

INTER-COMMUNAL COOPERATION IN SPATIAL PLANNING IN AUSTRIA. POLITICAL-ADMINISTRATIVE PREREQUISITES SINCE THE 1990IES.

5 KEYWORDS: Austria, region, municipality, cooperation, spatial planning

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ABSTRACT

This paper highlights the role of municipalities in spatial planning in the case of Austria. Today's challenges for the local level do not allow anymore isolated strategies and solely competitiveness oriented relations. New forms of coordinated planning have to be set in action to develop the territories in a more integrative and future oriented way. The forms of inter-communal cooperations are manifold in terms of legislation as well as vertical and horizontal interlinking. Four examples of cooperative initiatives in federal states of Austria - who are holding the legal competence in spatial planning - are comparably presented and discussed.

INTRODUCTION

Authorities and actors involved in organizing and developing public life have to cope with a multitude of arrangements and challenges in order to secure a productive surrounding for society, economy and environment. Growing diversification of lifestyles and consumption, specialisation of economic processes and production, higher mobility and technological innovations are main drivers and require intervention of planning. These challenges are deriving from different spheres of influence but actually always do have implications on the local level. In fact, global trends and challenges are gaining more and more importance - as connectivity and integration is proceeding - also for local policy and planning. New approaches and instruments have to be adopted in the field of spatial planning to provide integrated strategies and solutions for the local level.

This fact especially counts for urban areas, being places of high concentration, interaction and supra-local importance. The informal conference on ministers responsible for urban development in the EU Member States declared in the Leipzig Charter on Sustainable European Cities that "We increasingly need holistic strategies and coordinated action by all persons and institutions involved in the urban development process which reach beyond the boundaries of individual cities." (Leipzig Charter, 2007: 2)

Latest with the wave of liberalisation of public services in the last decades of the 20th century and the resulting dependency on (semi-)private providers, the provision of services of general interest became also a matter of cost efficiency and - if not even profit making - at least cost coverage.

The need for and the benefit of coordination between municipalities on the level of city regions is common sense - at least for certain fields of intervention. The way to enable, organize and apply it depends on the political administrative prerequisites and practical application. This paper therefore will give an insight into the system of spatial planning in the case of Austria and will present various approaches in facilitating and implementing inter-communal cooperation through spatial planning instruments with a special focus on the situation of city regions.

THE SPATIAL PLANNING SYSTEM IN AUSTRIA

By constitution, the Second Republic of Austria (since 1945) is a federation consisting of nine self-governing federal states. The third tier with self-governmental rights are the ca. 2.300 municipalities. While many spatially relevant policies are centralised at the federal ministries - such as agriculture and forestry, economics, high ranked traffic, environmental issues etc. - the federal states have the single competence in matters of spatial planning. This circumstance results in nine different laws on spatial planning, comprising partly different instruments, proceedings and contents. (Schindegger, 1999)

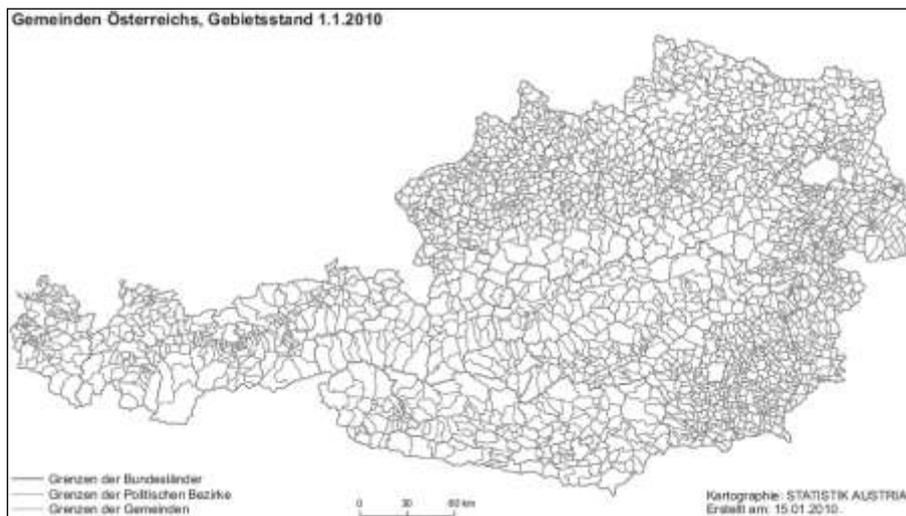


Figure 1: Territorial Division of Austria 2010: federal states, political districts and municipalities (source: Statistik Austria)

COORDINATION ON THE FEDERAL LEVEL - THE AUSTRIAN CONFERENCE ON SPATIAL PLANNING (OEROK)

Even though there is no legislative competence for spatial planning on the federal level of Austria, a platform has been established in terms of better coordination of planning policies. In 1971, the Austrian Conference on Spatial Planning OeROK (Österreichische Raumordnungskonferenz) was constituted.¹ This steady conference is chaired by the chancellor and comprises all ministers, federal governors, the presidents of the Austrian Association of Cities and Towns (Österreichischer Städtebund) and the Austrian Association of Municipalities (Österreichischer Gemeindebund) and furthermore - in a consultative role - representatives from unions and social partners. The highest board of the OeROK is meeting live or is deciding via written procedure in a biannual rhythm. Deputy boards as well as further committees of civil servants are in charge of the operative tasks within the conference. A supporting office with two directors and ca. twelve staff members hosted at the Austrian Federal Chancellery is organizing working groups, meetings and public events and is conducting - resp. coordinating - studies and reports.

The main purposes of the OeROK are to create dialog between the different planning authorities and a common knowledge base for more coherent decisions. Of growing importance is the coordinative function in relation to international and EU issues. In this respect, the OeROK established a committee on EU Regional Policy and is hosting the national contact points for the European Territorial Cooperation (ETC) Programmes CENTRAL EUROPE, SOUTH-EAST EUROPE, ALPINE SPACE, INTERREG 4C, URBACT II and ESPON 2013.

As the example of the Austrian Conference on Spatial Planning shows, cooperation and coordination in spatial planning between different levels and sector policies

¹ <http://www.oerok.gv.at> (accessed at 04 April 2010)

can build on a fairly long history and expertise in Austria. Still, two limiting facts have to be stated. First, the OeROK is a solely informal institution with non-binding results in a legislative point of view and second, most matters discussed and elaborated are related to a greater regional, federal and international scope. The Austrian experience with cooperation among actors for spatial planning on smaller tiers - i.e. within the local level - is comparably lower and younger.

THE ROLE OF THE MUNICIPALITIES - SELF-GOVERNMENTAL BODIES

While the federal states set the frame for spatial planning, the executive and operative power of planning is with the local level. The 2.361 municipalities of Austria² are responsible for developing and proceeding three binding planning documents for their respective area: local development perspectives, zoning plans and for built-up areas detailed plans. The Austrian Constitution gives all municipalities the right of self-government in planning their territory. (Austrian Constitution, Article 118) The federal states act as a controlling body but do not interfere in concrete planning processes. Besides some regional plans of the federal states, which still do not cover the full area of Austria, there are no binding instruments on higher tiers. To sum up, one can state a clear predominance of the local level within the hierarchical system of spatial planning. Taking into account the size of an average Austrian municipality (ca. 35km² and ca. 2.800 inhabitants³) the respective area of influence is often extremely small and administrative borders cut off functional relations.

THE UNDERSTANDING OF SPATIAL PLANNING - RECENT DEVELOPMENTS

During the 1990ies the Austrian Federal States modernized and amended their laws on spatial planning. Primarily the introduction of an obligatory local development perspective had impact on the spatial planning of the local level. A local development perspective shows the intended spatial development of a municipality over the next ca. 10 years. In the regular case it consists of a written part, comprising an analysis of the current state, objectives and actions, and a rough cartographic plan, visualizing the state, perspectives and limitations of green areas, sites for industry or housing etc. Indirectly this necessitates for the municipalities the inclusion of long term planning and therefore stricter steering of spatial developments. This long term and integrated way of planning did have influence on the conception of spatial planning on lower tiers and partly replaced a more technical approach that was in use for conducting zoning plans.

An even more influential factor can be found in the introduction of EU Regional Policy since Austria became a member of the European Union in 1995. The General Principles⁴ like “programming” and “partnership” as well as the cross-border oriented cooperation led to a modified understanding of planning in Austria towards a more integrated and cooperative planning.

Under the heading of “new forms of partnership and territorial governance between rural and urban areas” (Territorial Agenda, 2007: 5), the Territorial Agenda of the European Union points out the inter-dependency of cities and their surrounding area and promotes the elaboration of joint regional and sub-regional development strategies.

This more international and future oriented and integrated planning conception is still facing the legislative frame that especially on the small-regional level fosters competition. Built on the public tax system that is calculating on a municipal basis

² source: Statistik Austria, <http://www.statistik.at> (accessed at 04 April 2010)

³ The figures are excluding the outlier Vienna that is in the same time a federal state and the by far biggest municipality in terms of population.

⁴ http://europa.eu/legislation_summaries/regional_policy/provisions_and_instruments/l60014_en.htm (accessed at 04 April 2010)

offered to conduct (non-binding) small-regional development perspectives for their Planungsregion. This document's content is in accordance with the objectives of the federal state as well as with local planning instruments. In the guidebook for spatial planning in Salzburg, the purpose of Planungsregionen is summarized as follows: "For solving inter-communal problems, for linking the territorial structures and for developing and preserving a regional identity all municipalities should be empowered to participate actively in regional planning." (Mair, 2004: 5.3.3)

To mention an example, the Regionalprogramm for the City of Salzburg and its suburban municipalities comprises binding regulations for settlement and built-up area (priority axes for traffic, priority areas for industry, development boundaries for housing settlements) as well as open space (priority areas for recreation and preservation, agricultural areas). (Mair, 2004: 5.4.2) Local planning instruments must not contradict to those regulations. As a border city, Salzburg is facing a special situation. The core city has strong interlinkages with its surrounding municipalities of the own federal state as well as the neighbouring municipalities in Upper Bavaria/ Germany. Regional actors make use of the regional planning institution "EuRegio" and the regional planning association for Salzburg and its suburban municipalities and jointly develop a "Masterplan for the City-region of Salzburg",⁶ co-financed by the EU Regional Policy programme INTERREG IVa. Across national borders and in an inter-communal integrated way, a spatial development perspective - including sector policies like economy and transport - is being created. After the deadline for public consultation on 31 March 2010, Franz Dollinger, head of the division for spatial research of the Federal State of Salzburg, sees this project on a good way.⁷ Several quite ambitious goals have been formulated or still need discussion. In order to resolve the distribution of local taxes, an official recommendation letter to the Austrian Minister of Finance is in preparation and for a restructuring of the local level in the city region, a merging of smaller municipalities to one larger local authority is on the agenda. During the developing phase of the Masterplan, the involvement of different stakeholders, experts and the civil society is given high priority.⁸

The two mentioned issues, local taxes and a merging of municipalities, are for sure hot potatoes in Austrian politics. At the same time, there lies huge potential in this approach for a better functioning of city regional planning.

STYRIA: NEW TERRITORIAL TIERS - REGIONEXT

The upcoming challenges for territorial development in the Federal State of Styria led to a re-orientation of the whole regional policy concept. "The increasing pressure on public budgets, the rising degree of complexity in planning and development, the connection to supra-national trends on global scale and especially the competition of the regions within Europe and the demographic developments urge for action." (Government of Styria, 2008) RegionEXT stands for this innovative way of development policy in Styria. Governor Franz Voves points out that a redistribution of tasks, duties and decisions had to be initiated, towards decentralisation and subsidiarity.⁹ The concept of RegionEXT therefore takes influence on the multi-level structure of the federal state. The originally strongest tiers - the level of the federal state and the local municipalities - get relatively weaker whereas the seven regions (on basis of the EU nomenclature NUTS III) and the so-called micro-regions (group of municipalities) get empowered to develop strategies and to take decision in elected boards. Behind all thematical objectives there lie the ideas of cost efficiency, creation of synergis and higher competitiveness. Best practise examples¹⁰ show cooperation initiatives basically in

⁶ <http://www.salzburg.gv.at/rp2-masterplan> (accessed at 04 April 2010)

⁷ Official e-mail of the public consultation process "Masterplan für die Kernregion Salzburg" sent after on 01 April 2010 by Franz Dollinger

⁸ a draft version of the Maserplan from January 2010: http://www.salzburg.gv.at/mps-entwurf1_2010-01-21.pdf (accessed at 04 April 2010)

⁹ <http://www.regionext.steiermark.at> (accessed at 04 April 2010)

¹⁰ <http://www.regionext.steiermark.at/cms/ziel/13105015/DE> (accessed at 04 April 2010)

the fields of public administration, technical and social infrastructure, tourism and regional development.

Concerning inter-communal spatial planning, RegioNEXT provides the instrument of development perspectives for micro-regions on a voluntary basis. If the respective municipalities decide to cooperate in the field of spatial planning, they can conduct a common development perspective in replacement to a local one for a single municipality. Those micro-regional development perspectives are co-financed by the EU Regional Policy Objective 2 “Competitiveness” and supported by the Federal State of Styria.

RegioNEXT is a soft policy in that way, that the authorities on lower tiers can decide on their own how intensively they want to involve themselves into the cooperative development instruments. Municipalities are not forced to but somehow invited to realize mutual advantages. For the federal state this all means of course higher flexibility and complexity due to new inter-mediate levels of policies. The question can be raised if it's really beneficial if a federal state like Styria with ca. 1.2 mio. inhabitants is disaggregated into five tiers (federal state, districts and municipalities as the traditional tiers; regions and micro-regions as new inter-mediate tiers).

UPPER AUSTRIA: COOPERATION IN A FIELD OF COMPETITION - INKOBA

Cities and their neighbouring municipalities are in certain cases in a competing situation. This is especially true when it's about the hosting of industrial or commercial companies on their local territory. Business firms bring jobs, pay local taxes and additionally induce a variety of positive external factors and are therefore warmly welcome by actually every municipality. Depending on the type of business, companies have special needs in terms of location and there is no perfect location for a certain company in every random municipality. In many cases, not the fact being located right in “municipality A” is of importance for the company but the overall territorial setting in the region is attracting the company.

Following the expertise of spatial planning, different locations are serving different needs - i.e. that there are favourable locations for housing, recreation, nature protection as well as industry, production and business. The INKOBA initiative (“Interkommunale Betriebsansiedlung” - inter-communal business locations) of the Federal State of Upper Austria is providing solution for competing municipalities to go a cooperative way in terms of hosting companies and sharing financial and non-financial means.¹¹

The INKOBA initiative started in 2005 and is carried out by the federal state owned developer company TMG and with support of the association “Regionalmanagement” and the district's offices of the chamber of commerce as well as the respective municipalities of course. The main aims of INKOBA are to foster and enlarge already existing sites for industry and production and also the provision of new areas and allocation of new firms. Several municipalities together build up one INKOBA initiative on a legally binding basis. A common contract on public or private law - both models are possible - assures a cooperative strategy for developing favourable areas for business in terms of spatial and infrastructural planning as well as management and marketing. Financial costs and profits are shared between the municipalities, disregarding on which territory the industrial site is being developed or where a new firm has settled. Ambros Pree from TMG summarizes the advantage as win-win-situation for the private companies and the municipalities. The firms get high quality infrastructure, financed with public money in an efficient way. Economies of scale and clustering give the whole region higher impact on the wider market. Seen under the light of sustainability, the region and its inhabitants profit from allocating industries on the most suitable site instead of the creation of several small scale areas that are sometimes even difficult and expensive to develop.

As convincing this initiative may sound, the overall success is still limited in certain parts of Upper Austria. One can notice that especially the more competitive central

¹¹ <http://www.inkoba.at> (accessed at 04 April 2010)

region of the federal state within the city triangle Linz, Wels and Steyr is not making too much use of INKOBA. On the contrary, it is rather the remote and rural regions that see advantages in being part of this initiative. In many cases, district capital cities like Freistadt start up an INKOBA together with its neighbouring municipalities. One could draw the conclusion that a cooperative approach is chosen when a municipality on its own is not competitive enough. Nonetheless, seen from a regional perspective it strengthens the policentric structure and territorial cohesion of the federal state when nodes of development are being created in less favoured regions.



Figure 3: INKOBA Initiatives located in the Federal State of Upper Austria 2010 (source: TMG)

VIENNA/ LOWER AUSTRIA: CITY REGIONAL MANAGEMENT - SUM

The most prominent case in Austria, where inter-communal cooperation of a core city with its regional surrounding is facing obstacles, is for sure the City/ Federal State of Vienna and the neighbouring municipalities of the Federal State of Lower Austria. The capital of Austria has a population of ca. 1.7 mio. inhabitants and represents the centre in terms of politics, economy, culture and society. As an own federal state, the municipality of Vienna has more self-governmental rights than the rest of the Austrian municipalities. The ongoing suburban developments and commuter relations create the need for coordinated planning. (Austrian Conference on Spatial Planning, 2009)

Since the 1970ies, the three federal states in the east of Austria - Vienna, Lower Austria and Burgenland - are cooperating via the Planungsgemeinschaft Ost PGO (planning association east). For small-regional affairs of the city region of Vienna, a new platform was founded in 2006: Stadt-Umland-Management SUM (City-regional-management).¹² Officially the SUM is a registered association with a political steering committee being in charge. Two managers run the SUM-north and the SUM-south office.

¹² <http://www.stadt-umland.at> (accessed at 04 April 2010)

The SUM is a truly soft development instrument, focussing on improving the dialog and information transfer between the stakeholders in the city region by organizing events and supporting decision makers. Thematically, in the first instance issues of spatial and traffic planning, settlement development, agricultural use and nature protection are on the agenda.

Even the direct impact of this cooperative institution might be limited, still it helps improving the rather passive and restrictive cooperation in the city region, where traditionally ambivalent political opinions - Vienna dominated by the social-democratic party, Lower Austria by the conservative party - and self-perceptions meet each other. Besides several cooperation areas on higher tiers (CENTROPE, Vienna-Bratislava-Region, PGO,...) the SUM is an instrument trying to resolve issues also on a small-regional scale, connecting the municipalities with each other on a fair and balanced state with equal rights.

DISCUSSION

The above mentioned examples of inter-communal forms of cooperation within the Austrian spatial planning system give an idea about the high variety of approaches. The probably most straight way to implement inter-communal cooperation by fully merging several municipalities in political and administrative terms is actually not existing in the concrete discourse in Austria. At least, in the development process of the Masterplan Salzburg there can be found thoughts about it.

In the majority of cases, a mix of hard and soft forms of government and governance is applied. In these hybrid cases, a distinction of roles of actors has to be made. There may be a huge influence from top-down, how the cooperation shall be organized or which issues have to be on the agenda. The relation on horizontal level between municipalities might be uneasy as well if there is a predominance of single cities/ municipalities. The huge heterogeneity - or even uniqueness - of city regions do not really allow a one-fits-all-strategy. A quite pragmatic but also promising way for fostering inter-communal cooperation is to provide a guiding frame from top-down that still leaves enough freedom to the lower tiers to arrange themselves in the most appropriate manner and to chose the fields of cooperation. What concerns spatial planning, the legislative prerequisites could be set rather easily as the higher level of the federal state is having the role of just setting a frame for the operative planning on the local level.

A remaining crucial point is the dichotomy of cooperation and competition and the most difficult step is to make a cooperative approach to a betterment of every municipality's competitiveness. Overcoming the strict local based tax system could diminish reasons for competing each other for hosting business and population on the local level or - formulated the other way - create a prosperous basis for cooperation. The INKOBA initiative shows an interesting approach of redistributing local business taxes. It could be worth a try to enlarge the model to residential areas.

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