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One lost battle for the public space: The case of Travno park in Novi Zagreb

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Abstract

In 2002 an initiative to build a new church in the central park of the Travno neighbourhood in Novi Zagreb provoked heated discussions among local residents and between local residents and the city planning authorities. This was one of the first organized public initiatives (in Zagreb) to protect the public domain and one of the first attempts of non-government organizations to become actively involved in the process of making new urban plans.

Using the case of Travno, this paper illustrates the problems of the post-communist country where public interests remain undefined and weakly protected. The case also illustrates the role of the general public in the processes of making new urban plans, and the problems local initiatives face in the procedural labyrinths. Although the procedure of making new urban plans clearly demands citizen participation and public discussions, the local administration often sees this as a burden for the realization of certain planning actions so these initiatives are often ignored. In an environment where city administration openly puts individual interests as their priority and where individual protests for protection of the public domain are systematically ignored, it is of the utmost importance that organized citizens' initiatives become actively involved into the planning process.

Key words

Citizen participation, Urban planning, Novi Zagreb, Travno

Public participation in the field of urban and physical planning in Croatia

Public participation in the process of making new urban and physical plans in Croatia existed well before the change of the political system in the 1990s through public discussions that involved the planning authorities, various public and professional organizations and institutions as well as the general public. After the fall of communism and the break-up of the former state, there were many changes in territorial organization of the country, cities and municipalities. The planning system also saw some changes although the main hierarchy of the plans was retained. Most changes reflected the new territorial organization, and some changes were introduced into the planning methodology in order to unify the planning standards of new plans.

The obligatory public discussions in the process of making new urban and physical plans in Croatia are defined by the spatial planning acts and specific regulations¹. Each proposition of a new physical, master, municipal or detailed plan (or change to the existing plan) must go on public display for not less than one month². Furthermore, at least one public discussion with the planning authorities and makers of the plan has to be organized. This has to be announced in the local media.

The planning authorities are obliged to invite representatives of state, county and city institutions, representatives of municipal organizations, institutions and companies dealing with public infrastructure as well as local communities' representatives to these public discussions. Representatives of local neighbourhoods have to be invited only in cases when detailed urban plans³ are discussed.

While the procedure is regulated by the planning acts, in reality there are many cases when everything is done with an aim to reduce the possibility of changes that would result from public discussions. Some public discussions are only formally announced in

¹ Uredba o javnoj raspravi u postupku donošenja prostornih planova (*Regulation on Public Discussions in the Process of Making of Physical Plans*, Official Gazzette 101/98).

² Two months for county physical plans

³ Either *Urbanistički plan uređenja* or *detaljni plan uređenja* – both plans deal with detailed urban planning with differences in scales and scopes of plans.

non-influential print media, i.e. small-circulation newspapers. Public displays are sometimes organized during summer months or winter holidays. Participation of ordinary citizens is also limited because of their inability to organize themselves and the centralisation of local governing bodies that results in inactivity of the local (neighbourhood/district) councils. Furthermore, while private investors usually hire skilled professionals to help them overcome procedural obstacles, the ordinary public generally remains unorganised and lost in the administrative procedure. The biggest problem is the fact that the public interest remains unarticulated in the times of “transition-type” capitalism when local administration often openly works for the benefit of private investors. I will try to illustrate problems associated with that on the example of citizen involvement in the case of recent construction within the perimeter of the urban park in Travno neighbourhood in Zagreb.

Architectural context of Travno

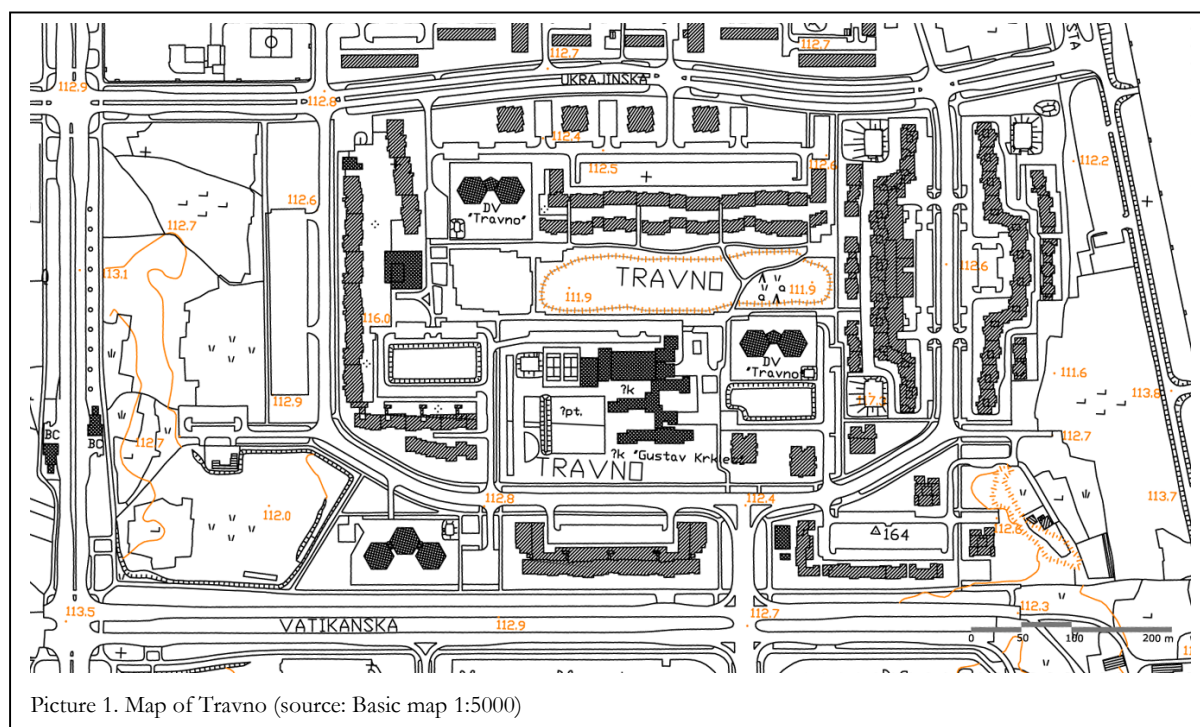
Novi Zagreb is the *new town – type* part of Zagreb whose construction started in mid-1950s, when a decision was made to construct the new grounds of the Zagreb Trade Fair on the right bank of the Sava River. Originally planned for 150,000 inhabitants, Novi Zagreb was mainly built between mid-1950s and late 1980s, in times characterized by large-scale industrialisation and urbanisation of Zagreb. Due to big shortage of housing at that time, the housing programme was the ultimate priority and, even though Novi Zagreb was planned as a new town that was to have other programmes as well, it soon gained the status of a “dormitory town”, similar to other examples that can be found in many European cities.

The built structure of Novi Zagreb was characterised by great influence of CIAM and post-war functionalist urban planning and architecture. The main traffic arteries enclosed different neighbourhoods that had between 30 and 40 hectares each and were programmed to house between 8,000 and 12,000 new inhabitants. Each neighbourhood was planned around one elementary school, and besides the basic housing programme each of them also had basic amenities related to the housing – from kindergartens and

health centres to shopping centres and other services. Edges of the neighbourhoods remained largely unbuilt as they were originally designated for other programmes of the new town, programmes whose building was postponed at the time when housing was the main priority.

Travno neighbourhood is located in the southeastern part of Novi Zagreb. It was planned and built in early 1970s. This was the time of the first loud critiques of the modernist and functionalist planning in terms of the uniformity of the urban environment that was characterised by freestanding buildings arranged on the undefined “green areas”. Therefore, it is not surprising that the textual description of the new plan for Travno neighbourhood starts with the following sentence: *Despite all our efforts and resistance contemporary cities are turning into piles of buildings that generally form inhumane spaces*⁴. The main goal in shaping the Travno neighbourhood, set by its authors, was *to humanize the urban space*. Its main author, Miroslav Kollenz, was a professor of urban planning and landscape architecture at the Zagreb Faculty of Architecture and therefore it is not surprising that his efforts in achieving this goal were concentrated mainly on the urban environment of the new neighbourhood. The backbone of his design proposal was a huge park that was to occupy the central area of the newly planned neighbourhood. The reasons for this central park were functional as well as symbolic. From the functional point of view - not mentioning the obvious ecological and social advantages of green areas in neighbourhoods - the role of the centrally located park was to enable easy access to the urban park from all surrounding buildings, to provide easy orientation within the neighbourhood and to allow differentiation of the built areas surrounding the park. The symbolic reasons for the park at this place were the former plains of the Sava valley which were “swallowed” by the newly built urban areas of the sprawling city. Lawns which stood here before the construction of Travno were planned to be represented in the layout of the neighbourhood in the form of a central unbuilt area. Planning and planting interventions were set to be minimal – the park was originally conceived as an empty lawn with trees planted only on its edges, having several children playgrounds as its only programme. An artistic installation was also planned in the form of sculptures of

⁴ Kollenz (1975): 7



cows⁵ - these were never installed (due to lack of resources), but the central “lawn” remained unbuilt. It even gave the name to the neighbourhood - Travno meaning *the lawn* in Croatian.

There was a price to be paid for this idea of a large park since Travno still had to house the major programme of approx. 12,000 new inhabitants on a limited space. The only solution was to construct high-rise buildings on the edges of the centrally located park. Four 20-storey tower blocks were built in the northern and another five tower blocks in the southern part of the neighbourhood, while on its western edge a huge 18-storey building was constructed. Originally (in accordance with attempts to minimise the uniformity of the urban ensemble) buildings were given names after various flowers, and the biggest of them was to be nicknamed *Daisy*. However, soon after its first tenants moved in, it was colloquially called *Mamutica* (the Mammoth), and to this day this building with more than 5,000 inhabitants remains the largest residential building in Croatia. Although people were housed in buildings of huge scales, Travno also offered its inhabitants the largest single (planned) unbuilt space. The centrally located park of Travno was the real heart of the neighbourhood. The traffic system and building layout

⁵ By Croatian artist Ivan Kožarić

enabled direct and safe access from most buildings directly onto the central lawn, without the need to cross the street. Public amenities were located on the edges of the park – a school, two kindergartens, a community and cultural centre as well as a number of shops located in *Mamutica's* ground level – all easily accessible from the central park.



Picture 2. View of the Travno park (photo: N.Božić)



Picture 3. View of the Travno park (photo: N.Božić)

The central park of Travno soon became the main element of the neighbourhood's identity, and the most important aspect of its "good sides". In a recent study, when asked about the good aspects of their neighbourhood, eight-grade elementary school children (14-15 years of age) named *meadows, playgrounds and parks, which they described with the help of an almost idyllic topos: Travno was "enclosed by rows of trees, between which there were large meadows full of children". It was precisely the green of the urban setting in which they lived that they appreciated most of all.* ⁶

Inhabitants who were given flats in Travno⁷ soon had to adapt to their urban environment and transform the built-up space into symbolic or identity-related space. Although most of them did not choose to live on higher floors of tower blocks or *Mamutica*, many negative aspects⁸ of such living environment were compensated by the quality they could find in their urban landscape which was a combination of large-scale buildings and large-scale unbuilt spaces.

⁶ Gulin Zrnić (2004b): 46

⁷ Within a context of socialism when flats were given to people according to specific formulas and with very limited options of choice as regard to the actual location of the flat within the city or within the building.

⁸ More about this in Gašparović, Božić (2005)



Picture 4. Aerial view of Travno (2003)

Initiatives for the new church building in Travno

When the area of Novi Zagreb was built it was planned to be a showcase of the socialist country where religion was strictly separated from the state. While religious life was not forbidden, it was not stimulated either⁹. This is especially the case in newly built urban environments (like Novi Zagreb) which were planned as new cities for the new (socialist–communist) society. The first parish community in Novi Zagreb was founded in 1967 and the first church built in mid 1980s. It took eight years of negotiations between the Church, the city and the political party to finally get the building permit for this church. Although it was called “the cathedral of Novi Zagreb”, this building with its maximum capacity of 2,000 people was not enough for this rapidly developing new part of the city with more than 100,000 inhabitants.

⁹ *The special aspect of religious community was their activity within the socialist political system. By the Constitution of the Socialist Federative Republic of Yugoslavia «the freedom of conscience and faith» was declared as a kind of «personal freedom of man and citizen». All religious communities were separated from the state, but they were free in their religious activities and ceremonies. Gulin Zrnić (2005)*

During the socialist period, religious life in communities such as Travno was mainly organized in private flats. The archdiocese would usually buy a flat that would formally be owned by a private person (usually the priest assigned for the service), and religious services were held here – often objected by neighbours with different ideological views who would feel disturbed by the noise and the crowds¹⁰. In Travno, local catholic parish community was organized soon after the arrival of first tenants and before most of the buildings were even completed. Religious services were held in a 68 square metre flat situated on the first floor of the housing block – sometimes accommodating up to 400 attendants of the Sunday mass.

After the fall of socialism, the number of people freely exercising their religious beliefs and practices increased significantly, and the private flat was no longer big enough for all the people interested into attending religious services. At the same time, the role of the religion in the society changed and, although still formally separated from the state, the Church became an important element of the social life. It was not long after the 1990 that church services were organized also in the main hall of the Travno elementary school. The hall was used not only for Sunday masses, but also for other activities such as religious instructions, church chorus rehearsals and preparations for religious holidays.

In mid-1990s construction of church buildings started in most neighbourhoods of Novi Zagreb. In 1998, the local parish council in Travno held a number of meetings and decided to initiate the building of a church in the neighbourhood. What the church initially wanted was a location in the middle of the Travno park, but after the first discussions with the city planning authorities they settled with two other possible locations – one at the eastern and one at the western edge of the park. (They rejected the third proposed location which was on the edge of the neighbourhood, close to the third kindergarten, as inappropriate.) In 1999 the local parish board chose the location in the western part of the park and in 2001 the first location permit¹¹ was issued. Because of

¹⁰ More about these religious «communities within communities» in Gulin Zrnić (2005).

¹¹ Not to be confused with the building permit. The *location permit* is an administrative document issued based on the spatial planning documents which determines the conditions under which the spatial intervention can be performed. The procedure of issuing of the location permit is defined by the Spatial Planning Act. The building permit is defined by the Building Act and issued if necessary preconditions and regulations are met by the project in order for the actual construction to start.

the location's exposition, the location permit was issued with the provision that architectural competition must be held for the design of the church building.

Local community organization

It is important to note that first discussions regarding the building of the new church involved the local parish committee, city planning authorities and the local branch of the most powerful political party at the time (which formed both the national and local governments). Neither the local residents nor the local community council were officially involved. In fact, discussions took place during the time when the official local community organization was practically non-existent. The smallest community units¹² during the socialist times were the size of the neighbourhood and in the case of Novi Zagreb they reflected the logic of physical organization of the space – each neighbourhood had its own local community unit that was the fundamental administrative unit of the municipality. These local community units were the basic level of “self-managing socialism” designed with the intention of *including local inhabitants in decision-making on the issues of urban development, on “meeting common needs with solidarity” and on realisation of “common interests”*.¹³ Like many other remains of the socialist system in Croatia, local community units were disbanded in 1992 on the grounds that they were the remains of the old system – yet, no new system was designed until late 1990s. This time the city administration was centralized and the new administrative division no longer reflected the small neighbourhood-type communities. The main new administrative unit is the city district¹⁴, which comprises a significantly larger area. For instance, Novi Zagreb is now divided into two city districts (Novi Zagreb East and Novi Zagreb West) as opposed to some ten local communities that existed before 1992. The scope of activities of the city districts has also been considerably reduced compared to former local community units. *New districts have neither intrinsic authority nor autonomous financial resources and their activities are significantly reduced. Moreover, city districts are too huge and therefore not manageable: for example – the*

¹² «Mjesna zajednica»

¹³ Gulin Zrnić (2004a)

¹⁴ «Gradska četvrt»

*city district of Novi Zagreb East (to which Travno belongs) has 65 301 inhabitants which is too large for adequate activities at the local level.*¹⁵ Although the City Statute foresees the formation of local or neighbourhood boards, they are still inexistent and there are no administrative units that would handle the issues at the lowest level.

Procedure and public discussions about the construction of the new church

The 2001 location permit for the church building was issued for the location in the western part of the Travno Park, in the area defined by the master plan as an urban park. According to the old master plan, a limited construction was allowed in city parks as long as the use of the building was public and the built-up land was under 10% of the area of the park. (This is the standard article in most urban plans allowing the construction of pavilions and similar buildings in city parks.) In 2002 the local parish organized the architectural competition that was required by the location permit. The competition was not organized according to the rules for architectural competitions that demand involvement of local architects' associations. This usually sets specific rules in terms of who can be a member of the jury and other issues of the competition procedure. More importantly, proper preparation of the competition guarantees that all spatial requirements are met and spatial planning documents comply with the law.

The announcement of the architectural competition in 2002 was the first public information that local inhabitants heard about the planned new construction in the Travno park. Since this central green area was the main element of neighbourhood's identity this information immediately provoked protests by local inhabitants who opposed the construction within the perimeter of the park. This was the beginning of a 5-year long battle between local residents who wanted to preserve spatial integrity of the park and local parish authorities who did not want to hear of any other location for the church building in the neighbourhood other than the central one. From the beginning, church authorities sought support from the city planning authorities and got it. This was

¹⁵ Gulin Zrnić (2004a)

the only guarantee that no procedural errors could be made even if the location was dubious from the start. On the other hand, local residents opposing the construction lacked proper organizational support and were doomed to get lost in procedural labyrinths that were to follow.

A dubious decision to allow building of a church within the area defined as a public park was amended in 2002 when the first draft of the new master plan (of the City of Zagreb) was presented to the public as part of the obligatory public display and discussion. This plan proposed changes in the land use plan, reduced the size of the central park and defined the area in the western part of the park as D8 (*“areas for construction of religious buildings”*). Opponents to the construction organized the signing of a petition which was submitted to the local city district. The local city district (Novi Zagreb East) filed an official complaint to the proposal of the new plan asking, among other things, that the park be preserved in its integral form and the location for the church building to be found elsewhere in the neighbourhood which still had lots of unbuilt areas on its edges. The complaint was rejected by the city planning authorities on the grounds that the location permit had been already issued. With the adoption of the new master plan in 2003, the western part of the park was defined as the place for the construction of a new church building. City authorities ignored another complaint by the local city district.

As the voices of those opposing the construction in the park were getting louder, the church and the city authorities started acting more carefully in order to meet all procedural requirements. Changes were made in cadastral maps with an aim to define the new parcel for the new church. It has to be noted that cadastral and land-registry maps in Croatia are still in the process of major reforms, following 45 years of neglect during the socialist system which favoured collective over private ownership. Whole new parts of cities (like Novi Zagreb) were built on once nationalized land without cadastral and land-registry maps being updated since they were not considered important in the society in which private property was not a priority. In the 1990s, as private ownership was becoming more and more important, the buildings that were constructed in the meantime were added into cadastral maps with parcels being formed only of their footprints on the ground. The rest of the land (including all other areas of Travno that

did not actually have a building over it) still had old data and was defined in cadastral maps as agricultural land – although for the past twenty years this “agricultural land” has been in fact parking lots, sports and children playgrounds or parks.

An update in land-registry maps for the church building in Travno followed the update in cadastral maps, and now the Church was the official owner of the land (returned to them on the grounds of de-nationalisation acts). Since the 2001 location permit was issued for construction in the area where only park pavilions could be built, a new location permit was requested. This time the location permit was issued in accordance with the newly adopted master plan, which allowed construction of religious buildings on this site. The new location permit, issued in 2005, allowed for the construction of a church, a church tower, a church square and additional buildings containing lecture halls, four apartments and other public services.

In 2005 tenants of *Mamutica*, the largest building in Travno (and the nearest building to the location of the church) started signing a petition and formed an informal group. Once more they tried to alarm the local city district, which again filed a formal complaint with the city planning authorities. The complaint was again rejected on the grounds that the location permit had been issued in accordance with the master plan and was therefore legal. At this point the local city district withdrew from any further discussions on this issue.

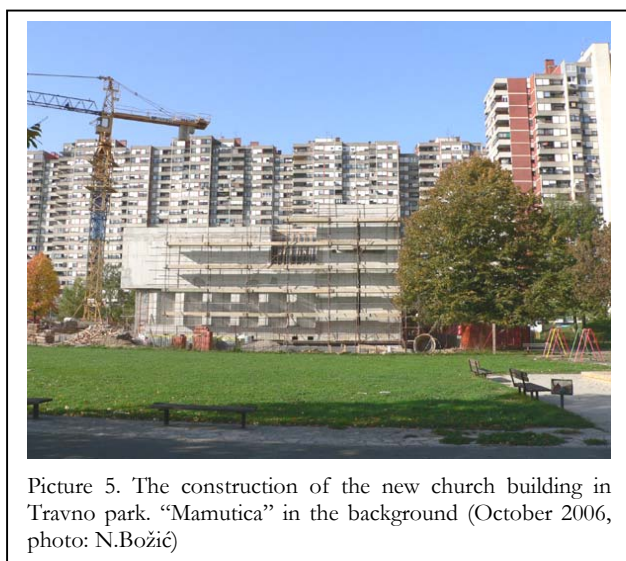
In September 2005, a non-government organization “Travno moj kvart” (*Travno my neighbourhood*) was officially registered. Their first public action involved formal complaints against the issued location permit, letters to the city and state authorities and organized protests against the construction within the perimeter of the Travno park. The campaign ran under the slogan *Yes to the Church, But not in Our Park!* and was widely covered in the local media. From the beginning they were careful to make it clear that they did not oppose the construction of a church building in their neighbourhood, but that they found the location in the central park at the footsteps of *Mamutica* inappropriate. They even suggested alternative locations for the church building since there were still lots of unbuilt land on the edges of the neighbourhood, especially on the

western edge between *Mamutica* and one of the main city avenues. A local neighbourhood webpage¹⁶ soon became the main medium for discussions among the residents of Travno, its forum registered record number of entries and it was soon clear that a very small number of inhabitants of Travno were indifferent to this issue.

The formal complaint of NGO *Travno moj kvart* was rejected by the city planning authorities, again on the grounds that the location permit had been issued in accordance with the master plan but also on the grounds that neighbours did not object construction. When asked whether their voices count, they were told that even though they lived in close proximity to the church, formally only the neighbours bordering with the parcel (according to the cadastral maps) counted, and in this case the church parcel bordered only with the land owned by the City of Zagreb. (The official cadastral parcel of *Mamutica* was only its footprint on the ground and there was a small piece of “agricultural land” between *Mamutica* and the church parcel.) Since inhabitants of *Mamutica* are not officially regarded as the first neighbours of the church building, they officially cannot complain against the construction and therefore the city authorities could ignore their protests. A similar answer came from the building inspection.

In October 2005 a building permit for the construction of a church building was issued. *Travno moj kvart* again filed a complaint and was again rejected on the grounds of not being the first neighbours and therefore having no rights to complain. In 2006 volunteers of *Travno moj kvart* organized the signing of a large petition which was in fact an interview involving all households in the neighbourhood. They collected 3,000 signatures after interviewing residents of approximately half of the buildings in Travno. The pressure from the local priest was very hard. (Some people who were attending religious services but at the same time opposed the construction reported that the priest openly threatened to withhold his services to everyone signing the petition.) The signing of the petition was abandoned after the volunteers were attacked in one of the buildings and the chairwoman of the NGO *Travno moj kvart* received direct threats to her life. The further discussion was obviously impossible.

¹⁶ www.travno.hr



As the construction site started to be organized, *Travno moj kvart* tried again to alarm numerous institutions, but it was too late and all complaints were rejected. The city administration remained unwilling for any further discussions on this matter claiming that all permissions were already issued, that they were legal and according to the spatial planning acts.

In spring 2006 the construction of the church had finally begun at the western edge of the park.

Conclusion

In post-communist Croatia, the opposition to the previous system sometimes goes to such extremes where even its good formulas are abandoned or cancelled without a proper substitution. While the former system used - in the field of urban planning - *protection of the general interest* as its buzzword (sometimes just to justify its dubious decisions), in today's post-communist environment driven by unregulated market forces the protection of the public interest remains largely undefined. City administration in Zagreb has recently publicly proclaimed that protection of interests of private investors equals the public interest. The administration widely serves the private investors. Plans are modified in order to accommodate the wishes of individual investors, often at the cost of the public domain. The fact that in the case of Travno park the investor was the Church does not justify the role and the attitude of the city administration that remained closed for any discussions about their decisions. The fact that it was the church building to be built in the park only made the discussions difficult, if not impossible. Attempts to discuss the matters of protecting the public spaces and spatial integrity of the park were

impossible since all discussions soon diverted into the ideological sphere of those supporting or opposing the building of a new church.

In an atmosphere in which the public interest is clearly unprotected, the role of NGOs is of the utmost importance as the only possible corrective in making decisions that threaten the public domain. Individual and unorganised citizen actions remain lost in the labyrinths of administrative procedures – especially in cases when the public administration does not serve its citizens in the way to make the administrative procedures clearer and more transparent. Everything becomes legal when the rules are adjusted to particular interests and public debate is either suppressed or ignored. Public discussions in the area of urban planning are often seen by local governments only as the formal necessity without the real intent to openly discuss the matters with the citizens which might be affected by certain decisions.

As the city administration remains closed to the general public and open to private investors, the general public's interest in matters that shape their everyday environment is rising. *Travno moj kvart* organization was one of the first attempts in Zagreb to articulate and protect the public interest and initiate a public debate. Last year a NGO *Pravo na grad* (The Right to the City) was founded in Zagreb. They have already launched several campaigns against the dubious projects supported by the city government that would have an impact on the public domain. So far, there are no signs that the city administration is ready for discussions but as the voices and actions become louder it is possible that this could change in the near future.

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