The Development of Implementation Tools in Planning Laws in Turkey and Some Proposals[1]

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Abstract

Urban planning in the modern sense, have a history of more than one and a half centuries in Turkey. Throughout this period various articles related to the institutional structure, rights and obligations of local governments, planning procedures and relations between the central and local governments were remodeled depending on the socio-economic and political atmosphere. Nevertheless, plan implementation tools provided to local governments in realization of local development plans have been strictly restricted. Three planning tools which were in effect from the earliest regulation on planning up today are: Expropriation; land allotment and unification; land readjustment. The complex structure of present day urbanism exposes the insufficiency of such tools for planning of cities. New enforcement tools are to be developed to tackle with the problems of regeneration, creation of new settlements, elimination of risk factors in built up areas, etc. The paper will focus on various plan implementation tools which should be included into the new Draft Law on Planning in Turkey. Presentation of a port folio of implementation tools practiced in different countries, in addition to new proposals, will help create a beneficial discussion among urban planners.

Key Words: Plan Implementation Tools; Urban Planning; Development Plans; Local Governments; Turkish Planning System.

Introduction

The identification of goals and objectives and bringing them to reality through plan implementation tools constitute the two basic phases in every planning process. Therefore, in preparation of a development law, it will be impossible to reach the set targets – such as, to develop a participatory and a transparent planning process; a functional organization and management model; high level of efficiency and cooperation among agencies etc. - unless the measures are supported by plan implementation tools portfolio which are comprehensive enough. Therefore, in order to reach the comprehensive goals set in the objective article of the recent draft law on urban planning in Turkey, which states that,

> This Law aims at achieving compliance with principles of scientific, technical, artistic, health, safety and aesthetic guidelines and local conditions in the fields of

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land use, settlement and construction in urban and rural areas; protection, conservation and improvement of natural, historical and cultural environment and ecological systems; ensuring social justice; attending to social and public interest; minimization of regional disparities, achievement of sustainable social and economic development; ensuring the participation of inhabitants in decision making processes respecting their fundamental rights and creation of harmony among sectors; taking principles minimizing disaster hazards and raising the living standards as a basis in practices; ensuring planned urban transformation; and transparent and efficient supervision of all the said processes,

it is compulsory to provide the local governments with a wide range of planning tools in order to enable them to reach these goals.

The first chapter of the paper presents a short history of planning tools used in the Turkish planning system and the problems faced in practice. The second chapter is devoted to the plan implementation tools proposed for the draft law on planning. In the last chapter, a short general assessment will be made.

1. Plan Implementation Tools Hitherto Used in Turkish Planning System

What is implied by "plan implementation tool" is the entire legal choices that local governments can employ for the purpose of conforming urban land for the use indicated in development plans. In general, an implementation tool can be anything that is done to achieve a goal of a plan. Implementation tools can be divided into two different categories as "regulatory" and "non- regulatory" ones.

Regulatory tools include such actions as adopting zoning bylaws, subdivision regulations, impact fees, curb cut permits, health ordinances, noise ordinances and junkyard ordinances. Non-regulatory tools, on the other hand, can include public facility projects (fixing a bad intersection), purchase of development rights to conserve land, or adopting a capital budget to direct local funding and plan ahead for public improvements" (www.vpic.info/communityplanning/)

This paper will focus on regulatory tools. It can be said that three types of plan implementation tools are exerted in Turkey throughout her planning experience (Köktürk, 1997; Gürler, 1995). These are; 1. Expropriation, 2. Allotment and Unification and 3. Land Readjustments. We shall begin with a short assessment of these tools before discussing new proposals.[2]

1.1. Expropriation

The seizure of movable and land property belonging to private persons by public corporations and bodies to be used for public purposes without the consent of the owner

[2] Regarding the tools mentioned in this section, See Ersoy (2000).

in accordance with the decisions made by authorized bodies and with the cost prepaid is called expropriation (Gürler, 1995:8; Demiroğlu, 1953:2).

During the Ottoman Period until the Administrative Reforms of 1839 no legal readjustment regarding expropriation or eminent domain is observed. In this period Islamic law was in force and expropriation through purchase of the land from the owner was very rare and that most of the public services were provided through charitable foundations (Demiroğlu, 1953). The concept of expropriation is first appeared in a legal document on Building Regulations (Ebniye Nizamnamesi) dated 1848. In the said paragraph of this regulation, which is drawn up only for the purpose of readjustment of the city sites demolished by fires and opening of roads in Istanbul, the following statements are made regarding expropriation; "...in case that the government intends to purchase a land, the owner shall be obliged to sell it or to demolish the harmful structure desired to be eliminated" (Osman Nuri Ergin, Mecelle i Umuru Belediye, cited in, Demiroğlu, 1953: ıx). The conditions, methods and authorities of and payments for expropriation are mentioned in different legal texts issued after this date. By Item 21 of the first constitution adopted in 1876, it was stipulated that expropriation could only be made on condition that it is for public interest and in return of cash payment. "Decree on Expropriation In the Name of Public Interest" passed in 1879 is the first comprehensive law on expropriation and it has also been used in the Republican Era for a long time until it is replaced by "Municipal Expropriation Law" in 1939 and "Expropriation Law" in 1956.

The disadvantages of expropriation as a plan implementation tool were summarized by Köktürk (1997:15) as follows:

"1. Expropriation is a procedure that violates land ownership right. Therefore, as expropriation prevents the property holders to have another real estate in the same neighborhood, it results in deprivation from property for them.
2. The planning law suggests expropriation as the only method for acquisition of real estates that are included in the development programs and located in public service areas in the plan. It is a mistake to understand expropriation as a popular method in implementation of development plans as it is not frequently employed due to financial deficiencies of municipalities.
3. As expropriation is only used for acquisition of public service areas, it does not aim at developing regular parcels suitable for construction and development within the development blocks.
4. Expropriation is a method that is time-consuming, expensive and difficult for public sector and causes inequalities among individuals".

In Turkish case, the criticism on "inequality" mentioned in the last item is presently tried to be solved –although partially- through Public Facilities Participation Share (PFPS) practice for areas within the boundaries of development plans where land reserved for "public facilities" -such as hospitals, day nurseries, recreational areas, municipal service or other facilities- which cannot be obtained through expropriation and Land Readjustment practice. In PFPS practice, the owner of the piece of land on which the

public facility will be located is entitled to a land on nearby area while he and all the other land owners in the nearby area become shareholders of that specific piece of land in the predetermined same ratio according to the size of their cadastral lands. Since all the land owners in the readjustment area have participation shares in the related public service facility area at the rate of their shares and paid a certain amount during expropriation, social justice is achieved to a greater extent.

1.2. Land Allotment and Unification

Items 15 and 16 of the current Development Law (numbered 3194) allow the creation of development parcels upon the request of land owners through allotment and unification. Yet, there might be some disadvantages of practices carried out using this tool. Accordingly, in allotment and unification procedures made on parcel basis,

"1. Integrity of planning process is ruined, rendering social and technical infrastructure services get harder and result in an increase in service costs.
2. Changes in sizes of public service areas within cadastral parcels result in inequalities among land owners in terms of development rights.
3. Priority being given to practices in cadastre parcels where the share left for public use is minimal, results in a belief in society that plan serves as a tool making certain land owners wealthy.
4. In locations where parcel based practices are made, failure to expropriate the pieces of land which are located in public service areas, cause these locations remain vacant for a long time and increase environmental problems and urban pollution.
5. Parcel based practices may lead to creation of several residual areas not suitable for development or construction, results in inefficient urban land use (Köktürk 1997:15).

In summary, development practice using allotment and unification methods create several planning problems. The Municipal Councils should reject the requests of land owners to this end. Although some municipalities prefer allotment-unification method instead of readjustment due to its simplicity, this method has some serious disadvantages as listed above.

1.3. Land Readjustment

Readjustment of urban land comprises all activities performed to transform the cadastral status of rural land to urban lots suitable for buildings or other types of land uses as envisaged by the plan (Gürler,1983:251). During this transaction, a certain part of land assets are transferred to public in order to be used in public service areas without being paid any fee under the name of PSR (participation share of readjustment).

This method which has been used for a long time in countries such as Germany and Japan has also a long history in Turkey as well. The first comprehensive regulation on urban development in Ottoman Empire is the Building Regulation Code (Ebniye Nizamnamesi) dated 1848. In this regulation, it was stipulated that the land required for roads to be enlarged will be provided from lands on both sides of the road in equal rates with no

payment (Tekeli, 1980:38). By expansion in road widths in later times, the amount to be taken free of charge began to be restricted (1/4 at maximum)" (Kıral, 1980:13). The same regulation also includes items that give the Government the power to allot and unify lands. The free of charge transfer practice that forms the basis of readjustment procedure began to be applicable in the entire empire by the Regulation on Roads and Buildings (Turuk ve Ebniye Nizamnamesi) dated 1864. The Building Law (Ebniye Kanunu) dated 1882 that is the first development law of Ottoman era provides a quite comprehensive framework. This law stipulates that in case of arbitrary allotments on *mahalle* (neighborhood) basis, lands shall be transferred free of charge for police station and school buildings; in case of road expansions a maximum 25% of lands of land owners shall be relinquished to public. In summary, "the Ebniye law that institutionalizes road direction plan understanding officially brings allotment and free of charge transfer into the development law and development practices and establishes the historical origin of [Item 18] of the applicable law" (Kıral, 1980:22). Although in development laws enacted in republican era dated 1930, 1957 and 1985 the free of charge transfer practice is at different rates, it is the most important plan implementation tool that has always been used –except for the short interruption between 1963 and 1972.

Procedures and transactions performed in the framework of readjustment practice can be summarized as follows:

a) Within the borders of the planning area all the lands under private and public ownership are unified (unification procedure),
b) The urban land remaining after deduction of areas reserved for public services is subdivided into lots according to the provisions of the plan (Creation of Development Parcels),
c) The newly created development parcels -in the same area or in suitable places in the vicinity- are distributed to their former owners on share basis and registered to their names in the land office (Distribution and Registration).

Readjustment method eliminates the disadvantages of expropriation and arbitrary allotment and unification tools to a great extent. Major advantages of land readjustment are:

“a) The method is in line with social justice principles. As it makes equal deductions (40 percent of the cadastral land) from every landowner, the benefits and losses of the plan are distributed among the owners at the rate of their property size,
b) The method is economical. By readjustment, the municipalities can obtain great portion of the urban land needed for public services such as roads, squares, parks, parking lots, religious facilities, police stations and primary and secondary schools without making any payment. As the practice covers large areas, construction of infrastructural facilities is made possible and cost less.
c) The method is highly beneficial in technical terms. Above all, it is possible to implement the plan as a whole without violating its principles. In practice, since the smallest unit is one development plan lot, residual areas and cases against provisions of the regulation are eliminated.

d) Many lots are developed using the readjustment method. Thus, the balance of supply-demand is established in the land market and thus land speculations can be avoided to a certain extent" (Gürler,1995:9. cited in, Ersoy, 2000).

Yet, there are some criticisms regarding readjustment practice applied in Turkey. The first is that the readjustment practice is not based on the value. In other words, although the same rate of PSR is taken from the land owners, there are big differences in terms of development rights granted to allocated lands and this is in violation of the social justice principle.

We also would like to address the question of sufficiency of the total amount of land received as participation share of readjustment from the land owners for "public services" as stipulated by the applicable law. When the minimum values for social facility areas that should be complied with according to regulations in force are taken as a basis in the calculations, with PSR received at a rate of 40 %, only a settlement with a floor area ratio of 1.25 or population density of 235 persons/ha (or net 503 p/ha) can be planned. If these rates are exceeded, 40% of total land reserved for "public services" will be insufficient.[3] "The floor area ratio used in a typical development plan in Turkey is around 1.90 which corresponds to net density of 790 p/ha. In this density, the land needed for public uses raises to 67% of the total urban land" (Sevinç, 1991:41, cited in Ersoy, 2000). In summary, even the minimum amount of land required for public services required by the regulation in force is higher than 40%. The difference between the two ratios, if not already owned by public, is to be taken through expropriation or the most undesirable option by planning social facility areas at a rate even lower than the minimum values given in regulations.

As a general provision, the law does not allow readjustment areas smaller than one development plan lot. Keeping the readjustment areas as large as possible is for the good of both the agency performing the readjustment and owners of the land. The Administration generally will not have to expropriate lands for public service areas more than 40% and the owners will pay lower participation share of readjustment for public facilities they will make use of. Yet the lower limit of readjustment which is one housing lot causes serious inequalities in practice. The size of the readjustment areas may vary which results in PSR rates changing from 15 to 40 % within the same development plan. According to the law as PSR is not collected for the second time for the same land, mutual and balanced contribution of all parcel owners in this scope to the service areas they will use is prevented and social justice principle is ruined.

In summary, both expropriation and readjustment of land practice have been two basic planning tools applied in Turkey since 1848 and as indicated above, both tools have many serious disadvantages.

2. Proposed Plan Implementation Tools for a Draft Development Law

[3] These are the values obtained by changing values given in calculation (Sevinç,1991, cited in Ersoy, 2000) according to a PSR ratio 40 %.

In these days a new draft planning law is made public for discussion by the Ministry of Public Works and Settlement.

In this part of the paper, a new set of plan implementation tools will be presented taking into consideration the proposals developed in the study conducted by METU for Ministry of Public Works and Settlement and Mass Housing Administration in 1999 (METU Earthquake Research Centre, 1999) in which a very wide range of planning tools have been given to local governments in order to realize the development plans.

In the new planning law, not only the scope and contents of existing plan implementation tools summarized above is expanded, but also some former planning tools included in abolished development and municipal expropriation laws yet abandoned in later arrangements will be included. The new law should also include new planning tools that have never been used in our urban planning history in addition to all these.

Objectives Desired to be reached with the Proposed Plan Implementation Tools

I am in the opinion that the plan implementation tools which will be presented in the paper will significantly help local governments reach the objectives summarized below:

1. Preserve, sustain and improve natural, historical and cultural environment and ecologic systems,
2. Develop built environments with minimized risks against all hazards, especially natural disasters,
3. Ensure social justice among land owners,
4. Maintain the rights of those who do not have urban land in the city,
5. Create new urban values and/or increase the values of existing ones through establishment of private or public project partnerships,
6. Enable the public sector get an increased share from the property values as a result of public investments,
7. Develop renovation and transformation areas in the existing settlements and renew the existing pattern of the city and thus enable use of existing stock or infrastructure for longer periods and prevent devaluation of fixed capital,
8. Enable free of charge transfer of public service areas and conservation zones to public, eliminate ongoing pressure for the issuing of building permits in these zones.

The below rights are proposed in order to reach the above listed objectives which will be followed by the urban land uses in which these authorities, in other words, plan implementation tools will be practiced.

2.1. Rights to be given to Relevant Agencies

Under this heading, first I would like to begin with the proposed extensions to the already existing plan implementation tools of expropriation and land readjustment practice.

2.1.1.The power of Eminent Domain

The Turkish Constitution requires that just compensation be paid when the power of eminent domain is used, and requires that "public use" of the property be demonstrated.

The power of eminent domain should be used according to the provisions of the related law. However, by the mutual consent of private and public sides the practices such as transfer of property rights to public, barter of real estates or transfer of development rights should also be exercised.

Two articles of the rescinded Municipal Expropriation Law dated 1939 is to be revitalized. According to the second article of the law; municipalities were entitled to expropriate the adjacent lands up to 40 meters depth of the newly opened roads of 15 meters and more width. Municipalities should be able to prepare urban design projects for those areas facing the major roads and entitled to put up the flats for public auction, on condition that priority to be given to the former owners. Thus, the area facing the major traffic axes of a city would be designed in an integrated manner with high aesthetic value.

The other article to be revitalized is related to the right of partial expropriation of a building or parcel. According to the third article of the rescinded law, it was possible for municipalities to expropriate the certain sections, height, depth and storey of a real estate rather than the whole. This right will help municipalities to economize on expropriation payments.

2.1.2. Land Readjustment Right

Various deficiencies of the current article on readjustment practice is to be removed.
Firstly, PSR ratio should be increased at least to 45 percent of the cadastral land. The list of public services for which PSR is allocated is to be enlarged including areas needed for electric transformers, natural gas transformation stations, infrastructure service areas, fire stations, multi storey car parks, and covered bazaars.

Furthermore, PSR should be taken more than once as the market value of the real estates increases thanks to the new public investments such as construction of a new underground line. Municipalities should be entitled to increase the PSR ratio in special areas such as high density areas, natural hazard risk areas, conservation areas etc.

PSR should be calculated for the whole planning area resulting in a single ratio. It will put an end to complaints regarding the injustices among land owners arising from the application of different ratios in different sections of the city.

In addition to above mentioned so-called “classical” plan implementation tools, a list of new tools should be given to local governments. Following are new proposals.

2.1.3. Right of Zoning

Zoning is a system of land use regulation designating the permitted uses of land based on mapped zones, which separate one part of the community from another. Theoretically, its primary purpose is to segregate uses that are thought to be incompatible. In practice, zoning is used as a permitting system to prevent new development from harming existing residents or businesses.

Local governments should be given the regulatory power of zoning with the aim of creating integrity of regime in certain sections of the urban land in relation to organization, use, management and rent control. Thus, local governments will be able to designate special areas to implement the new implementation tools proposed in the paper.

2.1.4. Transfer of Development Rights

The transfer of development rights is not a new concept. TDRs have been used in USA mainly for the preservation or protection of open space, natural resources, farmland, and urban areas of historical importance.

The Transfer of Development Rights provides communities with a potentially powerful tool for redirecting growth from one area of a community to another.

At its heart, the Transfer of Development Rights is a planning technique for controlling development density. Under a TDR program, a community or regulatory agency regulates site densities by allowing higher densities on some parcels in exchange for lower densities on other parcels. Use of a TDR requires establishing both "sending" and "receiving" areas.

The first step in developing a TDR program is to designate specific areas in the planning area as preservation zone or the “sending area”,

The second step is to identify “receiving” areas where the zoning regulations might allow more intense development or growth than is acceptable. Once the preservation and transfer districts have been identified, the community allocates "development rights" to property owners within the preservation district. The number of property rights distributed to each land owner should reflect either the number of house lots they could build on their property or, in some other fashion, the relative value of their property as compared with all other properties in the preservation district.

This tool is to be introduced into the Turkish legal system. (Balamir, 1993). Through TDR it will be possible to identify the areas such as recreation areas, historical and natural protection areas, natural parks, sea shores, etc. as preservation district. Development rights given to the land owners in these districts will be transferred to receiving areas, so that local governments will be able to implement plans with no high compensation payments. The social justice among land owners in a planning area could be realized through TDR while the whole community gains from the preservation of special areas within the city boundaries (Ersoy, 2001).

2.1.5. Mitigation of Urban Risks and Hazards

Municipalities should be responsible and authorized in minimizing disaster hazards and increasing safe living standards. In this respect municipalities must be responsible to

prepare disaster hazard maps and micro- zoning maps for their settlements. These digital maps should include all the updated data related to earthquakes, landslide, rock fall, avalanche, flood, tsunami, fire and geologic, geotechnical, geophysical, seismologic, hydrogeologic, hydrometeorologic, geomorphologic, lithologic and structural features of the urban land.

In order to minimize the disaster hazards, municipalities should be responsible to prepare mitigation plans as well. Mitigation plans should include mitigation policies on at least 7 risk sectors related to urban macro form; urban land use; hazardous uses; special risk areas and protected areas; infrastructural systems; urban pattern and building stock risk analysis and retrofitting methods; open space insufficiency; emergency response facilities, etc. Municipal management and enforcement capacities against earthquake hazard must also be improved.

2.1.6. Right to Restrict the Property Rights

Local governments should be entitled to apply permanent or contemporary constraints on the real estates in relation to construction rights, organization, use, real estate tax and rent topics. By doing so local governments must abide by the general principles of public health, preservation of environmental, natural and cultural values, reduce risks and disaster hazards.

Under this authority, within the borders of planning, municipalities may force owners of lands or collapsed or derelict buildings to develop them if physical and social infrastructures are already provided in the area. Thus, speculative expectation of real estate owners will be prevented and the aesthetic and environmental values will be preserved while more efficient use of resources in relation with existing infrastructure is provided.

2.1.7. Priority Rights in Purchase and Repurchase

This authority gives local governments priority in purchasing the real estates in sale at market value to fulfill the designated public interest, on condition that during the repurchase of the same real estate the former owner will hold the priority right in buying. Besides others, this right will also present a remedy to the tax evasions by declaring lower sale values.

2.1.8. Participation Rights to Private Real Estate Organizations

Local governments should be entitled to participate as legal share holders into the cooperatives, real estate investment partnerships, and similar real estate organizations formed by private developers or legal persons.

2.1.9. Participation to the Cost of Urban Public Service Investments

Real estate owners should participate to the costs of the physical infrastructure investments to be performed by the local governments, in cases where they become the direct beneficiaries of the investment. However, an upper limit should be set for the percentage of the total cost of investment to be financed in this way.

2.1.10. Rent Control

For social purposes municipalities should be given the power of regulating and controlling the rents in certain sections of the urban area, or within the boundaries of a project area for pre- determined periods. Local governments should also be encouraged to built social houses for the low income residents to rent.

2.1.11. Exemptions from Real Estate Tax

Local governments should be entitled, for a designated period, to lower the real estate taxes in certain sections of the city for social and regulatory purposes in order to ensure the principles of social justice and public interest.

2.2. Planning Areas Where the Implementation Tools will be practiced

In the following section the planning areas where the above mentioned implementation tools are to be practiced will be explained.

2.2.1. Private Project Implementation Areas

Upon the application of at least 2/3 of the land owners an urban area should be declared as a "private project area" by the municipalities provided that the area is not smaller than a certain size. Such project areas are expected to be declared in the already built-up sections of cities mostly with the aim of renewal. This practice is to be encouraged and supported by local governments by increasing development rights in such areas to the maximum level that the existing physical and social infrastructure can support. Such measures can tempt the landowners into forming private project areas which is to the benefit of the local governments as well, since the obsolete fabric of the city can be renewed through such means without creating an additional financial burden to the local governments.

2.2.2. Public Project Implementation Areas

A similar procedure should also apply to the public corporate bodies or institutions, including local governments, in cases where the public ownership of land makes at least 50 percent of the project area on the condition that at least 2/3 of the development cost is to be financed by the related public body.

Greater Municipalities should be empowered to create new settlements nearby metropolitan cities covering at least 20 hectares of land. Decisions related to location, land expropriation, preparations of the project, finance and organization of the new settlements is to be taken by the local governments. However, in order to realize such huge projects, an independent body is to be established responsible for the administration, organization, management and finance of the project.

2.2.3. Urban Regeneration Areas

The popular implementation tool of urban renewal or regeneration often implies the use of eminent domain law to enforce reclaiming private property for civic projects. It is envisioned as a way to redevelop and revitalize residential slums and blighted commercial areas. Unsuccessful examples of the 20th century, however is to be avoided and urban regeneration projects should not be used as a means of relocation or removal of the residents. In other words, urban regeneration projects should be used as means of improvement, renovation and investment rather than of destruction.

To practice these tools municipalities should delineate the regeneration areas by giving priority to high risk areas. Projects to be prepared for regeneration areas should include all means including clearance, improvement, renovation or protection of the physical fabric together with social policies to improve the social and economic structure within the regeneration area by adopting a participatory process.

2.2.4. Natural Hazard Risk Areas

Populated or not natural hazard risk areas within the city are to be delineated on the city plans. Micro-zoning maps and the mitigation plans are to be prepared by the municipalities and the related implementation tools outlined above should be exercised to reduce the natural hazard risks. The inhabitants living in such areas are to be provided safe living standards.

2.2.5. TDR Sending and Receiving Areas

As explained above, to practice the implementation tool of TDR municipalities should designate receiving and sending areas within the planning area. These areas are to be delineated in development plans as well.

3. Conclusion

In this paper, an attempt has been made to develop a port folio of plan implementation tools. As pointed out at the beginning, realization of the visions and goals of the community is possible as long as the necessary planning tools to implement them are available to local governments. Therefore, legal amendments are to be made to furnish

municipalities with a wide spectrum of implementation tools to develop ways to find out solutions to the wide variety of urban problems. Although, each country adopted various plan implementation tools to tackle with their most frequently encountered urban problems, new ones emerge and usually they are caught unprepared. In this respect, the exchange of experiences among countries and local governments is crucial. It may help them to create a new urban landscape, ensuring social justice, lessening the speculative land rents, achieving sustainable social and economic development and relieving the city budgets.

Certainly, existence of such a wide port folio of implementation tool under the control of municipalities will be objected by certain segments of the population, especially by the big land owners. Their speculative gains can be curbed and they will be forced to share a part of this gain with municipalities. This may result in some tensions at the level of urban politics. Therefore, the existing power structure in the country may be decisive in the adoption of some of the tools.

Last, but not the least, local governments once equipped with such new tools and authority are to be controlled by the public through means beyond the conventional ones. And the citizens are to be informed through all means about both their and local governments rights and responsibilities following the introduction of new plan implementation tools.

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