

Name of Exercise: Development of the Land Use Plan for the City of Ostrowiec Swietokrzyski

Location: The city of Ostrowiec Swietokrzyski

Participation Exercise under which Article? *Article 7*

Purpose of Participation Exercise:
To define the sustainable development strategy for the city.

Background:

Ostrowiec Swietokrzyski covers a territory of 4,643 ha, has 80,000 inhabitants and 5,000 registered businesses.

The city land use plan cannot be questioned throughout its period of validity. It is not possible to carry out an investment project which does not follow the land use plan. Areas of the plan that have been changed to allow a different use may continue in their previous use until the land is used as designated in the revision.

Participation Techniques Used:

The public was involved in the planning process by being provided an access to the alternatives at the drafting stage. The Land Use Plan was made available in the City Hall throughout 21 days (as required by the Land Use Law of 12th July 1984) for anyone to study. This fact was announced in a notice hung on the notice board of the City Hall and in an announcement published in the local daily (Gazeta Wyborcza No. 107 of 9th May 1991). Everybody could express their opinions and proposals in writing. All the suggestions submitted were handed over to the plan designer for consideration and possible incorporation into the plan.

Who participated?

The general public and organisations were informed. This included specific notification of all the official institutions which had to be informed by law ("proper to be consulted in the process of setting up a city land use plan") and known NGOs.

Stage(s) at which public participated in the process:

Adoption of a resolution by the Municipality Council on initiating the land use plan development process and in drafting the land use plan for the city.

Stages:

1. Announcement that the Ostrowiec Municipality has started the process of developing the land use plan for the Ostrowiec City (published in the Gazeta Wyborcza daily on 4 October 1990 and on the notice board in the City Office). In addition all the local organisations and institutions which should be informed and known NGOs were notified.
2. Proposals were submitted by the public and organisations (89 proposals were submitted, including 70 from other Departments, local institutions, Housing Estate Councils, and 19 from individuals and registered NGOs).
3. The draft plan was finalised.
4. Announcement that the draft plan is available for the public was published in the Gazeta Wyborcza of 9 May 1991 and on the notice board in the City Office.
5. The draft plan was available for review between 16 May – 5 June 1991. During that period a competent municipal official was delegated to provide information and explanations to anyone interested in the plan.
6. Comments were submitted by the public to the draft plan (75 comments / proposals, most of them from individual citizens).

7. The comments were reviewed and written responses were sent to the authors of the comments.
8. The final plan was developed. It was adopted by the City Council on 3 July 1992.
9. The final plan was published in the Official Gazette of the Kielce Province on 7 August 1992.

Comments from other Departments, local institutions and Housing Estate Councils in stage 2 referred mainly to the larger issues (urban green areas, infrastructure, transport, protection of cultural heritage) and had a general character which referring to the affects on the local community as a whole. Comments from individuals and registered NGOs mainly referred to changing the use of land from forest and farming to construction purposes; and from multifamily housing development to detached houses construction. Individual comments usually represented the particular interests of the authors.

On the last day of the consultation stage (5) there was a public discussion on the changes proposed and the local institutions gave their opinions. The opinions and proposals were reviewed in order to make corrections and fill in any gaps in the plan. The proposal to change the use of land from farming and forest to construction projects was submitted to the Head of the Province, to the Ministers of Agriculture and the Environment. The review process of the above at ministerial level took several months.

Comments from other Departments, local institutions and Housing Estate Councils in stage 6 referred mainly to traffic plans, protecting the cultural heritage and nature conservation. The comments from individuals and registered NGOs usually referred to the land use changes.

Altogether the process lasted for 1 year and 10 months (from October 1990 to August 1992). The authority followed the existing regulations only, there was no additional effort to improve the public's participation.

What information was made available?

A draft land use plan was made available in full for anyone interested. It was done free of charge.

What was the outcome of the public participation exercise?

There were 75 proposals for changes to the draft land use plan submitted. The proposals usually referred to changes in the purpose of land from farm and forest to land to be used for building. Among the proposals submitted by individual owners, five were not accepted due to the location of the relevant land (e.g. in the neighbourhood of hazardous industrial facilities, or high voltage power lines, high pressure gas pipelines, or where new roads had been planned). In addition, the necessary protection of forest areas in the city was taken into account. Where proposed changes were not incorporated into the land use plan, the people who suggested the change received written answers with an explanation.

The Land Use Plan for the City of Ostrowiec Swietokrzyski was adopted by the Decree No XLII/246/92 of the City Council in Ostrowiec Swietokrzyski of 3 July 1992. In addition, it was announced in the Official Gazette of the Kielce Province No 11, entry 115, of 7 August 1992.

(The plan is binding until 31 December 1999)

Comments of participants in the process:

The public consultation made it possible to design the optimum land use plan for the city of Ostrowiec Swietokrzyski, taking into account the interests of all interested inhabitants and organisations and the appropriate development of the city.

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REC view on participation exercise:

This case study is interesting because it appears to have elements of both older style and good practice participation processes. The emphasis on participation of certain public organisations (the organisations that "should be" notified) is very like old style participation processes.

A large part of the public participation in this exercise is about securing changes to the plan for private purposes. There were very few public comments on the overall scheme. It is possible that the public participation opportunities were presented in a way which encouraged this limited approach. It may also be that the public were not interested in making general comments and only made specific ones based on their own interests. It is not clear, however, how far the authorities made efforts to facilitate or to encourage public participation.

Significant omissions from requirements of Article 7:

While the basic parameters of Article 7 have been met, it appears that, either due to a lack of sophistication of the public or a failure of the authorities to give proper notification and to encourage and facilitate public participation, the effectiveness of the public participation may have been lacking. This may also be due to the fact that this procedure took place shortly after the 1989 political changes, and shows a mix of old style and new style participation processes.