

THE IMPLEMENTATION MODEL OF PLANNING RULES IN SPATIAL PLANS

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The implementation of spatial plans in past practice in Serbia was the weakest link of planning – theoretically insufficiently studied, methodologically vague and non-positioned, and only formally and partially carried out in practice. There is a general agreement that implementation should be perceived and oriented through spatial plans, in order to maximize the effect on other factors beyond the planning system. For that reason it is necessary to define theoretically the model of implementation for the spatial plan, the elements and contents of which reflect the logical, functional and time coherence of all planning decisions. Since there are several different methods and objects of planning, this paper has singled out four basic models and presents the results of the research (comparative analyses) into the role of application in the planning practice in Serbia using the example of a model of implementation for planning rules. An evaluated and studied model of implementation was applied in spatial plans for areas of special purpose and spatial plans of the local government units. This paper provides recommendations for further application of the model in the planning practice in Serbia.

Key words: implementation, spatial planning, model, element, planning rules.

INTRODUCTION

The implementation of planning documents in past practice in Serbia was the weakest link of planning – theoretically insufficiently studied, methodologically vague and non-positioned, and only formally and partially implemented in practice. Therefore, further research of implementation is necessary, in which spatial planning is perceived as a continuous process and set of implementation measures and activities as part of the plan.

From the moment when planning started to be perceived from the position of the connection between development of the planning decisions and their implementation, a combination of planning implementation and evaluation has become of central importance in respect to other phases of the planning process (Vujošević, 2004). The significance of implementation has been particularly pronounced in the approach to rationalist planning (Sager, 1994). The implementation of past planning decisions into practice was the least developed planning field, that is, the most complex one and the weakest link in planning. More than being just a part of the plan and its finalization, the implementation must be a more rounded process. The logic of planning interaction,

participation of actors and collaboration of different sectors also had to be subordinated to the possibilities and means of the planning implementation.

In order to promote the theory and practice of planning and implementation, it is necessary to define and theoretically elaborate the model of implementation of spatial planning, to specify the basic types of implementation models, and propose the guidelines for their application in future practice (Stefanović, 2011). In past practice there were no clearly defined and developed implementation models for spatial plans, and they were only mentioned in technical terms without being defined.

In lieu of former mechanical models based more on hierarchy and subordination, more significant are interactive models of implementation (Alexander and Faludi, 1989). These models combine collaboration through interaction and corresponding instruments of power in a suitable manner, without which planning decisions cannot be implemented.

The treatment of the implementation model of planning rules in spatial plans in Serbia is the basic aim of this paper.

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A THEORETICAL APPROACH TO RESEARCH INTO THE PROCESS OF IMPLEMENTATION OF PLANNING DOCUMENTS

It is of key significance for successful implementation that planning objectives be suitably structured, starting from the general determinations, via relatively target propositions made concrete, as far as rather concretized statements in view of their contents, time and space (Boisier, 1981). Implementation is in continuous interaction with planning conception and policies, since it emphasizes that plans have to possess internal consistency, meaning that: the individual plan parts must not be mutually contradictory, namely the evaluation of the condition and objectives must be compatible with the structure of that which is planned; the parts have to be mutually compliant; and the objectives have to comply with the measures and instruments (Johansen, 1985). The plan must meet the following requirements: concreteness of the dispositions; avoiding excessive complexity and detailing; avoiding fragmentation and having orientation towards integrity; giving attention to those problems that may be resolved; the structure of objectives within a coherent set of general, special and detailed planning determinations; and linkage with measures and instruments from the other fields (Barras and Broadbent, 1979). That is why there has to be a real resolve in the planning community that objectives and policies be implemented, which excludes "pseudo" and "quasi" plans. The means for implementation have to be actually available, and brought into indirect relationship with defining the necessary strategies and corresponding policies. In other words, the entire system has to be logically, functionally and time coherent.

The foregoing authors clearly point out that implementation is a continuous category, constantly in interaction with planning conception and policies, which change. Implementation comprises and relates to "planning elements" (objectives, planning policies, decisions, priorities) and "post-planning elements" (elaborated measures and instruments of implementation), as well as various aspects relating to monitoring (indicators), evaluation, institutional-organizational aspects and others. Implementation is determined by the integrity of the planning process and is in direct dependence (interaction, correlation) with the methodology and elements of the planning system. Consequently, implementation is a complex process, incorporating both the plan with all its elements and all that follows after it, namely, putting into practice a greater or smaller set of specific solutions. The continuously present factor of uncertainty (in these regions) should also be mentioned, which is conceptually linked to the future, when the outcome of the event is not known with certainty, and which in itself carries a degree of risk, and may result either in loss or in a favorable opportunity. Uncertainty, as a subjective experience, also comprises a dose of fear, non-readiness and hesitation, which to a certain degree may explain the restraint when passing the decisions, with the knowledge that the plausibility of the results is uncertain. Consequently, the uncertainty and insecurity of the system (first of all in the economic, but also in the political, territorial and demographic sense), have become a protracted and

everyday condition and they have an impact on the spatial and urban development of the community (Danilović Hrstić, 2014). When the economy and politics are variable values on a daily basis, without a basic constant and consistency, or any clear and elaborated strategy, then it is difficult to plan the components of a system which may not be sustainable until tomorrow, let alone for the designed time distance. However, no community foregoes development in full, not even in the periods when a reliable perception of the situation is not secured (Nikezić, 1996), but then the process must adapt and fall in line with the existing conditions. It is then mostly concentrated on the activities related to the improvement of certain living conditions, which by their virtue are short-term and fragmentary, without the risk of endangering any superior strategic objectives. The goal of such action is to have maximum effect, and to minimize possible loss, and that is achieved by the restrictive selection of objectives, determining the solution to a lesser degree and by being open to different scenarios and variants in case of a change in the conditions (Danilović Hrstić and Stefanović, 2013).

THE IMPLEMENTATION MODEL OF SPATIAL PLANS

Defining an implementation model of spatial plans starts from the following basic positions:

- That implementation of plans is currently unclear and non-positioned, as well as that in practice it has only been formally and partially implemented;
- That implementation should be perceived as an integral part of a continual planning process which starts with the plan preparation, and which incorporates "planning" and "post-planning" elements, as well as monitoring, evaluation, institutional and organizational aspects;
- That it is necessary to define and theoretically elaborate the implementation model of spatial plans and determine the basic types of implementation models, depending on the types and methods of planning.

In order to approach the preparation of the spatial plan successfully and perceive the framework for its implementation, it is necessary to reply to two basic questions: "*what are we planning?*" and "*who are we planning for?*". The search for the reply to these two seemingly simple questions opens up numerous dimensions and aspects of planning which have to be perceived rationally, in order to have planning and the plan clearly positioned in the system of passing decisions and coordination of various interests.

The character and purpose of planning are strongly influenced by the fact that in modern society all forms of property have been made equal and also that besides the state ownership over the land being the object of planning there is also private ownership. The approaches are various, or at least they should be various, depending on whether planning is carried out for the requirements of the state, namely the national interest, or for the requirements of larger or smaller groups of separate interests (Vujošević, 2004). This is directly dependent on the level of planning as well, since obviously there must be a corresponding framework of planning and policy of spatial development, which is orientating and binding in regard to the vital national interests.

Having in view the new planning tendencies, as well as the past practice in spatial plan preparation, it is possible to define theoretically and identify in practice the four basic elements of planning, which themselves answer the question of what is being planned. They are as follows:

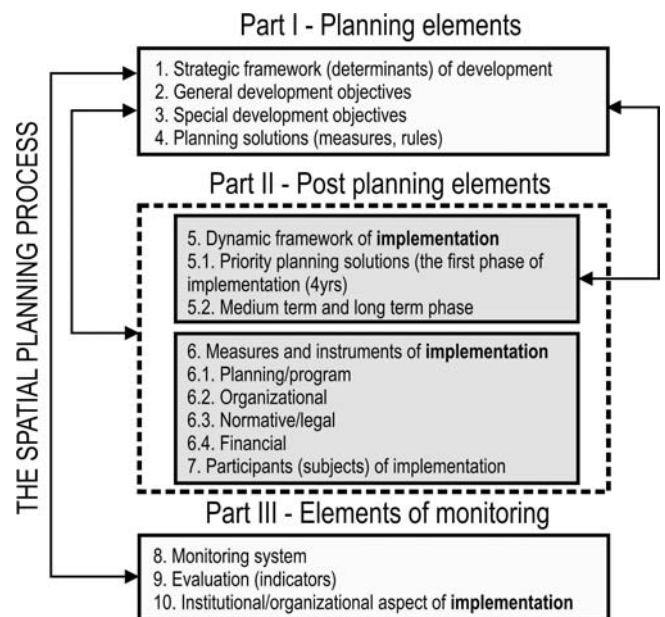
- *Strategic planning and defining the general policy of spatial development* – in which planning is “generally developing”. The results of such planning are strategic commitments associated with the development of certain regions, whereby there is minor planning of concrete activities that are spatially and time determined. Such planning is predominantly linked to the national and regional level of planning (Milić and Stefanović, 2009);
- *Planning the activities of technical nature which are physically realized in space* – in which planning is more concrete and “more spatial” than in the previous one. It can also be termed as physical planning, the results of which are concrete, spatially determined planning solutions, which in practice for the greater part relate to infrastructure networks and facilities, the realization of which is within the competence of the state;
- *Planning the protection of a certain space* – in which major physical interventions in space are not stressed, but by means of planning solutions in the form of protective measures and specified activities (permitted and forbidden), space with all its natural and created values is protected;
- *Planning by means of the set of rules of use, regulation and construction* – in which planning solutions are reduced to a system of rules defining the manner of use of space, regulation and construction. This form of “urban planning” operates with concrete spatial and technical determinants and is the basis for the construction in space.

Having in mind the above, planning and implementation are directly dependent on the type of ownership over the land, on one hand, and the type, namely object of planning, on the other.

A similar conclusion has been presented by the majority of authors engaged in the theory of implementation, stating that the role of implementation basically depends on the applied planning approach (method), namely on the role and conception of what the plan should be. The following are singled out: vision plans; detailed plans (blueprints); plans as a set of guidelines (e.g. for land use, development management, and others); plans as the means for resolving concrete issues; plans as a means of attracting investments; plans as a medium of communication and interaction; plans as policies; and similar (Baer, 1997). With the exception of vision plans, for the majority of other planning approaches, namely models, it is important that the objectives of the very planning undertaking (project) are carried out, thus they most often also contain special instructions and guidelines for implementation.

It is elementary to ask what implementation is like (its role, significance, object and similar) and how it depends on planning types and methods (Vujošević, 2004). There

is an essential discord between two planning types, the one which accentuates the significance of developing other projects (concrete planning solutions in the broadest sense) and the other where greater significance is placed on the general strategic framework (in which developing projects and solutions are positioned). In an ideal situation some balance and flexibility between these approaches is strived for. Such coordination is rather difficult to achieve, even in countries with a developed planning system and planning practice, but without that it is not possible to arrive at any quality and mutually coordinated decisions which can be implemented.



Scheme 1. Roles in the implementation of the planning process

The definition of the implementation model of spatial plans is based on:

- A general definition of the model as 1) the basic specimen according to which something is made, fabricated, or 2) the approximate description of the manifestation or the object in the real world, along with the assistance of mathematical symbolism;
- A definition of planning as the process of preparation of a set of decisions on future actions, directed towards attaining the objectives by the preferred means (Perišić, 1985);
- The position that implementation is a unique continual process beginning with the plan preparation;
- The requirement that the entire planning system must be logically, functionally and time coherent (for successful implementation it is of key significance that planning objectives are conveniently structured, starting from general determinations, via relatively concretized target propositions, as far as concretized statements in view of contents, time and space);
- The fact that implementation is directly dependent on that which is planned, namely on types and methods of planning.

In conformity with the stated positions, *the implementation model of spatial plans is a simplified presentation of a set of related planning decisions on future actions, which reflects the logical, functional and time coherence of the planning actions, depending on the type and method of planning.*

As such the implementation model possesses the elements determined by a set of planning actions in the broadest possible sense, starting from general determinations, via relatively concretized target propositions, as far as concretized statements in view of contents, time and space. The elements of the model surpass the plan itself as a document (the planning phase) and besides the mentioned "planning" elements they also include "post-planning elements" which are only defined by the plan (implemented later on) and all the necessary monitoring elements.

With the proposed definition of the model and by defining its elements, the fundamental theoretical postulate of the model of implementation has been completed. Having in mind the diverse problems and methodology of preparing spatial plans, it is necessary to clearly separate the different types of implementation models which can be identified from past practice, as a part of spatial plans, and which correspond to the types and methods of planning (Stefanović and Milijić, 2009). They are:

- Model of implementation for the strategy and policy of spatial development;
- Model of implementation for the protection of space;
- Model of implementation for planning solutions of a technical nature;
- Model of implementation of the rules regarding the use of space, regulation and construction.

The stated models of implementation can be identified in the past practice of preparing plans in Serbia. They do not mutually exclude each other, but are combined during plan preparation, whereby one of them dominates and determines the character of planning and the plan, and *ipso facto* implementation itself (Stefanović, 2011).

In order for the stated models of implementation to be efficient, it is necessary to develop and promote institutional/organizational and IT support for plans to be implemented in Serbia, which can also be perceived as a separate model.

APPLYING THE IMPLEMENTATION MODEL IN THE SPATIAL PLANS PREPARATION – THE EXAMPLE OF THE MODEL FOR RULES REGARDING THE USE OF SPACE, REGULATION AND CONSTRUCTION

The new planning challenges and styles are progressively requiring pliable and flexible means of planning, unlike the former traditional positions which gave priority to rigid regulatory means. The increasing complexity and interdependence of territorial processes and the increasing uncertainty in respect of spatial tendencies, along with shifting the limits of competences in the national sector, also require the new planning styles oriented towards defining the principles and rules, and not strict and rigid obligations and regulations. It has been defined by numerous European documents that modern plans should become a system of

rules, endeavor to comprehend and anticipate the future territorial tendencies and effects, and be a strategic means directed to activation of the capabilities of the private sector^{2,3}.

With such general tendencies, the spatial planning in Serbia has been developing in light of changes in ownership relationships and the development of private ownership and interests, which require flexible plans as a means of "initiating and facilitating", as opposed to being a means of state intervention and "limitation". At the same time, the limited amount of territory covered by urban plans and the lack of time and means for preparing them condition the requirement that spatial plans be implemented directly, namely that the realization and construction in space can start when the lower order urban plan will not be prepared subsequently.

Such circumstances have conditioned that the model of implementation of the rules regarding the use of space, regulation and construction may be identified in past planning practice. Comparative analysis of the application of this model in spatial plans includes identification of its elements in compliance with the general theoretical postulate of the implementation model.

An exception to this are those plans which do not have such rules and which can be implemented directly, namely the Spatial Plan of the Republic of Serbia and Regional Spatial Plans.

Individual elements of the model of implementation of the rules regarding the use of space, regulation and construction have been identified in all of the analyzed spatial plans for the areas of special purpose and in the spatial plans of the municipalities. However, the analysis has affirmed the position that such rules are a specific element of the plan, and that defining them does not imply coherence of the planning actions. Based on that, it was evaluated that the implementation model of the rules for the use of space, regulation and construction was applied in all analyzed spatial plans for the areas of special purpose and spatial plans of the municipalities.

The stated examples of the rules in the plans of special purpose clearly indicate the dominance and more detailed elaboration of those rules which are related to the construction of infrastructural systems and facilities, which is positive, having in mind that for space regulation the competence lies within the state, which prepares and passes such plans through its institutions.

A particular analysis concludes that the implementation model of the rules for use of space, regulation and construction was applied in the plans of special purpose as a rule in combination with other implementation models (Stefanović, 2011).

² European Spatial Development Perspective ESDP, Towards Balanced and Sustainable Development of the Territory of the European Union), Agreed at the Informal Council of Ministers responsible for Spatial Planning, Potsdam, May 1999 – Published by the European Commission.

³ Guiding Principles for Sustainable Spatial Development of the European Continent, 12th Session of the European Conference of Ministers responsible for Regional Planning (CEMAT), September 2000, Hanover.

Table 1. Presentation of the Model of Implementation for the Rules regarding the Use of Space, Regulation and Construction in Spatial Plans

Spatial Plan	I Planning elements				II Post-planning elements						III Monitoring elements			Representation of the elements in the model (%)	
	Strategic framework	General objectives	Special objectives	Planning solutions (rules of regulation and construction)	Dynamic framework		Measures and instruments				Participants	System of monitoring	Evaluation (indicators)		Institutional organizational aspect
					Priority planning solutions First phase	Middle-term and Long-term phase	Planning-Program	Organizational	Normative - Legal	Financial					
1. Spatial Plan of NP and TR Stara Planina			√	√			√	√			√				36
2. Special purpose Plan of accumulation of the Bovam				√							√				14
3. Spatial plan of the infrastructure of corridor of E-75 highway			√	√	√	√	√	√			√				50
4. Spatial plan of the City Municipality of Lazarevac	√	√	√	√			√	√			√				50
5. Spatial plan of the Municipality of Sremska Mitrovica	√			√			√				√				29
6. Spatial plan of the Municipality of Arilje	√	√	√	√			√	√			√				50
Representation of the elements of model in the plans (%)	33	22	44	67	11	11	55	44	0	0	67	0	0	0	

Unlike the spatial plans for regions of special purpose, in spatial plans of the local government units the rules of construction have been elaborated in more detail, and for the most part relate to the construction of buildings in private ownership, namely to the land for other uses. The rules of regulation are also defined in more detail, however, they are of a more orientating character, having in mind that for the requirements of land regulation and infrastructural facilities construction it is most often necessary to resolve the proprietary/legal relationships by preparing a corresponding urban plan (whereby the spheres of interest between the land of public use and other use are defined).

Such conclusions, supported by numerous examples of the rules of construction for individual dwellings, economic facilities, farms on agricultural land, pile dwellings on floodplains and others, which are fully flexible and open towards a broader spectrum of possible initiatives, have proved that planning practice is slowly meeting the new tendencies and requirements for the new styles of planning, which comprise defining the principles and rules, anticipating future territorial tendencies and effects, as well as activating the capabilities of the private sector.

Numerous examples of the detailed rules for regulation and construction in the analyzed spatial plans of the municipalities confirm that the implementation model of those rules has been applied in them, and that based on the system of rules the possibilities were created for direct implementation (realization) of certain planning solutions.

The spatial plans of the municipalities, therefore, can be evaluated as a successful attempt at responding to the newly created circumstances of planning in Serbia, since they actually define that which was postulated by the legislative regulations by defining the system of rules for regulation and construction on the basis of which the plans can be directly implemented for those areas for which the urban plans will not be prepared.

Although the number and representation of the model elements in the plans mean that it is not directly comparable to the other implementation models, it is evident that it is equally represented with other models, since the analysis conducted has indicated that it was applied in combination with other implementation (Stefanović, 2011).

CONCLUSIONS AND RECOMMENDATIONS

(1) The model of implementation of the rules for the use of space, regulation and construction should be applied as a mandatory model in all spatial plans for the areas of special purpose and spatial plans for municipalities. Such a position is supported by the results of the conducted analysis, which indicates that the model has been applied in the past planning practice in the mentioned plan types.

(2) The basic problem when preparing plans and determining the rules for the use of space, regulation and construction is how and in which way to coordinate the competences in passing the plans with the competences for their implementation and issuing of required permits based

on the set of rules. The same territory has been the object of planning, both on the national and on the local level. That is why it is necessary that the approach to defining the rules of space regulation and construction be established depending on the level of planning (type of plan). In spatial plans for the regions of special purpose it is necessary to define the rules of regulation and construction for the facilities for which further realization and issuing of the necessary permits would be within the competence of the state. For all other facilities, the realization of which is within the competence of the local government, the rules of regulation and construction should be prescribed in spatial plans of the local government units. Thereby one should have in mind that the methodological/theoretical approach in planning should be strived for, since in practice it is not always possible to delimit the competences clearly and anticipate the construction of individual buildings, and it is necessary through plan preparation to perceive the deficiencies and substitute the omissions in defining the rules in the former plans, even independently from the level of planning.

(3) The model of implementation for the rules regarding the use of space, regulation and construction needs to be disburdened of the majority of its elements, which to some extent corrects the theoretical postulate of the elements in the case of this implementation model. Through introductory notes in the plan it is necessary to emphasize that direct implementation is one of the tasks of the plan preparation, which would represent the first planning element of the model. It would condition a further definition of the objectives and conception, as the second element of the model, in a manner to define priority areas and activities which would be supported by the rules and possibility of direct implementation of the plan (for example, economically and demographically affected peripheral regions, the regions in need of urgent rehabilitation and reconstruction, and similar). The planning elements of the model would be rounded by the rules of regulation and construction, and prepared in compliance with the examples and proposals presented. The provisions on the manner of direct implementation of the plan should be singled out as post-planning elements of the model, as well as a separate element, namely a set of rules, which would not be applied directly, but would be of an orientating character and would be elaborated through the preparation of urban plans. Finally, it is necessary to define a special system for monitoring and evaluation within the plans which would incorporate, for example, the guidelines for the operation of the administrative authorities in issuing the required permits, organization of supervision over application of the rules, information system in the field, decided and realized application requests for construction, as well as an evaluation of the direct implementation and preparation of the urban plans.

(4) Having in mind the developed practice of defining the rules of regulation and construction on building land, which is primarily within the field of urban planning and as such theoretically and practically more elaborated, it is necessary to develop and promote the methodology for determining the contents of the rules of regulation and construction on agricultural and timber-land. The practice of preparing

spatial plans in Serbia in recent years has pointed to the significance and need for defining such rules, and thus it is realistic to expect further growth of the initiatives for construction on agricultural, timber-land and construction land, and accordingly, it is necessary to adjust the system of plans and the rules in them, in order for the planners to adequately respond to those initiatives, or limit them.

In Serbia, there are relevant planning experiences which define quality planning solutions and the basic elements of the plan implementation. However, the implementation model/process related to institutional/organizational and IT support of the plan application, following its adoption, is insufficiently developed. This implementation model/process is conditioned by the socio-political system, the possibility of securing funds for its realization, legal prerequisites for the requirements of plan application, and similar. Thus, in the plan implementation in Serbia the present factor of uncertainty has a negative effect on spatial and urban development, namely the reality of the time perspective in planning solutions.

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