plans at different levels of planning. They are most frequently mentioned in generalized formulations about the necessity of their identification, valorization and protection, without clear spatial determinants on maps in spatial plans.

The exceptions are spatial plans in the territory of AP Vojvodina. Spatial determinants and protection measures are given in the regional spatial plan and spatial plans for the special purpose areas. In the spatial plans of municipalities, all levels of ecological corridors are mapped, but without established adequate measures for their protection. In urban plans ecological corridors are not addressed. This is even the case when obliga-

tion of their protection is established by spatial plans that are obligatory for settlements for which urban plans have been adopted.

In **Slovakia** landscape – an ecologic plan at the regional and municipal level exist. A landscape ecologic plan is a document elaborated as part of the procurement of land-use plans at regional and municipal level with the focus on landscape ecologic analyses, assessment and optimisation of functional use in line with the landscape ecologic potentials and limits for the development. The plans of the **Territorial Systems of Ecologic Stability** are in accordance with the Law on land-use planning supportive documents. As defined in the Act Nr. 543/2002 on Nature and Landscape protection: The Territorial System of Ecological Stability is a spatial structure of interconnected ecosystems, their constituents and elements that provides the diversity of conditions and forms of life in the landscape. This system consists of biocenters, biocorridors and interacting elements of supra-regional, regional or local importance.

Biocentre is defined as an ecosystem or a group of ecosystems that creates permanent

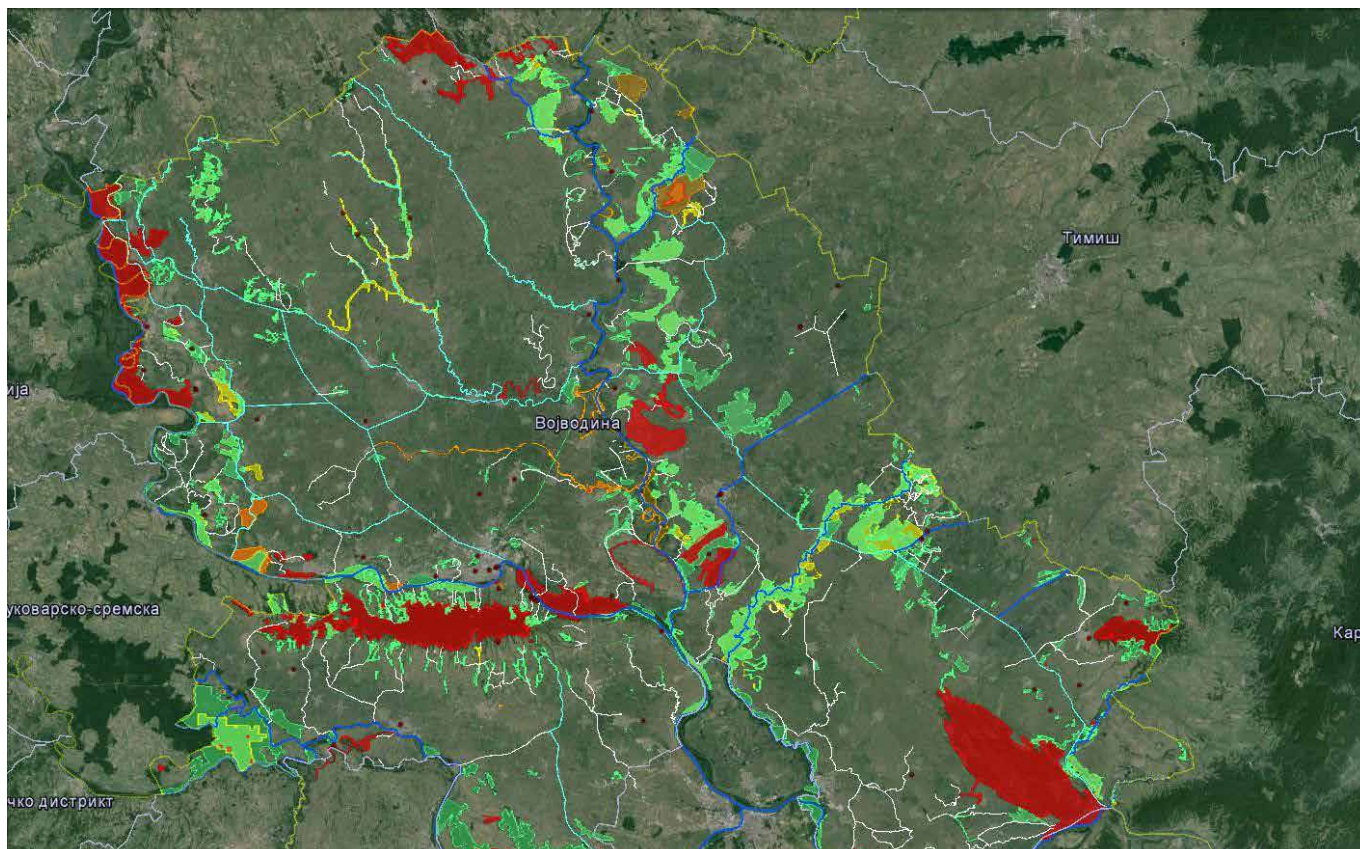


Figure 5. Ecologic network of Voivodina (<http://www.pzzp.rs/rs/sr/zastita-prirode/ekoloska-mreza.html>)

conditions for reproduction, shelter and nutrition of living organisms and conservation and natural development of their communities. **Biocorridor** is a spatially interconnected set of ecosystems that connects biocentres and enables the migration and exchange of genetic information of living organisms and their communities, to which interaction elements (only identified at local level) are spatially connected. They can be terrestrial or hydric. Biocorridors and **interaction elements** ensure the overcoming of barriers that isolate ecosystems from one another, exchange of genetic information and migration, as well as the interaction of different ecosystems with different stability.

The **General of the Super-regional Territorial System of Ecological Stability** of the Slovak Republic (SR) (scale of 1:200 000 – 1:500 000), is an overarching

document concerned with the strategy of protecting the diversity of ecological conditions and life forms at national level. It is elaborated by a group of national experts and approved by the Government of SR. The **Regional TSES** (scale of 1:50 000) represents a document for the protection of diversity of conditions and forms of life in a particular region; these are elaborated at a district level – LAU1 level according to Eurostat. R-TSES documents are procured and approved by relevant district bureaus of environment management. Currently, there is an ongoing process of updating and creating new ones. The Local level (1:10 000) TSES documents serve for protecting the diversity of conditions and forms of life at municipal level – LAU2 level according to Eurostat. These are procured and approved by the relevant municipality bureaus. There is an ongoing process of updating and creating new ones, within the municipal level of territorial planning.

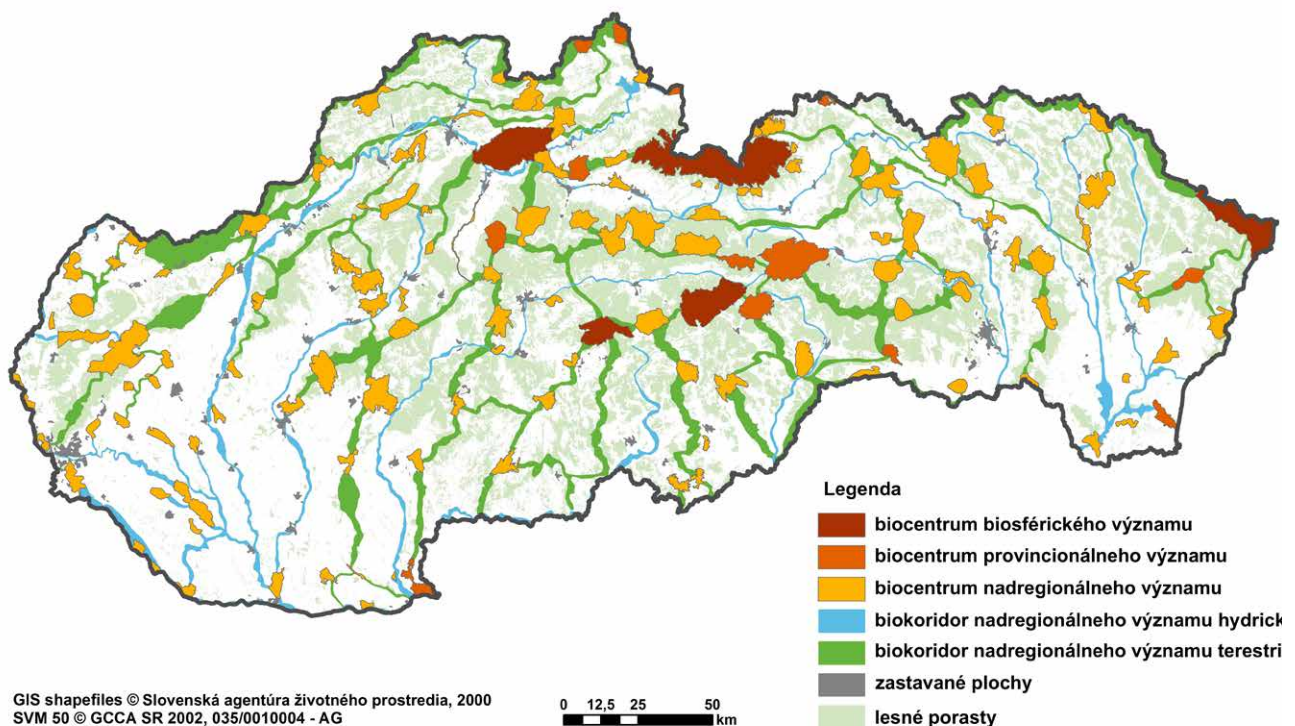


Figure 6. The General of the Super-regional (national level) Territorial System of Ecological Stability of the Slovak Republic (Source: SEA SR)

In **Romania**, Law 350/2001 on Spatial and Urban Planning specifies that territorial management aims, among other targets, to ensure the protection of natural and artificial landscapes, biodiversity conservation and the creation of ecological continuity. The basic pur-

pose of spatial planning is to unify the economic, social, ecological and cultural policies at national and local level and among its objectives is that of a sustainable management of the landscape, which is a basic component of natural and cultural heritage and natural resources.

The National Plan indicates core areas of international and national importance and corridors and includes international nature conservation priorities: Natura 2000, Emerald, PEEN.

The County/Regional plans determine the core areas (10-100 Kmp) and connecting corridors between these areas (e.g. natural river valleys, semi-natural recreation areas for local settlements). The Comprehensive Urban Plans determine the function of small habitats, woodlots, wetlands, grassland, patches, ponds (<10 Kmp) and connecting corridors (stream banks, hedgerows, field verges and ditches).

As for urban planning, one of its main objectives includes the protection and enhancement of natural heritage. Emergency Ordinance No. 57/2007 on the regime of natural protected areas, conservation of natural habitats, wild flora and fauna with subsequent modifications and completions provides that protected natural areas and ecological corridors are mandatory to be highlighted by the National Agency for Cadastre and Real Estate Advertising in national, zonal and local urban and spatial plans, in cadastral plans and land books, as well as by the central public authority for agriculture. The constitution of the protected natural areas has also taken into account the provisions of general urban plans, which cannot be modified until the upgrading period stipulated by the existing legislation on spatial and urban planning.

Order No. 1964/2007 on establishing the regime of natural protected area for the sites of community importance, as an integral part of the European Ecological Network Natura 2000 in Romania also reflects the link between these protected areas and the territorial planning. National, zonal and local urban and spatial plans must necessarily highlight natural reserves and protection areas.

The Urban Planning Regulations must contain rules on preserving the integrity of the environment and protecting the natural heritage (Decree No. 525/1996 for the approval of the General Regulation of Urban Planning). Regarding the protected natural areas, the County Councils will identify and delimitate. According to the Methodology for the Elaboration of General Urban Plans, inserting the elements of ecological networks is mandatory in all the chapters (the Content Framework, the General Memo and the Urbanistic Regulations of each locality).

In Zonal Urban Plans, which also provide specific regulations for a particular area in a locality, natural heritage values that require protection are highlighted, and their Local Urban Regulations establish basic rules for preserving environmental integrity and protecting natural heritage. The methodologies for the elaboration of Urban Plans of various types (General, Zonal, Detail) stipulate that they also must include the Natural Protected Areas in different territorial scales, mentioned in both the written and graphic part.

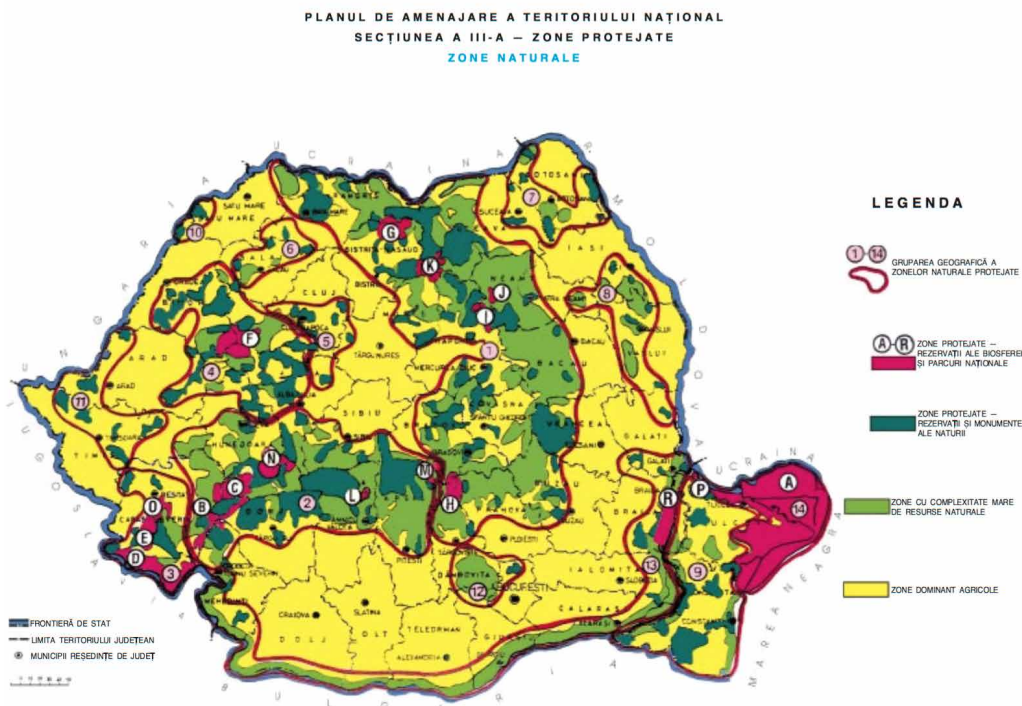


Figure 7. Nature protection areas in Romania National Spatial Plan

https://www.siu-grc-cjph.ro/c/document_library/get_file?uuid=2175fc9d-e8de-4f50-bf15-92fe80187ee8&groupId=10157

CO-ORDINATION MECHANISM, STAKEHOLDER INVOLVEMENT

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2.1 Sectors affecting spatial planning, the mechanism of influence of sectoral institutions on spatial planning

Spatial planning activity is a complex activity, aimed at coordinating different sectoral policies in an integrated approach; and functional, having to consider the natural and artificial environment based on the analysis of long-term development trends of economic, ecological, social and cultural conditions, and ensuring the participation of the population and its political representatives in the decision-making process. Spatial planning has a very strong integrative and coordination function across different sectors. In this context, they interact with sectoral institutions and spatial public development actors as well as private sectors, utility providers, NGOs etc. Unfortunately, the co-ordination mechanisms are not fully effective.

In most countries, (Serbia seems to be an exception) spatial planning does not represent a comprehensive system, it is basically divided into coordination responsibilities of land-use planning and strategic socio-economic planning. Furthermore, these planning activities are carried out by different institutions at national level. On regional/local level, usually these planning activities are the responsibilities of the regional/local governmental body with the control of central government. Spatial plans are an important tool to realize the interests of nature protection and ecologic corridor planning, so ecologic network is mostly an important part of spatial plans among other sectors. Spatial plans usually cover the following topics:

- » Spatial and functional arrangement of the territory,
- » Settlement structure,
- » Social conditions and housing,
- » Nature and landscape,
- » Water regime and geography,
- » The quality of the environment,
- » Economic conditions,

- » Industry,
- » Agriculture, agricultural land resources,
- » Forestry,
- » Energy,
- » Civic amenities, including its availability, and public areas,
- » Transport and technical infrastructure, including their availability,
- » Recreation and tourism,
- » Security and protection of the population,
- » Rural development,
- » Climate change.

2.2 Relation, hierarchy of sectoral plans and spatial plans

Spatial plans are the result of an important coordination and negotiation process between different sectors. Generally, the national level Spatial Plan represents the synthesis of the medium and long-term sectoral strategic programmes for the entire territory of the country. Spatial plans ensure the territorial dimensions of the following sectors:

- » Natural resources consumption and protection
- » Agriculture, forestry
- » Culture, education, health and social care
- » Industry and tourism development
- » The field of settlements structure, urban development
- » Rural development
- » Transport infrastructure
- » Other infrastructure (hydrotechnology, energy, IT, urban and rural infrastructure)
- » The field of sustainable development and climate change.

Mostly, the hierarchy is not clearly defined but these documents are binding documents for spatial development and for all investment activities.

In the Czech Republic, spatial data shall be provided by the authority responsible for its acquisition of the land-use planning authority. Based on the spatial data, the spatial planning authority shall issue the Planning Analytical Materials elaborated at two levels – for the administrative district of the municipality with extended powers and for individual regions (NUTS 3). The Planning Analytical Materials are one of the basic documents for the creation of a spatial plan.

2.3 Means and mechanism for stakeholder involvement in plan making at different territorial levels

The means and mechanism for stakeholder involvement is similar in all countries as

democratic legal mechanisms form the framework for stakeholder involvement and public participation. Legal rules define the list of public bodies: ministries, agencies, public enterprises and public institutions which are required to provide the necessary information for the development of the spatial and urban planning activities.

Primarily, public participation and the planning documentation approval process are the pillars of democratic decision making in the field of spatial planning. There are different forms of direct and indirect public participation during all phases of the documentation procurement. The public, in accordance with the law, is informed, asked for opinion, formulation of the demands, remarks, and appeals. In addition, the processes of planning are “supervised” by parallel processes of strategic environment assessment with even broader space for public involvement.



PLAN REALIZATION, APPLICATION OF STRATEGIC MANAGEMENT APPROACH, MONITORING

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3.1 Efficiency of realization of spatial plans in practice

The partners highlighted several problems related to the efficiency of spatial planning. Problems occur in the whole life cycle of the planning, from the plan making process to the lack of financial resources. In case of Romania and Hungary, quality problems of the plans occur very often due to the procurement procedures, in which the criterion is almost exclusively “the lowest price”.

Romanian experts reported problems related to inappropriate or missing general methodology of spatial plans to guide the content analysis and the elaboration process. Moreover, there are no clear directions about what the County Spatial Plan should look like and focus on. These plans tend to be too complex and complicated and it is often unclear what relevance they have for lower administrative levels. Due to their complexity, they require the contribution of wide range of experts and institutions and further problems of cooperation make the elaboration process very long.

Unclear, out of date, non-specific legal regulation: guidelines for developing the General Urban Plan in Romania are dated and do not distinguish between different types of settlements. The General Urban Plan elaboration can be extremely long and because of that, a vast majority of the administrative-territorial units have no spatial plans and/or urban plans or have plans that are outside the legal validity term. On top of this fact, only few implement these plans effectively; of those who really manage to implement the plans, many are challenged in court as a result of private interests, which questions the normative nature of these plans.

Law 350/2001 establishes a regulatory framework and provides some guiding principles, but it cannot be clearly distinguished how spatial planning is operationalized and administered at county and local level – beyond a simple coordinating role. Therefore, Romania Territorial Development Strategy (approved by the Romanian Parliament in 2016) provides a basis for a potential institutional reform and for a more efficient use of spatial planning tools.

Slovak experts reported that the strategic development plans are oftentimes only understood as an obligatory exercise to gain access to the public financial resources and they are not real management tools, but are mainly linked to public investment and financial resources and this way are

much closer to the implementation reality. This is also a problem for Hungary.

A general problem of land use plans is a high regulatory effect, but also a lack of economic instruments, financial resource limitations and their implementation efficiency (Slovakia, Hungary).

Due to a strong lobby power of some stakeholders, legal regulations cannot appropriately address specific problems or they can launch exceptional legal rules. In 2008, there was an intention to introduce a new regulation zone in the Hungarian National Spatial Plan: “Areas under common planning regime”. The intention was to elaborate a common structural plan for the regions defined by the Hungarian Statistical Office as agglomerations. Unfortunately, due to strong protests against this initiative, this became just an opportunity for the settlements. Naturally, none of the agglomerations ever elaborated such a plan so the zone was deleted from the national spatial plan. The Hungarian spatial planning thus failed to appropriately address the challenges of urban sprawl.

A Slovak expert reported that the information spread among different uncoordinated systems with limited access for respective decision makers and public poses a problem and there is lack of capacities for systematic comprehensive planning across all levels, but especially at the local level. Especially at local level, the lack of professional capacities is a major problem in Hungary, which hinders the efficiency of elaboration and implementation of the plans.

From the viewpoint of ecologic corridor planning problems of communication, accessibility of the existing databases, or out-dated information, the efficiency of spatial plan realization is reduced. Unfortunately, in the case of conflicting interests, the needs of ecologic corridor planning and development are subordinated compared to development interests (Hungary, Slovakia and Romania). Furthermore, the lack of professional staff also causes difficulties especially in the Czech Republic and Serbia, while insufficient financial support can be detected in Hungary and Serbia.

3.2 Direct or indirect support system for plan realization

There is a remarkable development in all countries establishing spatial information system, partly

inspired by European initiatives such as INSPIRE Directive. Mostly, there is a territorial information system supporting the main stakeholders of spatial planning. It is an important objective in all countries to provide the necessary data and maps sometimes on a general platform.

Furthermore, it is generally the state that has elaborated a digital platform for submission and consultation of the plans (In Romania: [//www.edirect.e-governare.ro/](http://www.edirect.e-governare.ro/); Czechia: Portal of Spatial Planning <https://portal.uur.cz/>). In Hungary, there is an ongoing reform to generalize and digitize all spatial plans and creating a general platform for submission, consultation etc. (Hungary: www.e-epites.hu) Serbian experts reported that only less than 30% of planning documents have been uploaded in the National Central Register of Planning Documents (<http://www.crpdp.gov.rs>).

In Chechia, there are several regional and local portals of spatial planning; however, these are not mandatory.

It is mostly a national institution that helps the coordination between the stakeholders and elaborates/ contributes to the national or regional level spatial plans. In Romania: The Technical Commission for Territorial Planning and Urbanism was established as an advisory body with analytical attributions, technical expertise and consultancy, which ensures the technical foundation of the architect's opinion. In the Czech Republic, the Institute for Spatial Development ("the Institute") as a government department was established in 1994 with a spatial planning profile, building regulations and regional policy.

Financial resources are mostly not available for the implementation of planning documents.

	CZECH REPUBLIC	HUNGARY	SERBIA	SLOVAKIA	ROMANIA
Financing for elaboration of spatial plans	X	X	X	X	X
Territorial Information System, data provided	X	X	X	X	X
Digital format	X	X	X	X	X
Common register/platform for uploading plans	X	ongoing	ongoing	X	X

Table 5. Support system of spatial planning

3.3 Direct or indirect support system for plan realization

The application monitoring of the approved spatial and urban planning documentation is mostly done through the specialized departments of the

county, municipal, town and communal councils (the chief architect's institution). However, there is usually no sufficient and transparent mechanism for monitoring the implementation and effects of the spatial and urban plans as most of the countries reported problems related to monitoring. Oftentimes, there is an obligation to monitor the development in the territory and check the relevance of the land-use plans every 5 years.

MECHANISMS FOR IMPLEMENTATION OF STRATEGIC ENVIRONMENTAL IMPACT ASSESSMENT IN SPATIAL PLANNING

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4.1 Methodology for impact assessment

Romania, Slovakia, Czechia and Hungary as EU Member states apply the European Union's regulations related to EIA and SEA

- » Directive of the European Parliament and of the Council 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment
- » Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment (codification)
- » Directive 2014/52/EU of the European Parliament and of the Council amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment and adopted national legal legislation for transposing:

In Romania, there is the Governmental Decision No. 1076 of 8.07.2004 for setting up the environmental assessment procedure of certain plans and programmes (Of.J.no.707 of 5.08.2004), hereafter: GD 1076/2004.

The government decision also presents the criteria for determining the potential significant environmental effects (Annex No. 1 of GD 1076/2004) and the framework content of the Environmental Report (Annex No. 2 of the GD 1076/2004).

Romania also signed the UNECE Protocol on strategic environmental assessment 2003 in Kiev, Ukraine.

In Hungary:

- » The Government Decree No. 2/2005 (I.11.) on the environmental assessment of certain plans and programmes (hereinafter Government Decree 2/2005 (I.11.))
- » Government decree 132/2010 (IV.21.) on the announcement of the protocol adopted on May 21, 2003 in Kiev on strategic environmental assessment related to the Convention on environmental impact assessment in a transboundary context done at Espoo (Finland), on February 26, 1991. (hereinafter Government Decree 132/2010 (IV.21.))

In Slovakia: the SEA Directive is transposed by the Act No. 24/2006 Coll. on EIA/SEA

In the Czech Republic, the SEA Directive is transposed by the Act No. 100/2001 Coll., on environmental impact assessment (the EIA Act). This is a framework act for both the EIA and SEA procedures, which has been amended several times and new modifications are being prepared currently, their entry into force is expected in 2017. The SEA procedure is regulated by the provisions of § 10a - § 10j of the mentioned act.

Regarding the land use plans and principles of land use development (for the region), Act No. 183/2006 Coll., Building Act, significantly simplified and integrated the SEA procedures into the land use planning procedures. General matters which are neither regulated by the SEA legislation, nor by the special legislation such as the Building Act, are stipulated by Act No. 500/2004 Coll., Code of Administrative Procedure.

As it regulated in the SEA Directive: all plans or programmes being prepared for the area of agriculture, forestry, fishing industry, industry, power engineering, transport, waste management, water management, telecommunication, tourism, land-use planning or zone use, regional development and environment, as well as strategic document co-financed by the European Union, except strategic document that sets the use of small areas at local level, is subject to the mandatory SEA procedure.

Thematically, they also follow the SEA directive.

Serbia has also adopted the Law on Strategic Environmental Assessment ("Official gazette No 135/04 and 88/10); there is no obligatory methodology for impact assessment. Methodology depends on the subject of the SEA, the level of the document that needs to be assessed (plans, strategies) and also on the specific principles that need to be incorporated in the evaluation.

The SEA in Serbia is the document that describes, evaluates and assesses the potential significant impact on the environment, which could result from implementation of plans and programmes. It shall also define measures for reduction of adverse effects on the environment.

The SEA needs to include the following in particular: 1) The bases of the strategic assessment; 2) The general and specific objectives of the strategic assessment and selection of indicators; 3) The evaluation of likely impact with the description of measures planned for the

reduction of adverse effects on the environment; 4) The guidelines for elaboration of lower level strategic assessments and assessments of environmental impact of projects; 5) The programme of monitoring of environmental status during the execution of plans and programmes (monitoring); 6) The outline of methodology applied and difficulties encountered during the strategic assessment elaboration; 7) The outline of decision making methods, description of reasons vital for selection of the given plan and programme from the aspect of alternative solutions considered and the outline of methods in which the environmental issues have been included in plans and programmes; 8) The conclusions reached in the process of strategic assessment report elaboration presented in the way that is understandable for the public; 9) Other data of relevance for the strategic assessment. The competent planning authority shall provide for the participation of authorities and organizations and the public concerned in the procedure of granting the approval for the strategic assessment report in the way set forth by the law.

In 2008, the Republic of Serbia adopted the National Sustainable Development Strategy ("Official Gazette of the Republic of Serbia", No. 57/08) defining the principles and priorities of sustainable development and 76 indicators in order to effectively monitor the progress in Serbia towards sustainable development. These indicators are selected from a set of UN indicators, but not all indicators are monitored in Serbia. Indicators are also defined in the Law on the Spatial Plan of the Republic. Also, the Rulebook on the National List of Environmental Indicators ("Official Gazette of the Republic of Serbia", No. 37/2011) prescribes a list of environmental indicators that have been used within the SEA practice in Serbia.

The indicators within SEA can be selected in accordance with the goals of the SEA, based on the indicators of the Spatial Plan of the Republic of Serbia and the Strategy for Sustainable Development of the Republic of Serbia, which are unified with the "Basic Set of the UN Indicators of Sustainable Development".

This set of indicators is based on the concept of cause-effect-response. The "causes" indicators refer to human activities, processes and relationships that affect the environment. On the other hand, "consequence" indicators

imply the state of the environment, and the "response" indicators define strategic / political options and other reactions aimed to change the "consequences" on the environment.

4.2 Elaborator of the impact assessment

In all countries, the elaboration of the impact assessment can only be prepared only by authorised person, legal or natural person inscribed in the corresponding register entitled to execute activities related to spatial planning.

COUNTRY ANSWERS

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In this Chapter, we highlight the answers of the partner countries based on a questionnaire.

5.1. Relevant policy frameworks and legislation for spatial planning

5.1.1. Please, highlight the responsible institutions at all territorial levels related to spatial planning (who is responsible, what are the competencies, coordination mechanism)

The Czech Republic

The Ministry of Regional Development

The Ministry is the central administrative authority in cases of town and country planning and

- a) Executes a state supervision in the cases of town and country planning,
- b) Procures the spatial development policy and the planning materials necessary to that,
- c) Keeps records of the planning activity,
- d) Performs other activities pursuant to this Act.

The Ministry ensures a methodical support for the implementation of contemporary knowledge of town and country planning, urban planning, architecture and constructional and technical knowledge, as well as public priorities in building development and building industry, especially within the protection of life and health, in care of the environment and preservation of cultural, archaeological and natural heritage.

The Ministry establishes the structural component of the state to solve conceptual questions of theory and practice in the sphere of town and country planning, urban planning and architecture. The Ministry may delegate this activity to the already existing structural component of the state.

Regional office

- a) procures the development principles and, in the cases stipulated by the law, the regulatory plan for the areas and corridors of the supra local importance,
- b) procures the non-statutory planning materials,
- c) is the respective authority within the planning permission proceedings and within the proceedings pursuant to special regulations, within which it is decided on changes in the territories, which refer to more administrative units of the municipalities with the extended powers,
- d) is the respective authority within the planning permission proceedings on the programmes that require the environmental impact assessment,
- e) issues the planning permission in cases stipulated under the law,
- f) determines the building office relevant to the planning permission in cases stipulated under the law,
- g) enters the data into the register planning activity for its administrative unit,
- h) performs other activities pursuant to this Act.

Regional council

- a) issues, within the separate powers, the development principles,
- b) approves, within the separate powers, the task, or instructions for processing the draft of the development principles,
- c) approves, within the separate powers, the report on the development principles implementation,
- d) issues the regulatory plan in cases stipulated under the law,
- e) performs other activities pursuant to this Act.

Administrative regional council board

- a)** applies, within the separate powers, the assessment to the draft of the spatial development policy,
- b)** issues in cases stipulated under the law the planning measure on redevelopment or within the planning measure on building ban.

The municipal authority of the municipality with extended powers

- a)** procures the plan and the regulatory plan of the municipal territory,
- b)** procures the planning materials,
- c)** at the request of the municipality it procures the plan, regulatory plan and the planning study within its administrative district,
- d)** at the request of the municipality it procures the restriction of the developed area within its administrative district,
- e)** it is the respective authority within the planning permission proceedings in terms of application of town and country programmes, if it does not issue the planning permission,
- f)** it is the respective authority within the proceedings pursuant to special regulation, within which it is decided on the changes in the area,
- g)** submits the motion to enter the data into the register of the planning activity,
- h)** performs other activities pursuant to this Act.

The municipal authority, which ensures that the qualification requirements meet for the execution of the planning activity pursuant to § 24, executes the delegated powers pursuant to paragraph above letter a), d), g), h) and procures the planning study; under the public law contract it executes the powers for the municipality within the identical administrative unit of the municipality with the extended powers.

Hungary

The Cabinet Office of the Prime Minister (use of EU-funds, rural development, land use planning), The Ministry of National Development, (spatial development), The Ministry of National Economy (strategic spatial planning); The Ministry of Agriculture (rural development).

The Cabinet Office of the Prime Minister elaborates the National Land Use Framework Plan

The Ministry of National Economy elaborates the National Spatial Development Strategy

County governments are primarily responsible for the preparation and enactment of the Land Use Framework Plans and Spatial Development Strategies for Counties. They also provide opinions on the National Spatial Plan and the Spatial Plans for Special Regions that concern their territory.

Serbia

The Ministry of Construction, Transport and Infrastructure – MCTI

- » The elaboration of the National Spatial Plan
- » The elaboration of the Regional Spatial Plans, with the exception of regional plans for Vojvodina Province and Belgrade Metropolitan Area
- » The elaboration of the Spatial Plans for Special Purpose Areas, with the exception of spatial plans for Vojvodina Province territory
- » The elaboration of National Strategy for Integrated and Sustainable Urban Development (1st elaborated 2018)
- » Issues the location and building permit for constructions of national and regional importance

Authorities of the Vojvodina Province

- » The elaboration of the Regional Spatial Plan for Vojvodina Province in accordance with The National Spatial Plan
 - » The elaboration of the Spatial Plans for Special Purpose Areas at the Vojvodina Province territory
- Authorities of the Local Municipality
- » The elaboration of the Spatial Plan for Municipality Territory
 - » The elaboration of the General Urban Plan for urban area
 - » The elaboration of detailed regulation plans
 - » Issues the location and building permit for constructions of local importance
 - » Implementation of all adopted local plans – spatial and urban plans, sectoral plans, programs and projects

Slovakia

National level

- » Office of the Vice-prime minister for investment and informatisation (spatial planning)
- » Ministry of Transport and Construction (land-use planning)
- » Ministry of Environment (landscape planning)
- » Ministry of Agriculture and Rural Development (rural development)
- » Office for Geodesy, Cartography and Cadastre of the Slovak Republic
- » Slovak Inspectorate of the Environment
- » Statistical Office of the Slovak Republic
- » State Nature Conservancy

The coordination is at low level due to the mix of overlapping competences and uncoordinated legislation. The law on Land-use Planning covers main landscape planning topics and tasks of coordination of spatial and functional development of the territory, but does not contain proper economic instruments, just regulatory instruments.

Regional Level

- » 8 Self-governmental regions and subjects of territorial sovereignty and responsible for selected tasks of middle level of state government
- » Cadastral offices (8 regional offices)
- » Regional state specialised offices (e.g. district building offices and district environmental offices in the centres of self-governmental regions)
- » Regional land offices, district land offices
- » Regional building offices
- » Regional forestry offices

Local level

- » Municipalities - self governmental units and subjects of territorial sovereignty and responsible for the lowest level of state government (e.g. building offices, land-use bodies)

Romania

The Ministry of Regional Development and Public Administration

- a)** Elaboration, under the Prime Minister's coordination, of the Territorial Development Strategy of Romania and of the public policies according to its objectives;
- b)** Elaboration of sections of the National Spatial Plan;
- c)** Elaboration of the Regional Spatial Plan, structured in sections for each development region, which substantiate the regional development plans.

Authorities of the county public administration (County Council)

Taking over the provisions of the national, regional and zonal spatial planning schemes, as well as the priority investments of national, regional or county interest, within the spatial and urban planning documentation for the administrative territories of the county localities;

- a)** Elaboration of the County Spatial Plan and of the spatial zonal plans of county interest;
- b)** Endorsement of urban and spatial planning documents belonging to the administrative-territorial units of the county.

Local government authorities and the mayor

- a)** The local council coordinates and responds to the entire urbanization activity carried out on the territory of the administrative-territorial unit and ensures the observance of the provisions included in the approved territorial planning and urbanization documentation for the realization of the urban development programme of the communal or city constituencies;
- b)** The Mayor/Mayor of Bucharest, through the structure responsible for urban planning, led by the chief architect within the specialized apparatus, has the following attributions in the field of urban planning:
 - c)** Ensures the development of urban and spatial development strategies and submits them to the local/general council;
 - d)** Ensures the elaboration of the General Urban Plans that are in the competence of the local public authorities, according to the law;
 - e)** Subject to the approval of the Local Council/the General Council of the Municipality of Bucharest, based on the technical report of the chief architect, urban planning documents, regardless of the initiator;
 - f)** Act for the observance and implementation of the approved urban planning documentation.

5.1.2. Types and hierarchy, main content and relation of spatial plans

The Czech Republic

1. Non-statutory planning materials (§ 25 to 30 BA)

PLANNING ANALYTICAL MATERIALS

The planning analytical materials contain the ascertainment and assessment of the state and development of the area, its values and limitations, programmes for executing the changes in the area, assessing the area sustainable development, and determination of problems for solution. It is mandatory for all regions and municipalities to procure planning analytical materials. They are not binding; however, they form the basis for the planning documentation. The materials are continuously updated.

Planning analytical materials procure town and country planning authorities or another appropriate procurer upon the survey of the area and upon the data on the area.

You may find the planning analytical materials procured by NCA CZ here:

<http://www.ochranaprirody.cz/poskytovani-informaci-a-dat/uzemne-analyticke-podklady/>

PLANNING STUDY

The Planning study suggests, examines and considers possible solutions of selected problems or selected parts of the area. Planning studies are procured as needed for the selected parts of the area. They are not binding; however, they form the basis for decision-making. Planning study suggests, examines and considers possible solutions of selected problems, or arrangements or the development of certain functional systems within the area, e. g. the public infrastructure, territorial system of ecological stability, which could significantly impact or condition the utilization and arrangement of the areas or of their selected parts.

The procurer procures the planning study in cases, when it is imposed by the planning documentation, from their own incentive or someone else's.

2. Spatial Development Policy

Spatial development policy stipulates the state priorities of town and country planning, determines the development areas and axes, and specific areas and corridors of the transport and technical infrastructure of national importance. Spatial development policy is compulsory for the whole territory of the state and is approved by the government. It is binding for procurement and issuance of development principles, plans, regulatory plans, and for the area decision-making.

The CR SDP, which text is completed with necessary charts, is divided into chapters according to § 32 of the Building Act:

- » "The state priorities of spatial development for the area sustainable development" to be applied on the whole territory of the Czech Republic;
- » "Development areas and axes", "Specific areas", Corridors and areas for transport infrastructure", and "Corridors, areas and development intentions of technical infrastructure. CR SDP specifies areas, axes, corridors, and spaces with the respect to the proved needs of the country development which justify, in accordance with § 5 of the Building Act, intervention to powers of regions and municipalities related to the matters of their development, and if necessary, to define criteria and conditions for such areas, axes, corridors and spaces in order to make decisions on changes in them.
- » "Further tasks of the ministries, other central administrative offices and tasks of the CR SDP is prepared on the basis of analyses, the outputs of which are in the "Materials and resources". The "Materials and resources" for CR SDP represent the information input that is not discussed and approved by the CR government.

In the link below you may find a publication about Spatial Development Policy in the Czech Republic in English. <https://www.uur.cz/?id=4758>

3. Planning documentation

DEVELOPMENT PRINCIPLES Development principles delimit the areas and corridors of supra local importance (NUTS 3) and determine the requirements for their utilization, plus they coordinate the planning activities of municipalities. Development principles are procured for the whole territory of the administrative region. They are binding for the procurement and issuance of the plans, regulatory plans and decision-making in the area.

The development principles primarily determine the basic requirements for purposeful and economic arrangement of the region's territory, delimit the areas or corridors of the supra local importance and determine the requirements for their utilization, especially the areas or corridors for the public works and public benefit measures, they determine the criteria for the decision making on possible variants or alternatives of the changes within their utilization.

PLAN The plan determines the basic concept of the development of the municipality, protection of its values, its areal and spatial arrangement, and arrangement of the landscape. The plan delimits the developed area, territories with development potential and areas delimited for the alteration of existing development, as well as determines the conditions for utilization of these areas with development

potential and the areas delimited for the alteration of the existing development, for redevelopment or repeated utilization of the depreciated area (hereinafter referred to as “redevelopment area”), for public works, for public benefit measures, and for the territorial reserves, and determines the conditions for utilization of these areas and corridors.

Within the selected areas and corridors, the plan may impose the examination of the change of their use by means of the planning study or the procurement of the regulatory plan as a condition for the decision making on the changes in the area; in this case it stipulates the conditions for its procurement and its issuance, which is the regulatory plan defining.

The procurement of the plan is not mandatory. If it is procured, it applies to the whole territory of the municipality and it is binding for issuance of the regulatory plan and for the decision-making within the area. The Local Council decides on the procurement of the plan:

- » from its own initiative,
- » at the motion of the public administrative authority,
- » at the motion of the municipality’s inhabitant,
- » at the motion of a natural person or a legal entity, that has the proprietary or similar rights to the grounds or the structure in the territory of the municipality

The plan determines the basic concept of the municipality development, protection of its values, its areal and spatial arrangement, distribution of the landscape, and the concept of the public infrastructure; delimits the developed area, areas and corridors, especially the areas with a development potential and the areas delimited for the alteration of the existing development, for redevelopment or repeated utilization of the depreciated area, for public works, for public benefit measures, and for the territorial reserves and determines the conditions for utilization of these areas and corridors.

The Plan has **two main parts**:

1. the declaration part – both text and graphical
2. reasoning of the plan – both text and graphical

REGULATORY PLAN The regulatory plan within the settled area determines the detailed conditions for the use of the grounds, for location and spatial arrangement of structures, for protection of values and character of the area, and for creation of a favourable environment. The regulatory plan always determines the conditions for delimitation and the use of the grounds, for location and spatial arrangement of the structures of the public infrastructure, and delimits the public works or the public benefit measures.

The regulatory plan replaces the planning permission within the investigated area in the approved extent, and it is binding for the decision-making within the area. The regulatory plan issued by the regional office is further binding for the plans and regulatory plans, which are issued by municipalities. The regulatory plan does not replace the planning permission within the non-developed area.

Hungary

The spatial development strategies and the land use framework plans are made on national, county and local level. Land use plans are also prepared for so called prioritised regions (e.g. the Lake Balaton Recreation-al Area–approved already by the Parliament and the Budapest Metropolitan Region).

At the highest level, the National Spatial Plan contains a mix of general guidelines and land-use plans, which have become extremely detailed plans thanks to digitalization.. It is a legally binding document that is approved by a vote of parliament and is replaced every seven years.

Below the National Spatial Plan, two Spatial Plans for Special Regions exist. They cover the capital of Budapest and its surrounding urban agglomeration and the touristic area around Lake Balaton,

respectively. Both plans are comprehensive plans that aim at fostering the economic potential of the region, while supporting sustainable development and the protection of nature and the cultural heritage. Just as national plans, they combine general guidelines with land-use plans. Both plans are approved by the parliament vote, binding for lower level plans and renewed every ten years in the case of the Balaton plan and every seven years in the case of the Budapest plan.

County governments are primarily responsible for the preparation and enactment of the Land Use Framework Plans and Spatial Development Strategies for Counties.

A land use framework plan should contain the following aspects:

- » Spatial structure of technical and infrastructure systems,
- » Long term spatial structure of the area,
- » Appropriate land use for the different parts of the area,
- » Regional tasks to protect the environment, landscape and nature,
- » Effect study on environment, society and economy.

Parts of the land use plan and their contents:

1. Structure plan

- » Spatial structure of infrastructure networks,
- » Spatial structure of land use,
- » Spatial structure of the settlements

2. Regulation Plan

- » Zoning of regulation packages on a map

Zones to be applied in the national land use framework plans:

- a)** National ecologic network,
- b)** Agricultural production sites of excellent conditions,
- c)** Forests of excellent conditions,
- d)** Areas for complex landscape rehabilitation,
- e)** Landscape scenery protection zones of national importance,
- f)** Priority areas with regard to cultural heritage,
- g)** Extremely sensitive areas under surface water quality protection,
- h)** Catchments area of surface waters sensitive for contamination,
- i)** Reserves of subsoil wealth,
- j)** Areas with possibility to elaborate a common structural plan,
- k)** Existing national defence areas of high priority.

The plan itself represents a zoning of an area. For each zone, a specific package of regulations and restrictions is proposed. The spatial plans are arranged in a hierarchical structure, each plan must be in concordance with the plan on the higher level. In the consultation and approval process, comments from lower levels can be spelled out and must be considered. The land use and the spatial development plans must be in harmony. Only the local government regulation plans are binding for any land-owner or citizen.

In the frames of *development plans* we can also find guidelines for special landscape types, e.g. the National Development Concept, 2011 which formulates the guidelines for development and protection for landscape areas of national importance, such as Lake Balaton, Danube region, Lake Tisza, and special rural areas (areas rich in natural values, areas of small villages etc.)

The land use plans (master plans) of settlements follow the structure of the higher (spatial) level land use plans: structural plan, regulation plan and local building code. The picture shows the environmental and land-scape design plan of a small settlement as part of the master plan.

Serbia

Spatial and urban planning documentation include: Spatial plans, Urban plans, technical documents, approved under Law 83/2018.

The spatial planning documentation is as follows:

- a) National Spatial Plan;
- b) Regional Spatial Plan;
- c) Spatial Plan for Special Purpose Area;
- d) Municipality Spatial Plan.

SEA is obligatory for all spatial plans and a constituent part of the planning documentation.

Public insight is obligatory at the beginning and in the draft phase of the spatial plan elaboration.

a) The National Spatial Plan is a framework document for territorial development of the country with the priorities for medium- and long-term implementation. The National Spatial Plan consists of the following sections: Sustainable use of natural resources; Population development and distribution; Settlement network and public services; Territorial development of economy and tourism; Transport network; Hydro-technical infrastructure; Energy infrastructure; Environment protection; Protected areas of natural and cultural heritage, etc. It is linked with national sectoral strategies.

The provisions of the National Spatial Plan are mandatory for all other spatial and urban plans. It should also be mandatory for sectoral strategies and programmes. Link: <http://www.rapp.gov.rs/en-GB/content/cid310/spatial-plan-for-the-republic-of-serbia>

b) The Regional Spatial Plan is a framework document for territorial development of the region with the guidance for its implementation in other plans and priorities for medium and long-term implementation. It has identical content as the National Spatial Plan. The Regional Spatial Plan is linked to the National Spatial Plan, Spatial Plans for Special Purpose Area; Municipality Spatial Plan, and national sectoral strategies.

The provisions of the Regional Spatial Plans are mandatory for the other spatial and urban plans detailing them. Link: <http://www.crp.gov.rs>

c) The Spatial Plan for Special Purpose Area (SPSPA) has a mandatory role and is designed for the territorial development of special purpose areas such as: Protected areas with natural and/or cultural heritage, Primary tourist destinations, Areas with mineral resources, International and national infrastructure corridors, Water basins of regional systems for water supply, projects of national importance, areas determined by the National Spatial Plan.

The SPSPA consists of the following sections: Conception of the sustainable development of the area; Development of the special purposes within the area; Land use; Measures and regulations for the zones of special purpose's development; Impacts of special purposes on the territorial development of the area (natural resources; population development; settlement network and public services; development of economy and tourism; transport network; hydro-technical infrastructure; energy infrastructure; environment protection; etc.). It can contain the detailed regulation for designed zones of special purpose development.

It is linked to the National Spatial Plan, Regional Spatial Plan, other SPSPAs; Municipality Spatial Plan, and national sectoral strategies.

The provisions of the SPSPAs are mandatory for the Municipality Spatial Plans and all urban plans. Link: <http://www.crp.gov.rs>

d) The Municipality Spatial Plan has a mandatory role and is designed for territorial development of the whole municipality. It has both a strategic and guiding character, as well as a regulatory character and is the main operational planning tool for the municipality territory, providing the legal basis for the implementation of development programs and actions.

The Municipality Spatial Plan consists of the following sections: Strategic part – Natural resources; Population development and distribution; Settlement network and public services; Territorial development of economy and tourism; Transport network; Hydro-technical infrastructure; Energy infrastructure; Environment protection; Protected areas of natural and cultural heritage; Regulatory part – Scope and boundaries of the construction areas; Rules for arrangement and building at the construction areas; Rules for arrangement of the protected areas; Arrangement schemes for rural settlements; Rules for the implementation of the plan.

It is linked to the Regional Spatial Plan, SPSPAs; urban plans and local sectoral plans.

The provisions of the Municipality Spatial Plan are mandatory for all urban plans. Link: <http://www.crp.gov.rs>

Urban planning documents have a specific regulation character and establish rules that apply directly to the localities and their parts up to the cadastral parcel level and constitute mandatory grounds for the issuance of urbanism certificates.

The urban planning documentation is as follows:

- a) General Urban Plan;
- b) Plan of General Regulations;
- c) Plan of Detailed Regulations.

SEA is obligatory for all urban plans and constituent part of the planning documentation.

Public insight is obligatory at the beginning and in the draft phase of the urban plan elaboration.

a) The General Urban Plan has a strategic and guiding character. It is prepared for national and regional urban centres.

The General Urban Plan consists of the following sections: Establishment and delimitation of the urban area in relation to the administrative territory of the municipality; Conception of the sustainable development of the area; Population development and distribution; City centres and public services; Development of economy and tourism;

Transport network; Hydro-technical infrastructure; Energy infrastructure; Other urban infrastructure; Environment protection; Protected areas of natural and cultural heritage; General land use; Delimitation of construction land; Boundaries of plans of general regulation for construction land and rules for the implementation of General Urban Plan in regulation plans.

It is linked with the Regional Spatial Plan, SPSPAs; Municipality Spatial Plan and urban sectoral plans and programmes.

The provisions of the General Urban Plan are mandatory for plans of general regulation.

Link: <http://www.crp.gov.rs>

b) The Plan of General Regulations is has a mandatory role and is designed for the development of the local urban centres or parts of urban area defined by the General Urban Plan. It has both a strategic and guiding character, as well as a regulatory character and is the main operational planning tool for the urban area, providing the legal basis for the implementation of development programs and actions.

When it is elaborated for a local urban centre it contains both the strategic and regulatory part. The strategic part has the same content as the General Urban Plan. The regulatory part contains the following: Boundaries of the construction land; Delimitation of construction land in zones with prevailing or mixed land use; Regulation of the street network and other infrastructure network; Building regulations; Allotment plan for public land uses; Measures for environment, natural and cultural heritage protection; Rules for the arrangement and construction for entire construction land; Zones with the obligation for plan of detailed regulation elaboration; Localities with the obligation for design project elaboration.

c) The Plan of Detailed Regulations has a regulatory character. The Plan of Detailed Regulations cannot change top-level plans. The Plan of Detailed Regulations is developed only for the detailed regulation of the provisions established by the SPSPA, Municipality Spatial Plan or Plan of General Regulations.

The Plan of Detailed Regulations is an urban design tool that details at least: Boundaries of the construction land; Delimitation of construction land in zones; Detailed land use; Regulation of the street network and other infrastructure network; Building regulations; Allotment plan for construction land; Measures for environment, natural and cultural heritage protection; Rules for the arrangement and construction; Localities with the obligation for design project elaboration.

Technical documents are:

- a) Design project;
- b) Allotment project.

The Design project has a regulatory character for parcel or parcels on the construction land. The Design Project cannot change the provisions and propositions of urban or spatial plans. It is developed for the detailed regulation of the provisions established by the Municipality Spatial Plan, Plan of General Regulations or Plan of Detailed Regulations, or at the request of investors. It contains: Detailed land use; Building regulations; Allotment plan for construction land; Measures for environment protection; Rules for the arrangement and construction; Regulation of the connection of the parcel/parcels to the street/road and other infrastructure.

EIA is conducted for the Design project for all planned objects that are proposed by the law.

Public consultations (short duration – 7 days) are reduced to the draft phase and only include the owners of neighbouring parcels.

Slovakia

Land-use planning

- » Spatial development perspective of the Slovak Republic - the document establishing the conceptual framework for spatial development at the national level defining basic principles for the settlement development, centres and their gravitation areas.
- » Land-use plan of the region - Mid-term up to long term comprehensive spatial planning document at the regional level focused on the functional organisation of the space determining the basic elements of the settlement structure and interrelations between them.
- » Land-use plan of a municipality - Mid-term up to long-term Comprehensive planning document focused on optimisation of organisation of functional and structural elements and systems at the territory of the cadaster of a municipality (built-up and surrounding areas).

Socio-economic development planning

- » National regional development strategy – the document on the comprehensive social, economic and environmental development at the national level.
- » Programme of social and economic development of the region – short-term up to mid-term planning and programming document of the comprehensive social, economic and environmental development of the region.
- » Programme of social and economic development of a group of municipalities – short-term up to mid-term planning and programming document of the comprehensive social, economic and environmental development of the group of communes based on their agreement to procure the program jointly
- » Programme of social and economic development of a municipality – short-term up to mid-term planning and programming document of the comprehensive social, economic and environmental development of the municipality.

Landscape planning

Landscape – ecologic plan at the regional and municipal plan – Landscape ecologic plan is a

document elaborated as part of the procurement of land-use plans at regional and municipal level with the focus on landscape ecological analyses, assessment and optimisation of functional use in harmony with landscape ecologic potentials and limits for the development. The outputs of the Territorial Systems of Ecological Stability are in accordance with the legislation on land-use planning supportive documents. They are based on proposed eco-centres and eco-corridors (hydric and terrestrial) in the open as well as built-up landscape. Partially, the outputs of territorial systems of ecological stability used to be reflected in the land-consolidation projects, but they are not compulsory documents as the land consolidation is a request oriented process.

Romania

Spatial and urban planning documentation means Spatial plans, Urban plans, General Urban Planning Regulations and Local Urban Planning Regulations, approved under Law 350/2001.

Spatial planning documentation includes directives, and urban planning documentation includes operational regulations. The directives set out the main strategies and directions of evolution of a territory at various levels of complexity. They are detailed by specific regulations within the boundaries of administrative territories of the cities and communes.

The directives contained in the approved spatial planning documents are mandatory for all public administration authorities and those with a regulatory character for all individuals and legal persons.

The spatial planning documentation is as follows:

- » National Spatial Plan;
- » Zonal Spatial Plan;
- » County Spatial Plan.

a) The National Spatial Plan has a guiding character and represents the synthesis of medium and long-term sectoral strategic programmes for the entire territory of the country. The National Spatial Plan consists of specialized sections. The sections of the National Spatial Plan are: Transport Network, Waters, Protected Areas, Settlement Network, Natural Risk Areas, Tourism, and Rural Development.

The provisions of the National Spatial Plan and its sections become mandatory for other spatial plans detailing them. Link : <https://www.siugrc-cjph.ro/patn>

b) The County Spatial Plan has a guiding character and represents the spatial expression of the socio-economic development programme of the county. The County Spatial Plan is linked to the National Spatial Plan, Zonal Spatial Plan, Sectoral Government Programs, and other development programmes. Link: <http://www.mdrap.ro/development-teritorials/modeling-territory/modernisation-international-international/-9611>

The provisions of the County Spatial Plan become mandatory for the other spatial and urban plans detailing them.

c) The Zonal Spatial Plan has a guiding role and is designed to solve specific problems of some territories. These territories may be:

- » Intercommunal or inter-communal, composed of basic administrative territorial units, communes and cities;
- » Inter-county, covering parts of counties or entire counties;
- » Regional, composed of several counties.

Urban planning documents have a specific regulation character and establish rules that apply directly to the localities and their parts up to the cadastral parcel level and constitute mandatory grounds for issuance of urbanism certificates. **The urbanism documents translate the proposals included in the national, county and county planning plans at the level of urban and rural localities.**

The urban planning documentation is as follows:

- » General Urban Plan and the local regulations related to it;
- » Zonal Urban Plan and the local regulations related to it;
- » Detailed Urban Plan.

d) The General Urban Plan has both strategic and guiding character, as well as regulatory character and is the main operational planning tool, providing the legal basis for the implementation of development programs and actions.

The General Urban Plan includes short-term regulations at the level of the whole basic administrative-territorial unit with regard to:

- » Establishment and delimitation of the urban area in relation to the administrative territory of the locality;
- » Establishment of the way of using the land in the town;
- » Functional zoning in connection with the organization of the traffic network;
- » The delimitation of areas affected by public constraints;
- » Modernization and development of the technical-urban infrastructure;
- » Establishment of protected areas and protection of historical monuments and archaeological sites;
- » Forms of ownership and legal movement of land;
- » Specification of the conditions for location and compliance of the built, arranged and planted volumes.
- » The naturally delimited and declared risk areas according to the law, as well as the specific measures regarding the prevention and mitigation of risks, land use and building construction in these areas.
- » Risk areas due to historical landfills. Link: <http://www.primaria-fagaras.ro/2017/PUG/Reglementari.pdf>

e) The Zonal Urban Plan is a specific urban planning tool, which coordinates the integrated urban development of some areas of the locality, characterized by a high degree of complexity or by an accentuated urban dynamics.

The Zonal Urban Plan ensures the integration of integrated urban development programmes of the area with the General Urban Plan.

The Zonal Urban Plan includes regulations on the area related to:

- » Organization of the street network;
- » Architectural-urban planning according to the characteristics of the urban structure;
- » Land use;
- » Development of the public infrastructure;
- » Legal status and movement of land;
- » Protecting historical monuments and their protection areas.

f) The Detailed Urban Plan has a specific regulatory character for a parcel in relation to the neighbouring parcels.

The Detailed Urban Plan cannot change top-level plans. The Detailed Urban Plan is developed only for the detailed regulation of the provisions established by the General Urban Plan or the Zonal Urban Plan.

The Detailed Urban Plan is an urban design tool that details at least:

- » The specific construction mode in relation to the operation of the area and its architectural identity, based on a specialized study;
- » Withdrawals from the lateral and posterior limits of the plot;
- » The percentage of land occupation and the way of occupying the land;
- » Car and pedestrian accesses;
- » Architectural-volumetric compliance;
- » Compliance with public spaces

- g)** The Mayor/Mayor of Bucharest, through the structure responsible for urban planning led by the chief architect within the specialized apparatus, has the following attributions in the field of urban planning:
- » ensures the development of urban and spatial development strategies and submits them to the local / general council;
 - » ensures the elaboration of the General Urban Plans that are in the competence of the local public authorities, according to the law;
 - » subject to the approval of the local council/the General Council of the Municipality of Bucharest, based on the technical report of the chief architect, urban planning documents, regardless of the initiator;
 - » acts for the observance and implementation of the approved urban planning documentation.

5.1.3. How is ecologic network integrated into spatial plans?

The Czech Republic

In **the Czech Republic**, establishing and managing ecological networks at various spatial scales have been included in the nature conservation and landscape management legislation.

The **Territorial System of Ecological Stability** of the Landscape (TSES) is the only nature conservation tool constituting an ecological network in the landscape in the Czech Republic. This nature conservation tool is integrated in the spatial planning system. Act No. 114/1992 Gaz., as amended later, defines the TSES as an interconnected system of both natural and altered but still semi-natural ecosystems. The TSES consists of three basic elements – **biocentres, biocorridors and interactive elements**. A biocentre is a habitat or a system of habitats which by its state and size enables permanent existence of a natural or modified, but semi-natural ecosystem. Biocentres are divided into existing and planned. Biocorridor (biotic dispersal & migration corridors) is an area which does not enable permanent long-term existence of the critical part of organisms, but it facilitates their migration and/or dispersal between biocentres: thus, it makes a real interconnected network from isolated biocentres. The third components of TSES are interactive elements, small areas/patches/plots (often spatially isolated) that provide favourable conditions for some plants and animals significantly affecting the functioning of ecosystems in the cultural landscape.

The TSES is defined at three interconnected levels – supra-regional, regional and local. There is a dense network of local corridors (of approx. 1 km) linking local biocentres (1 to 3 hectares). The function of regional biocentres is to preserve the sub-national biodiversity. At the regional level, corridors have a width ranging from 20 to 50 metres, and a length ranging from 300 to 1 000 metres. The supra-regional level includes biocentres with an area of more than 1,000 hectares (Görner, Kosejk, 2011).

Hungary

In **Hungary**, the ecological network is integrated into the spatial plans. The National Land Use Plan; the County Land Use Framework Plans, and Land Use Plans for so called priority regions (e.g. the Lake Balaton Recreation-al Area and the Budapest Metropolitan Region) contain regional tasks to protect the environment, landscape and nature, and the Regulation Plans (zoning of regulation packages on a map) of the Spatial Plans contain the exact zone of the **National Ecologic Network**. The national ecologic network zone includes the **core areas, the buffer zones and the ecological corridors** as well. The spatial plans are arranged in a hierarchical structure, each plan must be in concordance with the plan on the higher level. Guidelines for special landscape types can be also find in the frames of development plans. In the zone of core areas and ecological corridors the rules restrict the designation of areas for the development, placement of transport infrastructure and new surface mines, as well as prescription that the utility lines fit into the landscape.

In the core area and ecological corridor, new areas for building cannot be designated in case the urban area is

surrounded by the core area or ecological corridor. New built-up areas can be designated just in the frame of an official land-use regulation procedure.

The zone of the National Ecological Network is entrenched in the municipal planning of settlements. The National Development Concept, 2011 formulates guidelines for development and protection for landscape areas of national importance such as Lake Balaton, Danube region, Lake Tisza. The land use plans (master plans) of the settlements follow the structure of the higher (spatial) level land use plans

Serbia

In Serbia, the Nature Protection Act (2009, 2010, 2016) the protection and management of ecological corridors is not clearly defined; it is treated as a part of ecological network without specified obligations or restrictions. In the Regulation on Ecological Network (2010), ecological corridors are defined as part of ecological network, the possibility to establish the buffer zone for them is given, and the basic protection measures are listed. There is a serious problem with legislative that does not support the protection and management of ecological corridors. This is most reflected in the regulation for water sectors and construction. It is these sectors that conflicts with the protection and regulation of ecological corridors are most reflected in.

Legislation for the spatial planning and construction sector does not provide provisions relating to ecological corridors. Ecological corridors are indirectly covered by the provisions relating to the protection of nature and landscape. In spatial planning practice, ecological corridors have been formally developed at spatial plans at different levels of planning. They are most frequently mentioned in generalized formulations about the necessity of their identification, valorization and protection, without clear spatial determinants on maps in spatial plans.

The exceptions are spatial plans in the territory of AP Vojvodina. Spatial determinants and protection measures are given in regional spatial plan and spatial plans for the special purpose areas. In the spatial plans of municipalities, all levels of ecological corridors are mapped, but without establishing adequate measures for their protection. In urban plans ecological corridors are not addressed. This is even the case when obligation of their protection is established by spatial plans that are obligatory for settlements for which urban plans have been adopted.

Slovakia

In Slovakia landscape – an ecologic plan at the regional and municipal level exist. A landscape ecologic plan is a document elaborated as part of the procurement of land-use plans at regional and municipal level with the focus on landscape ecologic analyses, assessment and optimisation of functional use in the line with the landscape ecologic potentials and limits for the development. The plans of the Territorial Systems of Ecologic Stability are in accordance with the Law on land-use planning supportive documents. As defined in the Act Nr. 543/2002 on Nature and Landscape protection: The Territorial System of Ecological Stability is a spatial structure of interconnected ecosystems, their constituents and elements that provides the diversity of conditions and forms of life in the landscape. This system consists of biocenters, biocorridors and interacting elements of supra-regional, regional or local importance.

Biocentre is defined as an ecosystem or a group of ecosystems that creates permanent conditions for reproduction, shelter and nutrition of living organisms and conservation and natural development of their communities. Biocorridor is a spatially interconnected set of ecosystems that connects biocentres and enables the migration and exchange of genetic information of living organisms and their communities, to which interaction elements (only identified at local level) are spatially connected. They can be terrestrial or hydric. Biocorridors and interaction elements ensure the overcoming of barriers that isolate ecosystems from one another, exchange of genetic information and migration, as well as the interaction of different ecosystems with different stability.

The General of the Super-regional Territorial System of Ecological Stability of the Slovak Republic (SR)

(scale of 1:200 000 – 1:500 000), is an overarching document concerned with the strategy of protecting the diversity of ecological conditions and life forms at national level. It is elaborated by a group of national experts and approved by the Government of SR. The Regional TSES (scale of 1:50 000) represents a document for the protection of the diversity of conditions and forms of life in a particular region; these are elaborated at a district level – LAU1 level according to Eurostat. R-TSES documents are procured and approved by relevant district bureaus of environment management. Currently, there is an ongoing process of updating and creating new ones. The Local level (1:10 000) TSES documents serve for protecting the diversity of conditions and forms of life at municipal level – LAU2 level according to Eurostat. These are procured and approved by the relevant municipality bureaus. There is an ongoing process of updating and creating new ones, within the municipal level of territorial planning.

Romania

In Romania Law 350/2001 on Spatial and Urban Planning specifies that territorial management aims, among other targets, to ensure the protection of natural and artificial landscapes, biodiversity conservation and the creation of ecological continuity. The basic purpose of spatial planning is to unify the economic, social, ecological and cultural policies at national and local level and among its objectives is that of a sustainable management of the landscape, which is a basic component of natural and cultural heritage and natural resources.

The National Plan indicates core areas of international and national importance and corridors and includes international nature conservation priorities: Natura 2000, Emerald, PEEN.

The County/Regional plans determine the core areas (10-100 Kmp) and connecting corridors between these areas (e.g. natural river valleys, semi-natural recreation areas for local settlements). The Comprehensive Urban Plans determine the function of small habitats, woodlots, wetlands, grassland, patches, ponds (<10 Kmp) and connecting corridors (stream banks, hedgerows, field verges and ditches).

As for urban planning, one of its main objectives includes the protection and enhancement of natural heritage. Emergency Ordinance No. 57/2007 on the regime of natural protected areas, conservation of natural habitats, wild flora and fauna with subsequent modifications and completions provides that protected natural areas and ecological corridors are mandatory to be highlighted by the National Agency for Cadastre and Real Estate Advertising in national, zonal and local urban and spatial plans, in cadastral plans and land books, as well as by the central public authority for agriculture. The constitution of the protected natural areas has also taken into account the provisions of general urban plans, which can not be modified until the upgrading period stipulated by the existing legislation on spatial and urban planning.

Order No. 1964/2007 on establishing the regime of natural protected area for the sites of community importance, as an integral part of the European Ecological Network Natura 2000 in Romania also reflects the link between these protected areas and the territorial planning. National, zonal and local urban and spatial plans must necessarily highlight natural reserves and protection areas.

The Urban Planning Regulations must contain rules on preserving the integrity of the environment and protecting the natural heritage (Decree No. 525/1996 for the approval of the General Regulation of Urban Planning). Regarding the protected natural areas, the County Councils will identify and delimitate. According to the Methodology for the Elaboration of General Urban Plans, inserting the elements of ecological networks is mandatory in all the chapters (the Content Framework, the General Memo and the Urbanistic Regulations of each locality).

In Zonal Urban Plans, which also provide specific regulations for a particular area in a locality, natural heritage values that require protection are highlighted, and their Local Urban Regulations establish basic rules for preserving environmental integrity and protecting natural heritage. The methodologies for the elaboration of Urban Plans of various types (General, Zonal, Detail) stipulate that they also must include the Natural Protected Areas in different territorial scales, mentioned in both the written and graphic part.

5.2. Coordination mechanism, stakeholder involvement

5.2.1. Please indicate the sectors affecting spatial planning, the mechanism of the influence of sectoral institutions on spatial planning

The Czech Republic

The town and country planning authorities and the building offices proceed in mutual cooperation with the respective authorities protecting the public priorities pursuant to special regulations. The respective authorities issue:

- » Binding assessments for the issuance of the decision pursuant to this Act by virtue of special regulations, which are not separate decisions within the administrative proceedings, unless the special regulations provide otherwise,
- » For procedures pursuant to this Act, which are not the administrative proceedings, assessments, which are not separate decisions, within the administrative proceedings, unless the special regulations provide otherwise; the assessments are binding materials for the spatial development policy and for measures of general nature issued pursuant to this Act.

The binding assessments of the respective authorities for the needs of the administrative proceedings pursuant to this Act and the assessments of the respective authorities, which are binding materials for the needs of other procedures pursuant to this Act, are applied by the respective authorities pursuant to special regulations and pursuant to this Act.

Respective authorities are according to Act No. 500/2004 Coll., the Administrative Code, as amended: (<https://www.zakonyprolidi.cz/cs/2004-500#f2630232>)

1. Authorities which are stated in a special Act (for the list of examples please see section 3.3.1- 1. a – Respective Authorities)
2. Administrative authorities and other public authorities responsible for issuing a binding opinion or statement which is the basis of an administrative decision (§ 149). (<https://www.zakonyprolidi.cz/cs/2004-500#f2630342>)

According to Decree No. 500/2006 Coll. on documents of physical analysis, documents of physical planning and records of physical planning (here available in Czech <https://www.zakonyprolidi.cz/cs/2006-500>) there are 13 “observed phenomena” later taken into consideration in the Planning Analytical Materials.

1. Broader territorial relations,
2. Spatial and functional arrangement of the territory,
3. Settlement structure,
4. Sociodemographic conditions and housing,
5. Nature and landscape,
6. Water regime and the rock environment,
7. The quality of the environment,
8. Agricultural land resources and land intended for forest functions,
9. Civic amenities, including its availability, and public areas,
10. Transport and technical infrastructure, including their availability,
11. Economic conditions,
12. Recreation and tourism,
13. Security and protection of the population.

Hungary

A governmental decree (218/2009. (X. 6.)) prescribes the content requirements of spatial plans and coordination requirements between several sectors. Several different sectors influence spatial plans such as:

- » Social conditions and housing,
- » Nature and landscape protection
- » Water regime and geography,
- » The quality of the environment,
- » Economic conditions, industry, agriculture,
- » Forestry,
- » Energy, renewables,
- » Transport and technical infrastructure, including their availability,
- » Recreation and tourism,
- » Security and protection of the population,
- » Rural development,
- » Climate change.

Serbia

In accordance with the provisions of Law No. 83/2018 on Spatial Planning and Building, with its subsequent sublaws, the urban and spatial planning documents contribute to the substantiation of sectoral policies in territorial aspect, as well as to ensuring the correlation of these policies with the territorial needs.

In this respect, the spatial planning activity should be: global, aiming at coordinating the different sectoral policies in an integrated ensemble; functional, having to consider the natural and built framework based on common values and common interests; with a view of analyzing the long-term development trends of economic, ecological, social and cultural phenomena and interventions, and to take them into account; democratic, ensuring the participation of population and its political representatives in the decision-making process.

Urbanism must be an activity:

- » operational, by detailing and delimiting the provisions of spatial plans and general urban plans on construction land;
- » integrative, through the synthesis of sectoral policies/programmes in land use development;
- » normative, by specifying land use patterns, defining the building uses and rules.

Taking into account the provisions of Law 83/2018 on Spatial Planning and Building, the urban and spatial planning documents ensure the territorial dimension for the following sectoral domains and public policy documents:

- » Domain of natural resource consumption and protection
- » The field of culture, education, health and social care
- » Domain of industry and tourism development
- » The field of urban domain
- » The field of rural development
- » Domain of transport infrastructure
- » Domain of other infrastructure (hydrotechnology, energy, IT, urban and rural infrastructure)
- » The field of sustainable development and climate change.

In this respect, the National Spatial Plan represents the synthesis of the medium and long-term sectoral strategic programmes for the entire territory of the country, the main sections being: Transport Network, Water Protection and Hydrotechnology Infrastructure; Protected Areas, Natural Resources, Tourism, Agriculture Land and Rural Development, Forests, Mining and Energy.

Slovakia

Spatial planning in Slovakia does not represent a comprehensive system. It is basically divided into coordination responsibilities of land-use planning and strategic socio-economic planning in responsibility of two different central governmental bodies at the national level, but in the responsibility of one territorial governance body in respective territory at the local and regional level. Both sub-systems have an integrative function and coordinate the interests across different sectors. In this context, they interact with sectorial institutions and spatial development actors from public as well as private sectors, utility providers, NGOs etc.

Romania

In accordance with the provisions of Law No. 350/2001 on Spatial Planning and Urbanism, with its subsequent amendments and completions, the urban and spatial planning documents contribute to the substantiation of sectoral policies in territorial aspect, as well as to ensuring the correlation of these policies with the territorial needs.

In this respect, **the spatial planning activity should be: global, aiming at coordinating the different sectoral policies in an integrated ensemble; functional, having to consider the natural and built framework based on common values and common interests; with a view of analysing the long-term development trends of economic, ecological, social and cultural phenomena and interventions, and to take them into account;** democratic, ensuring the participation of population and its political representatives in the decision-making process.

Urbanism must be an activity:

- » Operational, by detailing and delimiting on land the provisions of the landscaping plans;
- » **Integrative, through the synthesis of sectoral policies on the management of the localities;**
- » Normative, by specifying land use patterns, defining the building uses and gauges, including infrastructure, landscaping and planting.

5.2.2. What is the relationship and hierarchy of sectoral plans and spatial plans?

The Czech Republic

In the case of a sectoral plan concerning the spatial data, it shall be provided by the authority responsible for its acquisition of the land-use planning authority. The sectoral plan maker is also responsible for the accuracy of such document.

Based on the spatial data, the spatial planning authority shall issue the Planning Analytical Materials. The Planning Analytical Materials are elaborated at two levels - for the administrative district of the municipality with extended powers and for individual regions (NUTS 3).

The Planning Analytical Materials are one of the basic documents for creating a spatial plan.

Hungary

Spatial plans are the result of an important coordination and negotiation process between different sectors. However, in the end, they are binding documents related to the spatial arrangement of activities in a given territory.

Serbia

Taking into account the provisions of Law 83/2018 on Spatial Planning and Building, the urban and spatial planning documents ensure the territorial dimension for the following sectoral domains and public policy documents:

- » Domain of natural resources consumption and protection
- » The field of culture, education, health and social care
- » Domain of industry and tourism development
- » The field of urban domain
- » The field of rural development
- » Domain of transport infrastructure
- » Domain of other infrastructure (hidrotechnology, energy, IT, urban and rural infrastructure)
- » The field of sustainable development and climate change.

In this respect, the National Spatial Plan represents the synthesis of the medium and long-term sectoral strategic programs for the entire territory of the country, the main sections being: Transport Network, Water protection and Hidrotechnology infrastructure; Protected Areas, Natural resources, Tourism, Agriculture Land and Rural Development, Forests, Mining and Energy.

Slovakia

The hierarchy is defined in a very soft way, but the actions related to the territory have to be in harmony with the land-use planning documents across all levels. They are the only overall binding documents which became a part of institutional environment in respective territory after their approval.

Romania

Taking into account the provisions of Law 350/2001 on Spatial and Urban Planning, the urban and spatial planning documents of Romania ensure the territorial dimension for the following sectoral domains and public policy documents:

- » Domain of regional development
- » The field of culture
- » Domain of health
- » Domain of national economy and competitiveness
- » The field of social inclusion
- » The field of rural development
- » Domain of transport infrastructure
- » The field of sustainable development and climate change.

In this respect, the National Spatial Plan represents the synthesis of the medium and long-term sectoral strategic programs for the entire territory of the country, the main sections being: Transport Network, Waters, Protected Areas, Localities network, Natural, Tourism, Rural Development. Other sections may be approved by law.

5.2.3. What are the means and mechanism for stakeholder involvement in plan making at different territorial levels?

The Czech Republic

Spatial planning occurs at three hierarchical levels:

National

where the output is the Spatial development policy of the CR. It is procured by The Ministry in cooperation with other ministries, other central administrations and regions that can apply their assessments. Spatial development policy is published in a way allowing remote access before being approved and is presented in a public discussion. Municipalities and the public can comment on it. The Ministry will, on the basis of assessments, comments from municipalities and the public, and any assessments by neighboring states, adjust the draft spatial development policy.

Spatial development policy is approved by the government.

Regional

where the output are The Development Principles. The Development Principles are procured by the regional office (at NUTS 3 level). The Development Principles are debated by the Regional Office, the respective authorities, the ministry and the neighboring regions, which can apply assessments to them. They are further debated at public hearing. For a public hearing, the regional authority shall invite the Ministry, the respective authorities, the departments of the military districts concerned, the municipalities in the area concerned and the municipality adjoining that territory and the neighboring regions. If necessary, the regional authority will ensure that the draft of Spatial Development Policy is adjusted in line with the outcome of the discussion.

Local

where the output is the Plan. It is discussed with the respective authorities, the Regional office, the municipality for which the Plan is being procured and the neighboring municipalities. The Plan is discussed at a public deliberation. Objections to the draft of the Plan may be stated only by the owners of the land and buildings affected by the proposed solution, the eligible investor and the public representative. If necessary, the procurer shall provide a draft of the Plan in accordance with the results of the debate.

Hungary

Governmental decree 218/2009. (X. 6.) prescribes the process and mechanism of stakeholder involvement. The decree lists all the public bodies required to provide data and information to elaborate the plan.

Serbia

Ministries, agencies, public enterprises and public institutions at national level of governance are required by the law to provide the Ministry of Construction, Transport and Infrastructure or other appointed body by the law (at provincial or local level of governance), upon request, with the necessary information for the development of the spatial and urban planning activities.

The MCTI may ask the local public administration authorities to develop or modify an urban or spatial planning documentation in order to deepen, detail or apply provisions included in the higher level of spatial plans.

Public insight is obligatory at the beginning and in the draft phase of all the spatial and urban plan elaboration. Public insight is done by e-portal and by public hearing with presentation and discussion, which gives the opportunity to all stakeholders to express their needs and suggestions.

Slovakia

It is primarily the public participation and the planning documentation approval process that form the pillars of democratic decision making in the field of spatial planning. The planning sovereignty of territorial bodies (municipalities and regions) along with the principle of subsidiarity is of special significance. The land-use planning authority that procures and approves the land-use planning documentation is responsible for different forms of direct and indirect public participation during all phases of the documentation procurement. The public, in accordance with the law, is informed, asked for opinion, formulation of the demands, remarks, and appeals. In addition, the processes of planning are “supervised” by parallel processes of strategic environment assessment with even broader space for public involvement.

The representative democracy is dominant in the process of the spatial planning documentation approval. The hierarchy of public interests at different levels of the hierarchy of territorial units is safeguarded by special processes of examination by the state bodies. They assess the unity of the content as well as of the planning process, incl. public participation with the law, norms and plans at higher levels.

Romania

In order to ensure the integrity of urban and spatial planning documentation, the main categories of relevant institutions for the implementation of urban and spatial planning documents are:

- » Ministries and central public authorities under the subordination/authority/coordination of ministries;
- » Associative structures of local public authorities;
- » Institutions of the prefect;
- » County Councils;
- » Local Councils;
- » Regional Development Agencies;
- » Management Authorities;
- » Offices for cross-border cooperation;
- » Academic and Research Environment - Universities;
- » Academic and Research Environment - Research Institute;
- » Non-governmental organizations;
- » State and private companies with activities relevant to the development of the territory (e.g. utilities, waste management, etc.).

Integrating the activities of these organizations from the spatial planning viewpoint requires the establishment of an interinstitutional mechanism of horizontal and vertical cooperation, involving:

- » Assigning the provisions of urban and spatial planning documentation to the governmental level;
- » Taking over the provisions of territorial strategies and plans at the level of programs, sectoral strategies, but also at local level;
- » Assigning clear competencies regarding the implementation of territorial strategies and plans;
- » Integrating the provisions of territorial strategies and plans at the level of the programmes carried out at different administrative levels, which implies: public policies, development strategies and financing programmes must prove the correlation of their provisions with the Spatial Plans and Strategies of Romania; monitoring the implementation by the Ministry of Regional Development and Public Administration; the establishment of an inter-ministerial committee with a role in the correlation of public policy decisions; develop monitoring mechanisms in line with the development targets and objectives set at the level of national strategy and plans; the development of planning methodological guides dedicated to implementing the provisions of the Spatial Development Strategy of Romania and the National Spatial Plan at the level of the lower development plans.

5.3. Realization of the plans, application of strategic management approach, monitoring

5.3.1. Please, describe the efficiency of realization of spatial plans in practice

The Czech Republic

Assessment of the plan and its alterations (§ 55 BA)

The procurer submits a report on the plan application over the past period to the community council of the municipality at the latest within 4 years after the issuance of the plan and after that regularly once per year at least. . Before its submission to the community council of the municipality for approval, the draft of the report needs to be consulted with the respective authorities and the regional office. If the draft of the report contains the instructions for elaborating the draft of the plan alteration and the consulted authority in its assessment applies the requirement for the environmental impact assessment or it does not exclude the material impact on the territory of the location significant within the European standards or the birds area, the procurer supplements the draft of instructions with the requirement for the assessment of the impacts on the area sustainable development.

Measures against delays in the plan procurement (§ 56 BA)

If at processing and debate of the draft specifications, or the plan draft exceeded the period of 1 year from the preceding decision of the community council of the municipality, and the activity of the procurer is being ensured pursuant to § 6 par. 1 letter c) or pursuant to § 6 par. 2, the procurer is obligated without undue delay to submit the proposal of the decision on further procedure of the plan procurement to the community council of the municipality, for which the local plan is being procured, , if the community council of the municipality does not determine a longer period.

Hungary

Unfortunately, there are several problems related to the plan realization, especially related to financing. For example, there was a regulation zone in regional and national land use plans: "Areas for complex landscape rehabilitation" without financial resources, so after a while this zone was deleted from the national plan without the problem being solved.

Land use plans have a strong regulatory effect. However, sometimes the government issues special regulations for certain areas such as the Városliget/Citypark or recently in the new act (the National Land Use Framework Plan) in effect after March 15, 2019 does not contain some of the regulation zones, but the regulations will be launched in a ministerial decree, which weakens these zones.

Spatial planning in Hungary until now couldn't really answer the challenges of the agglomeration process. Regional spatial plans have only been elaborated in the cases of Balaton region and Budapest agglomeration. In 2008, there was an intention to introduce a new regulation zone in the National Spatial Plan: "Areas Under Common Planning Regime". The intention was to elaborate a common structural plan for the regions defined by the Hungarian Statistical Office as agglomerations. Unfortunately, due to strong protests against this initiative this became just an opportunity for the settlements. Naturally, none of the agglomerations ever elaborated such a plan so the zone was deleted from the national spatial plan.

There is a centralized planning system, which does not give enough time for effective consultation and planning process, and there is not enough time left for proper elaboration of plans.

Serbia

In order to ensure the integrity of urban and spatial planning documentation, the main categories of relevant institutions for the implementation of urban and spatial planning documents are:

- » Ministries, agencies, public enterprises and public institutions at national level of governance;
- » Provincial public authorities, agencies, public enterprises and public institutions;
- » Local public authorities, public enterprises and public institutions at local level of governance;
- » Regional Development Agencies;
- » Academic and Research Environment – Universities, Institutes;
- » Private companies with activities relevant to the development of the territory (e.g. utilities, waste management, mining, etc.).

Integrating the activities of these organizations from the spatial planning viewpoint requires the establishment of an interinstitutional mechanism of horizontal and vertical cooperation and coordination, which are missing in practice.

Slovakia

The efficiency differs with different types of the document. The regulatory effects of the land-use plans is high, but the absence of economic instruments limits their implementation efficiency. The strategic development plans are oftentimes only understood as an obligatory exercise to gain access to the public financial resources and they are not real management tools, but are mainly linked to public investment and financial resources and this way are much closer to the implementation reality. Both of two subsystems of spatial planning include obligatory monitoring and reporting.

Romania

The main purpose of using strategic planning for the local government is to articulate decisions and mobilize communities to a clearly defined, operationalized vision through a set of specific measures and priorities. Therefore, sequencing is very important, because the elaboration of plans at a lower level must be correlated with superior hierarchical plans.

In spatial planning, the quality of the documentation to a great extent depends on the quality of the process. Due to the procurement procedures, in which the criterion is almost exclusively “the lowest price”, the quality of the spatial and urban planning documentation has declined progressively. Within the elaboration of the documentation process it is necessary for a permanent dialogue to exist, with the beneficiary and support with systematic information. Also, when receiving the documentation, there should be allocated resources on behalf of the beneficiaries, so as to ensure that high quality documentation will be received. Very often, the developer is in the position to work alone or exclusively with representatives from the urban planning department or service.

Unlike the urban planning documentation, the **County Spatial Plan** does not have a specific methodology to guide the content analysis and the elaboration process. These plans tend to be too complex and complicated and it is not always clear what relevance they have for lower administrative levels. Moreover, there are no clear directions about what a County Spatial Plan should look like and focus on. In order to play a strategic role, spatial planning should be integrated into the process of generating the county vision and strategy, as well as in prioritizing investment and budgeting. The County Spatial Plan requires specialists from many areas related to spatial development, and the length of the elaboration depends very much on the collaboration with the county authorities, especially with the chief architect of the county. Typically, the duration of such a plan is 18-24 months.

In the case of the **General Urban Plan**, the quality and relevance of the data used for the design are essential for the quality and relevance of the resulting urban documents. However, guidelines for the development of General Urban Plan are dated and do not distinguish between different types of settlements. A big, dynamic city will probably require a set of planning tools more diversified than a small village where there is little change.

The elaboration of the General Urban Plan is very much hampered by a need to obtain many expert opinions. Thus, the General Urban Plan can last for 5 years until all the required expert advice is obtained. For this reason, the vast majority of administrative-territorial units have no spatial plans and/or urban plans or have plans that are outside the legal validity term; of those with spatial plans, only few implement these plans effectively; of those who really manage to implement the plans, many are challenged in court as a result of private interests, which question the normative nature of these plans.

Spatial plans are developed by both public and private entities. These entities are contracted following a procurement process and can develop all types of spatial plans mentioned in the law. If initiatives to develop a multi-property area belong to a physical or legal person, a specialized firm will usually contract it that will develop the zonal urban plan by ensuring that the general urban plan is complied with.

Spatial and urban planning documentation shall be signed by qualified specialists. The right of signature is granted by the Romanian Urban Registry, which is established as an autonomous public institution with legal personality, with attributions in the field of spatial and urban planning, financed entirely from own revenues, consisting of the attestation or examination fees for the acquisition the right to sign, registered with the Romanian Urban Registry and exercising the right to sign, from fees related to the other activities performed in the exercise of legal competences, as well as from other legal sources.

Law 350/2001 establishes a regulatory framework and provides some guiding principles, but it cannot be clearly distinguished how spatial planning is operationalized and administered at county and local level - beyond a simple coordinating role. Therefore, Romania Territorial Development Strategy (approved by the Romanian Parliament in 2016) provides a basis for a potential institutional reform and for a more efficient use of spatial planning tools.

The preparation of the documentation for spatial and urban planning is done in digital format, according to the technical guidelines and the European Commission regulations, as set out in Annex No. 7 of the Government Decision No. 579/2015 on the establishment of specific responsibilities of public authorities as well as technical structures for the development of spatial data themes and the approval of the necessary measures for pooling them.

5.3.2. What kind of direct or indirect support system (digital database, institutional support, financial tools, compensation etc.) exists for realization of the plans?

The Czech Republic

The Institute for Spatial Development (“the Institute”)

It is a government department established in 1994 by the Ministry for Regional Development of the Czech Republic. The purpose is to provide a professional background and assistance and exercise certain competences for which the founder is responsible. It mainly operates in the fields of spatial planning, building regulations and regional policy.

Operations of the Institute are (among other things):

- » Addressing conceptual issues of theory and practice in the area of spatial development, urban planning and architecture
- » Cooperation on the fulfilment of tasks arising for the founder within the framework of the Spatial Development Policy of the Czech Republic, including the necessary spatial development materials

- » Providing materials for cooperation in the area of spatial development of the V4+2 countries
- » Providing for activities of the Czech National Contact Point of the ESPON programme (European Spatial Planning Observation Network)

In performance of its activities, the Institute for Spatial Development provides for the following outputs (among other things):

- » Evidence of spatial planning activities in the Czech Republic – activities on the basis of § 11 and § 16 BA, regulating town and country planning and the building code, as amended
- » Spatial Development Policy of the Czech Republic and the necessary spatial planning materials.
- » Architecture and Building Culture Policy of the Czech Republic.
- » Portal of Spatial Planning – an open, continuously updated system of references to relevant information in the field of spatial planning and spatial development, arising from the activities of the Institute and external sources. It serves as a meeting platform for selected institutions, staff of the public administration and local authorities, and the general public.
- » It prepares regular updates for web handbooks, which support and provide the necessary information for the state administration, local authorities, and the professional and lay public: Land Use Limitations, Authorities Involved in the Process of Spatial Planning, Principles and Rules of Spatial Planning, and Average Prices of Transport and Technical Infrastructure.

All outputs of the activities of the Institute for Spatial Development are available on the website - www.uur.cz. Portal of Spatial Planning Established and operated by the Institute. <https://portal.uur.cz/>

Expected benefits:

- » Concentration of the information on spatial planning provided by the state in one place – shortening of the time needed to find the necessary information.
- » Providing the information on spatial planning and territorial development to the broad professional and lay public – implementing citizen's right to direct access to information.
- » Easy accessibility via the internet
- » Easy orientation in a clear and simple structure of the system for searching for relevant information on the websites of institutions or within documents, databases, registers,
- » The information update is secured by the continuous insertion of authorized data.
- » Feedback from multiple entities providing related information.
- » Transparency, credibility, security and order in providing information as a public administration service to citizens in specific conditions of the information society.

There are also local and regional portals of spatial planning, e.g.:

Prague: <http://www.geoportalpraha.cz/en/main#.XHZUMTODPcs>

Olomouc Region: <https://www.kr-olomoucky.cz/portal-uzemniho-planovani-informace-cl-1277.html>

South Moravian Region: [http://mapy.kr-jihomoravsky.cz/\(S\(dymz4rl5fdnliqrspqbtbdap\)\)/Default.aspx?menu=2&mode=TextMeta&side=EN_mapy_uz_plan&text=EN_mapy_uz_plan](http://mapy.kr-jihomoravsky.cz/(S(dymz4rl5fdnliqrspqbtbdap))/Default.aspx?menu=2&mode=TextMeta&side=EN_mapy_uz_plan&text=EN_mapy_uz_plan)

South Bohemian Region: <https://geoportal.kraj-jihocesky.gov.cz/gs/zur-jck/>

Their establishment is not mandatory though.

Regulation of relations within the area (§ 101 to 102 BA)

a) Pre-emption right

The municipality or the administrative region has the pre-emption right related to the land specified by the plan or the regulatory plan for the public works or the public benefit measure., the municipality or the administrative region, which delimited them within the planning documentation, or the state according to jurisdiction to the property pursuant to special regulations, has the pre-emption right. The municipality also has the pre-emption right to the ground determined by the plan or the regulatory plan for the public space

b) Compensation for an alteration within the area

The owner of the ground or structure, whose rights were limited upon the use of the ground or the structure under the planning measure on building ban, is entitled to compensation. For further conditions please see (§ 102 BA).

The compensation is determined as the difference between the price of the ground agreed within the purchase contract and the usual price ascertained by means of the expert opinion elaborated by the sworn expert pursuant to the special regulation of the ground, which is not meant for development, in the case that the owner of the ground was the owner or they acquired it in the period of validity of the plan, regulatory plan or the planning permission as a ground meant for development. The owner is not entitled to compensation, if they came at the mentioned alteration on the basis of their motion.

EU Integrated Regional Operational Programme 2014-2020

Integrated Regional Operational Programme (IROP) follows the seven regional operational programmes (for NUTS 2 regions) and partly the Integrated Operational Programme of the 2007-2013 programming period. The priority of IROP is to enable a balanced territorial development, improvement of the infrastructure, improvement of public services and public administration and ensuring sustainable development in municipalities, cities and regions. Important components of IROP are integrated tools, which represent 28% of the total allocation to IROP which represents almost 24 billion euro for this period.

Hungary

The National Database of Regional Development and Land Use Planning (www.teir.hu) includes economic, social and environmental data to help stakeholders analyse spatial trends, differences, elaborate maps, diagrams etc.

The state provides financial resources for elaboration of spatial plans. The state is developing a digital platform for uploading spatial plans.

The state provides a digital database for spatial plans and is elaborating a digital platform for submission or consultation of the plans (www.e-epites.hu).

A common database and the, information base for spatial planning is at: www.terport.hu.

Serbia

The public financial tools, as well as other public tools (e.g. compensations), do not support directly or indirectly the implementation of planning documents

The preparation of the documentation for spatial and urban planning is done in a digital format, according to law and sub-laws, mainly on Rulebook on the content and manner of keeping and maintaining the central register of planning documents, the information system on the situation in the premises and the local information system and the digital format for submitting planning documents ("Official gazette RS" No. 33/15).

All appointed bodies at national, provincial and municipality level of governance are obliged to upload all adopted spatial and urban plans at National Central Register of Planning Documents (<http://www.crp.gov.rs>), but it has been done improperly until now (less than 30% of planning documents are uploaded). These bodies are also obliged to upload the planning documents at their official web sites.

Inspire Directive is supported by national legislation, but still not implemented into practice.

The National Spatial Data Infrastructure only contains the cadaster information (<https://geosrbija.rs/en>); National Geodetic Agency being in charge). At local level of governance, less than 20% of municipalities have some kind of digital spatial database.

Slovakia

A territorial information system exists, but it is not well-developed. The information is spread among different uncoordinated systems with limited access for respective decision makers and public. There is a lack of capacities for systematic comprehensive planning across all levels, but especially at the local level. The system of compensation is not included in the spatial planning system; it only exists only in the sectorial legal acts, e.g. law on environment protection. The financial means are mainly concentrated at the state level and municipalities have to apply for them with their strategic documents, but without any guaranty of obtaining them. Over the last decades, more than 90% of public investments were covered by the European funds.

Romania

The spatial and urban activities of national and regional interest, which are financed from the state budget through the budget of the Ministry of Regional Development and Public Administration, are:

- » Development of the Territorial Development Strategy of Romania;
- » Elaboration of the National Spatial Plans;
- » Elaboration of Spatial Plans for the regional area;
- » Development of the Urbanism General Regulation;
- » Elaboration of the spatial planning and urban planning documentation for the historical monuments listed in the World Heritage List;
- » Elaboration of the spatial planning and urban planning documentation, hazard/risk maps for the prevention of natural or industrial disasters;
- » Local development support programmes to provide documentation in the fields of spatial planning, urban planning, real estate and integrated development projects.

The Ministry of Regional Development and Public Administration contracts (through the public procurement system) companies or consortia of companies that develop national and regional spatial plans (on different thematic sections). Also, the ministry has attributions in the endorsement of the spatial planning and urban planning documents for the lower territorial levels (counties, county-cities and other rural and urban settlements that function as resorts).

The local public administration authorities have the obligation to provide funds in the annual budgets for the elaboration or updating, as the case may be, of the spatial plans, urban plans, natural risk maps, as well as grounding studies necessary for their elaboration.

The methodology of state budget financing for earthquakes and landslides risk maps is developed by the Ministry of Regional Development and Public Administration and approved by Government Decision.

In order to simplify the administrative procedures and reduce the costs related to the spatial planning and the development of the investments, the submission for approval of the spatial planning or urban documentation can also be done through the eGovernment system implemented through the single electronic contact point (PCU) organized in accordance with Directive 2006/123/EC of the European Parliament and of the Council of December 12, 2006 on services in the internal market through the portal <http://www.edirect.e-governare.ro/>, for the authorities, local public authorities and institutions that are registered in the system and have adequate operational procedures.

Ministries and other central public administration bodies are required to provide the Ministry of Regional Development and Public Administration, upon request, with the necessary information for the development of the spatial and urban planning activities. In the area of urban and county plans, the county councils are supported by the Ministry of Regional Development and Public Administration, as well as by other ministries and central public administration bodies.

The central and local public administration authorities are responsible for organizing, conducting and financing the public participation process in the area of spatial and urban planning.

The National Institute of Statistics is one of the main data providers through:

- » Tempo Online database, time series since 1990;
- » Database of indicators of sustainable development in national and regional profile;
- » Regional statistics (including survey data);
- » Censuses of population and dwellings, etc.

The topographic basis with the existing situation is made available to local authorities free of charge and endorses the cadastre offices and real estate publicity. Within 15 days from the approval of the Local Council/the General Council of Bucharest, a copy of the urban documentation shall be submitted to the National Agency for Cadastre and Real Estate Advertising, in electronic format, for taking over the information in the cadastral registration and real estate advertising system and in the INSPIRE geo-portal, and a copy is transmitted electronically to the Ministry of Regional Development and Public Administration for taking over in the national territorial observatory.

All urban documentation is done in a digital format and analogue format, according to the type of documentation, on a topographic basis made in coordinates in the national reference system Stereo 1970, updated on the basis of orthophotomaps or on the basis of field measurements, while respecting and integrating the boundaries of real estates registered in the cadastral and real estate publicity records made available by the cadastre offices and real estate publicity.

In order to improve the quality of the decision regarding the sustainable spatial development, in coordination of the presidents of the county councils and the mayors of municipalities and towns, or possibly the mayor of Bucharest, the Technical Commission for Territorial Planning and Urbanism is established as an advisory body with analytical attributions, technical expertise and consultancy, which ensures the technical foundation of the architect's opinion. Also, in order to ensure transparency regarding the access to the information of public interest in the field of spatial and urban planning, the local public administration authorities make publicly available the approved documentation by displaying it completely on their own website and providing it for consultation at the headquarters of the administration authority local public or local information points. For urban planning documentation, local public authorities have the obligation to open to the public at least the following: regulatory plan, local urban planning regulation, public consultation report, and chief architect report.

5.3.3. Please, describe the means and mechanism for plan monitoring

The Czech Republic

Assessment of the plan and its alterations (§ 55 BA)

The procurer submits a report on the plan application over the past period to the community council of the municipality at the latest within 4 years after the issuance of the plan and after that regularly once per year at least. . Before its submission to the community council of the municipality for approval, the draft of the report needs to be consulted with the respective authorities and the regional office. If the draft of the report contains the instructions for elaborating the draft of the plan alteration and the consulted authority in its assessment applies the requirement for the environmental impact assessment or it does not exclude the material impact on the territory of the location significant within the European standards or the birds area, the procurer supplements the draft of instructions with the requirement for the assessment of the impacts on the area sustainable development.

Portal of Spatial Planning

Portal of Spatial Planning was included as one of the tasks of the Monitoring of Spatial Planning Action Plan for the implementation of the state information policy for the period until the end of 2005 (approved by the Government Resolution No. 527 of May 31, 2000), the Electronic Public Administration Framework Programme.

The purpose of the spatial planning monitoring, as the permanent task of the Institute, is to ensure:

- » Relevant information or rather source data from spatial planning as a basis for conceptual and operational work and decision-making of public administration and the public,
- » Publishing in a clear form of processed information from the activities of the Institute in accordance with the requirements of Act No. 106/1999 Coll., on Free Access to Information, as amended, and on the basis of the statute of the Institute as an organizational unit of the state drawing financial resources from public funds,
- » Citizens and investors have access to information on the state of planning activities in the Czech Republic according to Decree No. 500/2006 Coll. and Decree No. 458/2012 Coll. as amended.
- » Coordination of the system with the information strategy of the department,
- » Use of project experience to identify problems and propose their solution in the tasks of the Institute.

Hungary

The monitoring of the application of the national and regional plans in the municipality plans are controlled by the state chief architects, and the building permit was licenced by the chief architect of the municipality. However, it was not an effective system before the digitalized maps. The planners have to declare at the end of the planning process that the plan follows the guidelines of higher level plans. There is no appropriate and effective system/mechanism for monitoring the implementation of spatial plans. The minister and county self-government have obligation to monitor the implementation of regional development plans and rural development programmes, but there are no official mechanism for monitoring.

Serbia

The monitoring of the application of the approved Municipality Spatial Plan and urban plans is done through the specialized departments of the municipal councils (the chief architect's institution), as the case may be, as well as by the issued building permits, State Urban Inspectorate, State and Local Inspectorate of Construction.

The monitoring of national spatial planning documentation (National Spatial Plan, Regional Spatial Plans and Spatial Plans for Special Purpose Areas) is done by MCTI, in cooperation with other ministries, agencies, public enterprises and public institutions at national level of governance. The implementation of the National Spatial Plan and Regional Spatial Plans is conducted through the Implementation Programmes for a four-year period, prepared by the MCTI and adopted by the National Government. The Implementation Programmes are followed up by the Implementation Reports for a two-year period, prepared by the MCTI and adopted by the National Government. The Implementation Reports contain the data on the plan implementation and indicators based on spatial data, which indicate the spatial development trends for the territory in focus.

The Implementation Programme and the Implementation Report are also prepared for the Regional Spatial Plan of Vojvodina Province, and adopted by the Assembly of Vojvodina Province.

The monitoring of the application of the approved Spatial Plans for Special Purpose Areas has been done through the issued building permits for special purpose construction, State Urban Inspectorate, State and Local Inspectorate of Construction.

Since the National Spatial Information System, as well as the municipality spatial information systems have not been established, there is no sufficient and transparent mechanism for monitoring the implementation and effects of implementing the spatial and urban plans.

Slovakia

There is an obligation to monitor the development in the territory and check relevance of the land-use plans every 5 years. In case of identified disharmony the proposal for up-date of procurement of new planning documentation should be elaborated. The monitoring of the implementation of the strategic development plans is not obligatory at the local level, but the methodology for their elaboration advises to include the monitoring into the implementation plans. At the regional level, there is an obligation to report to the central government (now represented by the Vice-prime Minister Office) on the regional development and implementation of the programs of social and economic development of self-governmental regions. The report at the national level including the reports from regional level is discussed in the government.

Romania

The monitoring of the application of the approved spatial and urban planning documentation is done through the specialized departments of the county, municipal, town and communal councils (the chief architect's institution), as the case may be, as well as by the State Inspectorate of Construction. In this respect, the specialized departments of the Ministry of Regional Development and Public Administration, the State Inspectorate of Constructions and the chief architects of the counties are permanently collaborating in the implementation of urban and spatial planning documents. The monitoring of the application of the territorial development strategies, policies and programmes, as well as the provisions of the spatial and urban planning documentation, approved according to the law, are made by the central and local public administration authorities, by highlighting the operations performed, as well as a permanent review of the data and the provisions of those documentation. The permanent review of the data and provisions in the documentation on the spatial and urban planning is one of the methods for monitoring the application of the approved documentation and is the responsibility of the specialized departments of the public administration authorities. The review of the documentation aims to systematically mark the way of making proposals, both in electronic form and in the written and drawing parts of the documentation, especially the public utility objectives, the restrictions imposed for the protection against natural risks, as well as the possible changes or details through approved urban plans. In order to correlate the provisions with the dynamics of development, as well as with the needs and aspirations of the community, the specialized structure within the local public administration authorities draws up an interim evaluation report and formulates recommendations for optimization and/or modification of the spatial or urban planning documentation and, as the case may be, the plan of measures for their implementation, which is submitted for approval to the County Council/General Council of Bucharest Municipality/Local Council. The authorities of the local public administration, through their own bodies and with attributions for this purpose, according to the Law, have the obligation to organize and permanently carry out the monitoring and control actions regarding the discipline of spatial and urban planning in the area of administrative-territorial unit.

5.4. Mechanisms for implementation of Strategic Environmental Impact Assessment in spatial planning

The Czech Republic

a, *Is there any obligatory methodology for impact assessment (content, indicators)?*

Methodology is stated and regulated by the Act No.100/2001 Coll., on the Environmental Impact Assessment and amending some related laws (hereinafter also “EIA Act”), as amended.

<https://www.zakonyprolidi.cz/cs/2001-100>

b, *Who carries out the impact assessment?*

The State Administration in the area of environmental impact assessment shall be exercised by

The Ministry of Environment of the CR (§ 21 EIA Act)

- a) Is the central administrative authority in the area of environmental impact assessment;
- b) Exercises supreme state supervision in the area of environmental impact assessment;
- c) Provides for the assessment of projects listed in Column ME in Annex No. 1 to this Act and, in respect of projects where the Ministry of Defence is the developer, also in Column RA and their changes; projects pursuant to § 4 para 1 letter h) and of changes to projects pursuant to § 4 para 1 letter g) if the Ministry issued a statement to such projects;
- d) Provides for the assessment of plans and programmes in those cases where the affected territory extends to the territories of several regions, or if the affected territory constitutes the entire territory of the country;
- e) Provides the European Commission with information in the area of environmental impact assessment in conformity with the legislation of the European Communities;
- f) Provides for the transboundary assessment of projects, plans and programmes;
- g) Provides for the assessment of further projects where the competence belongs to regional authority, if the Ministry has reserved competence in the given individual case;
- h) Keeps summary records of all initiated assessments and records of all issued conclusions of screening and scoping procedures and statements;
- i) Grants and removes the authorizations;
- j) Keeps and, once annually, publishes in its Journal a list of holders of the authorization;”
- k) Issues a statement on the evaluation of the environmental impact of a territorial development policy, a statement on evaluation of the environmental impact of the principles of zoning development and is the affected authority in the process of their preparation;
- l) Publishes in a way allowing a remote access to information about how to seek for an annulment of a decision pursuant to § 7 para 6 or pursuant to § 9a para 3 via a legal action;
- m) Is an affected body in the procedure which aims to determine whether an energy infrastructure project of common interest is mature enough to enter the permit granting process, where competent to the assessment of such project pursuant to letter c) or f) above.
- n) Determines which regional authority is competent to ensure the assessment of the project pursuant to § 22 letter a) proposed in the territory of several regions,

Regional authorities (§ 22 EIA Act)

- a) Provide for the assessment of projects listed in columns RA in Annex No. 1 to this Act and changes thereto, of projects pursuant to § 4 para 1 letters d), e), f) and h) and of changes to projects pursuant to § 4 para 1 letter g) if they issued a statement to such projects;

- b)** Provide for the assessment of plans and programmes in those cases where the affected territory extends exclusively to the jurisdiction of a region unless the competence belongs to the Ministry pursuant to § 21 letter f);
- c)** Keep records of the statements issued by them;
- d)** Issue the statement on the evaluation of environmental impact of a zoning plan and are the affected authorities in the process of their preparation
- e)** Are affected bodies in the procedure which aims to determine whether an energy infrastructure project of common interest is mature enough to enter the permit granting process, where competent to the assessment of such project pursuant to letter a) above.

Public involvement in the SEA process is necessary as well as environmental impact assessments of the individual buildings and takes place within the framework of the actual discussion of the concept. Everyone can participate in the SEA process by sending a written statement or participating in a public debate.

Hungary

In Hungary, the Government Decree No. 2/2005 (I. 11.) on the environmental assessment of certain plans and programmes (hereinafter Government Decree 2/2005 (I.11.))

Government decree 132/2010 (IV.21.) on the announcement of the protocol adopted on May 21, 2003 in Kiev on strategic environmental assessment related to the Convention on environmental impact assessment in a transboundary context done at Espoo (Finland), on February 26, 1991. (hereinafter Government Decree 132/2010 (IV.21.)) form the legal framework of the Strategic Environment Assessment. Compulsory assessment to

- a)** Plans and programmes stipulated by legislation
 - » settlement-structure plans, local construction codes and zoning maps prepared for the whole settlement
 - » the National Development Plan and its operational programmes
 - » national and regional waste management plans
- b)** Strategic environmental assessments also compulsory in the case of plans and programmes not included in the above list but prepared for the purposes of agriculture, forestry, fisheries, energy, industry, freight traffic, transport, waste management, water management, electronic communications, tourism, regional development, which set the framework for future development consent by the authorities for activities or facilities listed in the annex of the act on environmental impact assessments independent of the threshold values and territorial restrictions laid down therein or may have a significant damaging effect on a Natura 2000 area, or on a body of water or registered protected area based on the government decree on rules of catchment area management.
- c)** The need for environmental assessments may be determined on a case-by-case basis for the following plans and programmes:
 - » regulatory plans, or local construction codes prepared for a part of a settlement
 - » other plans and programmes that determine the use of small areas at local level;
 - » a minor amendment to a plan or programme that requires a compulsory strategic environmental assessment;
 - » other plans and programmes that set the framework for future development consent by the authorities for activities or facilities involving environmental uses.

In practice, both approaches are used, and the authority decides on applying the relevant provisions of the regulation on the basis of the plan or programme type.

Serbia

a) Is there any obligatory methodology for the impact assessment (content, indicators)?

According to the Serbian Law on the Strategic Environmental Assessment ("Official gazette No. 135/04 and 88/10), there is no obligatory methodology for impact assessment. The methodology depends on the subject of the SEA, level of the document that needs to be assessed (plans, strategies) and also on the specific principles that need to be incorporated in the evaluation.

The SEA in Serbia is the document that describes, evaluates and assesses the potential significant impact on the environment, which could result from the implementation of plans and programmes. It shall also define measures for reduction of adverse effects on the environment.

The SEA needs to include the following in particular: 1) The bases of the strategic assessment; 2) The general and specific objectives of the strategic assessment and selection of indicators; 3) The evaluation of potential impact with the description of measures planned for reduction of adverse effects on the environment; 4) The guidelines for elaboration of lower level strategic assessments and assessments of environmental impact of projects; 5) The programme of monitoring the environmental status during the execution of plans and programmes (monitoring); 6) The outline of methodology applied and difficulties encountered during the strategic assessment elaboration; 7) The outline of decision making methods, description of reasons vital for the selection of the given plan and programme from the aspect of alternative solutions considered and the outline of methods in which the environmental issues have been included in plans and programmes; 8) The conclusions reached in the process of strategic assessment report elaboration presented in the way understandable for the public; 9) Other data of relevance for the strategic assessment. The competent planning authority shall provide for the participation of authorities and organizations and the public concerned in the procedure of granting the approval for the strategic assessment report in the way set forth by the law.

In 2008, the Republic of Serbia adopted the National Sustainable Development Strategy ("Official Gazette of the Republic of Serbia", No. 57/08) defining the principles and priorities of sustainable development and 76 indicators in order to effectively monitor the progress in Serbia towards sustainable development. These indicators are selected from a set of UN indicators, but not all indicators are monitored in Serbia. Indicators are also defined in the Law on the Spatial Plan of the Republic. Also, the Rulebook on the National List of Environmental Indicators ("Official Gazette of the Republic of Serbia, No. 37/2011) prescribes a list of environmental indicators that have been used within the SEA practice in Serbia.

The indicators within SEA can be selected in accordance with the goals of the SEA, based on the indicators of the Spatial Plan of the Republic of Serbia and the Strategy for Sustainable Development of the Republic of Serbia, which are unified with the "Basic Set of the UN Indicators of Sustainable Development".

This set of indicators is based on the concept of cause-effect-response. The "causes" indicators refer to human activities, processes and relationships that affect the environment, while the "consequence" indicators imply the state of the environment, and the "response" indicators define strategic options and other reactions to change the consequences to the environment.

b) Who carries out the impact assessment?

According to the Article 9. of the Law on SEA ("Official gazette No 135/04 and 88/10), the competent planning authority, in accordance with the previously obtained opinion of the competent environmental protection authority and other authorities and organization concerned, are making the decision on the strategic assessment elaboration.

The competent planning authority also decides on the selection of strategic assessment report developer. The strategic assessment report developer can be a legal or natural person inscribed in the corresponding register as entitled to execute activities related to spatial planning and elaboration of plan documents, or town planning and elaboration of town plans. Legal or natural persons are entitled to establish the multi-disciplinary team composed of persons qualified for analyses of each of the strategic assessment elements that elaborate the strategic assessment report.

The competent planning authority submits the strategic assessment report to the competent environmental protection authority for the purpose of evaluation, along with the report on participation of authorities and organizations and the public concerned.

The competent environmental protection authority is granting the approval or refuses the application for the SEA on the basis of evaluation prescribed by the Law.

Slovakia

a) Who carries out the impact assessment?

Environmental Impact Assessment and Strategic Environmental Assessment in Slovakia

Environmental impact assessment in Slovakia is regulated by the Act No. 24/2006 Coll. on environmental impact assessment and on amendments and supplements to certain acts (hereinafter only “the Act”). It is harmonised with the requirements of the European Union defined in:

- » Directive of the European Parliament and of the Council 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment
- » Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment (codification)
- » Directive 2014/52/EU of the European Parliament and of the Council amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment

The subject of assessment is a **proposed activity or its change** (hereinafter only “activity, or its change”) prior to its location or to its permission under special regulations and the **strategic document** prior to its approval, a so called compulsory assessment.

Screening procedure is another process carried out in line with the Act that determines whether the **proposed activity or its change** and strategic **document** are likely to have significant environmental effects.

Strategic Environmental Assessment (SEA)

Strategy documents subject to compulsory assessment are the documents prepared for the area of agriculture, forestry, fisheries, industry, energy, transport, waste management, water management, telecommunications, tourism, spatial planning or land use, regional development and environment, which set a framework for the approval of some of proposed activities listed in Annex No. 8.

Screening procedure begins with the submission of the notice on a strategic document, and it ends by issuing a final decision in which the competent authority decides, whether the strategic document or its amendment has to be assessed under the law act or not and what should be the focus of the assessment. If the decision is positive, the process moves to the steps of compulsory assessment, which determines the scope of strategic document assessment and timetable.

Information on assessed activities and strategic documents are publicly available at www.enviroportal.sk/eia.

b) Who carries out the impact assessment?

The respective body of planning procuring the planning documentation is responsible for the realisation of the environmental impact assessment. The decision making bodies for the SEA and EIA are the Ministry of Environment and District state departments in the centres of the self-governmental region. The elaboration of the reviews on environmental impact reports can only be prepared only by authorised person. This review is the basis for the final statement issued by the decision making body.

Romania

a) Is there any obligatory methodology for the impact assessment (content, indicators)?

The environmental report for urban and spatial planning documents is based on the requirements of the SEA Directive (European Council Directive 2001/42/EC) on the effects of certain plans and programmes on the environment transposed into the Romanian legislation by the Government Decision No. 1076/2004 on establishing the procedure for carrying out the environmental assessment for plans and programmes. The content of the Environmental Report complies with the provisions of Law No. 292/2018 on the assessment of the impact of certain public and private projects on the environment. The methodology that is used to evaluate the environmental strategy also includes the recommendation in the Manual on the Implementation of the Environmental Assessment for Plans and Programs prepared by The Ministry of Environment and the National Environmental Protection Agency approved by Order 117/2006 and the "Environmental Assessment Guide for Spatial and Urban Planning Plans and Programs" (MESD, 2007). The environmental impact assessment procedure is carried out in stages, as follows:

- » The stage of project classification in the environmental impact assessment procedure;
- » The stage of defining the scope of the assessment and the implementation of the environmental impact report;
- » The quality review stage of the environmental impact report.

The environmental agreement necessarily includes the following:

- » Description of the project;
- » The conclusions of the Environmental Impact Report, including the Appropriate Assessment and Major Accident Prevention Policy or Safety Report, as appropriate;
- » A description of all the features of the project and/or measures envisaged to avoid, prevent or reduce and, if possible, offset significant adverse effects on the environment;
- » Conditions and measures stipulated in the water management opinion;
- » Monitoring measures/conditions, as appropriate: the type of parameters to be monitored and the duration of the monitoring, being proportionate to the nature, location and size of the project and the severity of its effects on the environment;
- » The conclusions of the opinions of the Technical Review Committee, relevant from the viewpoint of environmental protection;
- » Information on public participation;
- » Summary of cross-border consultations, as appropriate.

The main categories of environmental issues studied (including related indicators) are:

- » The air;
- » The water;
- » The ground;
- » Waste management;
- » Climate change;
- » Biodiversity;
- » Health of the population;
- » Cultural heritage;
- » Landscape;

- » Tourism;
- » Ecological education.

b) Who carries out the impact assessment?

The Environmental Impact Assessment procedure is conducted by central or local public environmental authorities with the participation of central or local public authorities, as appropriate, with specific responsibilities in the field of environmental protection.

The elaboration of the Environmental Impact Report is carried out by competent experts certified to the National Register of the Environmental Protection Study Authors, according to the Law No. 292/2018.

ConnectGREEN DTP2-072-2.3

Restoring and managing ecological corridors in mountains as the green infrastructure in the Danube basin

Project partners

Romania: WWF Romania (Lead Partner) · National Institute for Research and Development in Constructions, Urban Planning and Sustainable Spatial Development · Piatra Craiului National Park Administration

Austria: WWF Central and Eastern Europe

Czech Republic: Nature Conservation Agency of the Czech Republic · Silva Tarouca Research Institute for Landscape and Ornamental Gardening

Hungary: CEEweb for Biodiversity · Hungarian University for Agriculture and Life Sciences (formerly Szent Istvan University)

Slovakia: Slovak Environment Agency · The State Nature Conservancy of the Slovak Republic · Slovak University of Technology in Bratislava – SPECTRA Centre of Excellence of EU

Serbia: Institute of Architecture and Urban & Spatial Planning of Serbia · National Park Djerdap

Associated Strategic Partners

Czech Republic: Ministry of the Environment · Ministry of Regional Development of the Czech Republic

Hungary: Bükk National Park Directorate

Romania: Ministry of Environment of Romania

Serbia: Ministry of Environmental Protection of the Republic of Serbia

Slovakia: Ministry of Transport and Construction of the Slovak Republic

Ukraine: Ministry of Ecology and Natural Resource of Ukraine

Austria: Danubeparks – Danube River Network of Protected Areas

France: Alpine Network of Protected Areas – ALPARC

Montenegro: Parks Dinarides – Network of Protected Areas of Dinarides

Pilot Areas

1. Piatra Craiului National Park – Bucegi Nature Park (Romania)
2. Apuseni-SW Carpathians (Romania) / National Park Djerdap (Serbia)
3. Western Carpathians (Czech Republic – Slovakia)
4. Bükk National Park (Hungary) / Cerová vrchovina Protected Landscape Area (Slovakia)

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